

**JUSTICE NANAVATI
COMMISSION OF INQUIRY
(1984 ANTI-SIKH RIOTS)**

REPORT

VOLUME - I

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PART - I

INTRODUCTION

The assassination of Prime Minister Smt. Indira Gandhi on 31-10-1984, by her two Sikh security guards, led to violent attacks on Sikhs and their properties in Delhi and other parts of the country. The incidents of violence in Delhi started from the evening of 31-10-84. During the following two days fierce violence was let loose on the Sikhs and their properties. Hundreds of Sikhs were killed. Several others were injured. Their properties were looted and burnt on a very large scale. Though the incidents of violence continued till 5-11-84 the situation started improving from 3-11-84. As a result of these riots, hundreds of Sikhs had to leave their homes and take refuge in relief camps or in other safer places. Many Sikh families lost their male members and thus suffered great emotional and heavy financial loss. Bokaro Tehsil, Chas Tehsil and Kanpur were also badly affected. The Home Minister made a statement on the floor of the Rajya Sabha that the number of Sikhs killed in Delhi during November 1984 riots was 2146; 586 persons were said to have been killed in other parts of the country during that period. These anti-Sikh riots not only hurt the feelings of Sikhs but also shocked the conscience of all right-minded persons throughout the country. Considering the manner in which the violent attacks were made, it was felt that probably the attacks on Sikhs were organized by the Congressmen or their supporters or by some other organizations or associations. It was also felt that the Delhi Police was not only negligent in protecting the Sikhs and their properties but probably connived at or instigated such attacks. Considering the feelings of the Sikh community and criticism of the bodies concerned with protection of human rights and civil liberties, the Government of India appointed a Commission headed by Mr. Justice Ranganath Mishra, the then Hon'ble Chief Justice of India, under Section 3 of the Commissions of Inquiry Act, 1952 "to inquire into the allegations in regard to the incidents of organized violence which took place in Delhi and also the disturbances which took place in the Bokaro Tehsil, Chas Tehsil and at Kanpur and to recommend measures which may be adopted for prevention of recurrence of such incidents."

Justice Ranganath Mishra Commission of Inquiry (hereafter referred to as Justice Mishra Commission) held an inquiry and found that the incidents which took place on 31-10-84 were by way of involuntary reaction of a deep sense of grief, anguish and hatred for the assassins. That spontaneous reaction of the people soon transformed itself into riotous activity with participation and monitoring thereof by anti-socials due to passivity of the Delhi police. The Commission also found that the police was either indifferent or negligent in performance of its duties while those incidents were taking place and at times it also connived at or participated in them. There was failure on the part of higher police officers to make a proper assessment of what was brewing in the city. The Commission ruled out participation by the Congress(I) Party or its leaders therein; but, came to the conclusion that some persons belonging to the Congress Party on their own did indulge or participate in the riots for considerations entirely their own. It also found that there was delay on the part of Delhi Administration i.e. the Lt.Governor and the Commissioner of Police in calling the Army, though about 5,000 Army men were available by mid night of October 31. Regarding the incidents, which happened at Kanpur and other places, the Commission found that the police at those places did not perform their role properly and their negligence and connivance was responsible for the loss of life and properties there. The Commission did not try to find out how many Sikhs were killed in Delhi and other places, which police officers and other persons were responsible for the loss of life and properties and against whom actions should be taken, as that would have necessitated a very detailed inquiry which it was not in a position to hold for the reasons stated in its report. It, therefore, recommended an inquiry by a high authority to inquire into the conduct of the police and to find out against which police officers action deserved to be taken. It also recommended appointment of a high officer to determine the number of Sikhs killed during those riots. It also made certain recommendations as regards payment of compensation to the victims, their rehabilitation, re-organization of the police, forming of combines of local residents and educating people. The Commission submitted its report to the Government of India in August 1986.

Pursuant to the recommendations made by that Commission, the Government on 23-02-87, appointed three Committees. A Committee consisting of Mr. Justice Dilip Kapoor, a retired Chief Justice of the Delhi High Court and Ms. Kusum Lata Mittal, a retired Secretary to the Government of India, was appointed to inquire into the conduct of Delhi Police. Another Committee consisting of Mr. Justice M.L.Jain, a retired Judge of the Delhi High Court and Shri E.N.Renison, a retired I.P.S. officer (later on replaced by Shri A.K.Banerji, a retired I.P.S. officer) was constituted to examine cases relating to riots in Delhi. Shri R.K.Ahuja, a Secretary in the Ministry of Home Affairs, was directed to conduct an inquiry to find out the total number of Sikhs killed in Delhi during the riots, between 31-10-84 and 7-11-84, and to make appropriate recommendations regarding ex-gratia payments and other reliefs to their family members.

Shri Ahuja after holding a detailed inquiry determined the total number of deaths at 2733. It made certain recommendations regarding reliefs to be given to the relatives of the victims and the procedure to be adopted for distributing those reliefs. It submitted its report to the Government on 1-6-1988.

The Committee consisting of Mr. Justice K.Kapoor and Ms. Kusum Lata Mittal could not function amicably as there was difference of opinion amongst them with regard to the modalities to be adopted for conducting the inquiry. Ms. Kusum Lata Mittal was of the view that the Committee should examine only the available records and submit its report on the basis thereof. On the other hand Mr. Justice Kapoor was of the view that the Committee should collect other material, which was not on the record and submit its report after considering all the relevant material. Both the members submitted their reports separately. Ms. Kusum Lata Mittal submitted her report on 28-2-1990 and a key to the same on 1-3-1990. Mr. Justice Kapoor submitted his report on 1-3-1990 and his supplementary survey on 2-4-90.

After examining the two reports, the Ministry of Home Affairs found that the report submitted by Mr. Justice Kapoor was a sort of sociological analysis of riots and that it dealt in generalities only and did not identify the delinquencies on the part of

individual police officials. The Government, therefore, decided to accept the report submitted by Ms. Kusum Lata Mittal and take action against the police officials on the basis thereof. 72 police officers were indicted for their lapses in controlling the riots. Ministry of Home Affairs was the disciplinary authority in respect of 6 of them. The Chief Secretary or the Lt. Governor was the disciplinary authority in respect of 14 and the Commissioner of Police for the remaining 52 officers. Out of those 72 officers, 13 had retired and 3 had expired before action could be initiated against them. 12 officers were exonerated. Departmental inquiry was quashed by the Central Administration Tribunal in one case. Pension was reduced in one case and three cases remained pending. As regards the remaining 39 non-gazetted police officers, inquiries were held against 35 officers. Out of them 32 were exonerated, 2 were censured and 1 was warned. Inquiries against 4 officials remained pending.

Shri E. N. Renision resigned as a member of Jain-Renision Committee. He was replaced by Shri A. K. Banerji. Jain Banerji Committee could not make any progress because of an interim injunction granted by the Delhi High Court. Later on the notification appointing that Committee was quashed by the High Court as it was found that vesting of powers in the Committee was contrary to the provisions of the Delhi Police Act and the Code of Criminal Procedure. Therefore, the Delhi Administration appointed another Committee on 23-3-1990 consisting of Shri P. Subramanian Poti, retired Chief Justice of Gujarat High Court as its Chairman and Shri P. A. Rosha, retired officer of the Indian Police Service as a member with the following terms of reference:

- a) To examine whether there were cases of omission to register or properly investigate offences committed in Delhi during the period of riots from 31st October, 1984 to 7th November 1984;
- b) To recommend to the Administrator, where necessary, the registration of Cases and their investigation.

- c) To make suggestions to the Administrator where necessary, for the conduct of investigation and prosecution of cases.

The Committee was further authorized to look into any papers relating to its terms of reference and to obtain such information, as it deemed necessary from the police and the prosecution agencies in order to carry out its functions.

That Committee was reconstituted on 1-10-1990 by appointing Shri Aggarwal, a retired IPS Officer in place of Shri P.A.Rosha. Both Shri Poti and Shri Aggarwal relinquished their office on 22-9-1990 after completion of the tenure of six months. The reconstituted Committee of Mr.Justice J.D.Jain, a retired Judge of the Delhi High Court and Shri D.K.Aggarwal started functioning from December 1990. It took into consideration 669 affidavits filed before Justice Mishra Commission. It also received 415 affidavits from affected persons and their family members. It looked into 403 FIRs recorded by the Delhi Police in respect of the riot cases. It found that as a result of not recording a separate or distinct FIR for each incident and by following a novel procedure of recording a general, vague and omnibus type of FIR covering many incidents, no proper investigation was done by the Police in respect of each incident/offence and even at the stage of trial proper evidence incident-wise was not produced. Mainly for these reasons most of the cases had ended in acquittal of the accused. The Committee also found that in most of the cases investigation carried out by the police was absolutely casual, perfunctory and faulty. Instead of recording statements of all concerned, including the eyewitnesses, the investigating officers, in most of the cases, recorded statements of only the complainants who were either widows, sons or other relatives of the persons killed; and, even those statements were laconic, cryptic and sketchy. No attempts were made by the investigating officers to find out witnesses to the incidents so as to collect direct evidence. No attempts were made to trace out the culprits and to effect recoveries of weapons or stolen/looted goods. Police had also adopted an illegal practice of calling upon the culprits to deposit the looted property quietly on the nearby roadsides and promising them that they would not be harmed. The Committee also found that many written reports of the incidents lodged by the victims or by their relatives

were not acted upon by the police. Another malpractice noticed by the Committee was that the Police had prepared a kind of format for the aggrieved persons for submitting their complaints and it mainly called for information regarding their looted or burnt properties and the quantum of loss suffered by them. It did not contain any column regarding names of the victims and the offenders. The Committee also noticed that in large number of cases, the incidents reported by the aggrieved persons were not reflected in the charge sheets even though those persons had spoken about them during the course of investigation of those offences. The charge sheets filed in the courts were mostly couched in general terms without specifically referring to each incident and several accused (in some cases numbering 100 or more) were put up together to stand their trial even though allegations against them were totally different. The result was that such cases ended in acquittal of the accused due to utter confusion and want of marshalling of evidence. No serious attempt was made by the Police to examine all relevant witnesses in the Court on the pretext that they were not traceable. In view of such serious lapses and derelictions of duty on the part of Police, the Committee recommended to the Government to take disciplinary action against the lower level defaulter police officials. As regards the Deputy Commissioners of Police and Assistant Commissioners of Police, the Committee observed that some of them had simply abdicated their responsibility of supervision and control over investigation of riots cases. The Committee also made certain suggestions regarding improvements to be made in the Police Organization and their training.

Ms. Kusum Latta Mittal had recommended departmental actions against 72 police officials. Justice Jain Aggarwal Committee had identified 90 officials for the lapses committed by them. Thus the total number of police officials indicted by the two Committees was 147. The concerned authorities found that no departmental action could be taken against 42 officials either because they had expired or retired from the service. As regards the remaining 105, the Ministry of Home Affairs had processed the cases of 8 officers and the other 97 cases were processed by the Government of National Capital Territory of Delhi or by the Delhi Police. Out of 8 officers, against whom proceedings were initiated by the Ministry of Home Affairs, 5 were exonerated, as charges against

them could not be substantiated. The inquiry against Additional Commissioner of Police, Shri H.C.Jatav was concluded with imposition of penalty of 30% cut in his pension for a period of five years. Enquiry initiated against DCP Shri Chandra Prakash was completed but final order could not be served upon him because of a restraint order passed by the Delhi High Court. Enquiry against DCP Shri Sewa Dass was delayed till 1998 because of a stay granted by the Central Administrative Tribunal. Now the Inquiry Officer has submitted his report to the Ministry and it is under process.

The Government of National Capital of Delhi processed the cases of 97 officers against whom action was recommended. No action could be initiated by it against 29 persons as they had by that time expired or retired from service or the action against them had become time barred. No action was initiated against 9 persons as inquiries were already initiated against them on the basis of the recommendations made by the Kapoor-Mittal Committee. The Delhi Government also instituted 25 Criminal Cases against some of those 72 police officials.

As there was wide spread demand from different sections of the public, particularly the Sikh community for an inquiry into several aspects of violence, abuse of authority, remissness and apathy of law enforcement agencies and those who were in position to exercise control over them, excesses committed and action taken or purported to be taken in the wake of criminal riots, the Central Government thought it necessary to appoint a Commission of Inquiry and issued a notification to that effect on 08-05-2000. The terms of reference as mentioned in the said notification are set out below.

“Terms of Reference:

- (i) The Commission shall make an inquiry with respect to the following matters:
 - (a) to inquire into the causes and course of the criminal violence and riots targetting members of the Sikh community which took place in the

National Capital Territory of Delhi and other parts of the country on 31st October, 1984 and thereafter;

- (b) the sequence of the events leading to and all the facts relating to such violence and riots;
 - (c) whether these heinous crimes could have been averted and whether there were any lapses or dereliction of duty in this regard on the part of any of the responsible authorities / individuals;
 - (d) to inquire into the adequacy of the administrative measures taken to prevent and to deal with the said violence and riots;
 - (e) to recommend measures which may be adopted to meet the ends of the justice;
 - (f) to consider such matters as may be found relevant in the course of the inquiry.
- (ii) The inquiry by the Commission shall be in regard to:
- (a) complaints or allegations that may be made before the Commission by any individual or association in such form and accompanied by such affidavits as may be specified by the Commission, and
 - (b) such instances relatable to paragraph 2(i)(a) to (f) as may be brought to its notice either by the Central Government or the Government of the National Capital Territory of Delhi or the State Governments concerned.”

The Central Government, in exercise of its powers under Section 5(1) of the Commissions of Inquiry Act, also made all the provisions of sub sections (2), (3), (4) and (5) of Section 5 of the Commissions of Inquiry Act applicable to the Commission.

A copy of the notification is annexed with this report as Annexure - I. All the annexures to this report are contained in Volume II of the report.

PART - II

PROCEEDINGS

The Commission was provided with office premises, the staff and other facilities required for the proper functioning of the Commission in June 2000. Soon thereafter the Commission started functioning from its office in Vigyan Bhawan Annexe, Maulana Azad Road, New Delhi. On 12-06-2000, the Commission issued a notification inviting all individuals, groups of persons, associations, institutions and organizations having knowledge directly or indirectly of facts and circumstances relating to the matters referred to the Commission and having interest in the proceedings before the Commission or who wished to assist the Commission in making suggestions, to furnish their statements of facts or recommendations within six weeks from the publication of that notification. Wide publicity was given to the notification by getting it published in various English and Hindi newspapers having circulation throughout India. Though wide publicity was given to the notification and sufficient time was given for filling statements/affidavits, not many persons filed their statements; but, there were requests for granting more time for that purpose. Considering their requests and the desirability of getting as much material as possible, the last date for filing statements was extended till 30-9-2000.

As regards the Delhi incidents, the Commission received 2302 affidavits through Delhi Sikh Gurudwara Management Committee and November '84 Carnage Justice Committee. On scrutiny of those affidavits, it was found that some of them were numbered twice and some were already cancelled. Actually, the affidavits filed by them are 2282. 275 affidavits were received even after 30-09-2000 and it was decided to accept them also. Thus the Commission in all received 2557 affidavits (inclusive of 1041 affidavits received from other parts of the country). A List of these affidavits is annexed with this report as Annexure – II. On 6-9-2000 Shri Amitabh Kumar, Deputy Secretary, Ministry of Home Affairs, filed an affidavit on behalf of the Government of India and produced 3083 affidavits that were filed before Justice Mishra Commission. A List of these affidavits is annexed with this report as Annexure – III. In all 3752 affidavits were

filed before Justice Mishra Commission. 3083 affidavits were submitted to the Commission to show that some Sikhs had distributed sweets on coming to know about the assassination of Smt. Indira Gandhi and some Sikhs had committed some other acts which had provoked the attacks on Sikhs and that Congress leaders Shri HKL Bhagat, Shri Jagdish Tytler, Shri Sajjan Kumar, Shri Dharam Dass Shastri and Congress party workers were not responsible for those acts. On the other hand 669 affidavits were filed before that Commission to describe how the Sikhs were attacked in an organized manner. Some of those affidavits also stated that Congress leaders and Congress(I) Party workers had either taken part therein or abetted the rioters. 4077 more affidavits were received from Delhi Riots Victims Association. About 100 other miscellaneous representations were also received by the Commission. Majority of them are for payment of compensation. Government of National Capital Territory of Delhi submitted a common affidavit for itself and on behalf of the Delhi Police on 30-10-2000. Both of them were directed to file separate affidavits and furnish to the Commission relevant records in their possession. Subsequently, they filed their separate statements and also produced relevant records consisting of files, documents, registers etc.

Justice Mishra Commission of Inquiry had received 675 affidavits in respect of the incidents that had happened at Kanpur and 172 affidavits relating to the incidents of Bokaro and Chas. Pursuant to the notification issued by this Commission, 1041 affidavits have been received from Uttar Pradesh, Bihar, West Bengal, Madhya Pradesh, Maharashtra, Haryana, J&K, Punjab, Assam, Gujarat, Karanataka, Goa and Tamilnadu.

The Commission held the first public hearing on 3-10-2000 at its office in Vigyan Bhavan Annexe. There was a general discussion between the Commission and the persons who remained present on that day regarding the procedure to be adopted by the Commission and other related matters. At the second hearing held on 30-10-2000, some organizations representing Sikhs including Nov.'84 Carnage Justice Committee, Sikh Gurudwara Prabhandhak Committee, Sikh Forum and Shiromani Akali Dal(Badal Group) attended and expressed their desire to participate in the inquiry. It was decided to permit Delhi Sikh Gurudwara Prabhandhak Committee, November'84 Carnage Justice

Committee and Shiromani Akali Dal (Badal Group) to appear before the Commission as representative bodies of the riot victims. Others who had applied for allowing them to participate on behalf of the riot victims were directed to submit their evidence and suggestions through those three organisations.

Many applications were filed before the Commission. Some of them were for allowing the applicants to participate in the inquiry. They were disposed of by directing the applicants to submit their evidence and suggestions as stated above. Some applications were made for obtaining certified copies of the material produced before the Commission and also for inspection of the record. All interested persons were permitted to inspect the record and obtain copies of the documents required by them.

S/Shri H.S. Phoolka, Senior advocate, S.S. Bawa, Daljinder Singh, N.S. Bawa, Jaspal Singh, H.J.S. Ahluwalia, Ms. Kamna Vohra and Shri Digvijay Kumar, Advocates appeared on behalf of Delhi Sikh Gurudwara Management Committee and Nov.'84 Carnage Justice Committee. S/Shri S.S. Gandhi, Senior Advocate, Sunil Singh, Prabhati Lal and Puran Singh, Advocates appeared on behalf of Delhi Police. S/Shri K.K. Sood, Additional Solicitor General and Ashok Kashyap, Advocate appeared on behalf of Central Government.

Some applications were filed by Shri H.S. Phoolka for directions to Central Government, Delhi Government and Delhi Police for production of the relevant record in their possession. After hearing the parties concerned, appropriate directions were given to the Central Government, Delhi Government and Delhi Police to produce the required record before the Commission. Shri K.K. Sood, representing the Central Government, stated to the Commission that the Central Government had no intention to withhold any material or record from the Commission and that whatever record could be traced by the Ministry of Home Affairs was already produced before the Commission. He also assured the Commission that all attempts would be made to trace out the missing records and if any record is found with the Ministry, that would be made available to the Commission. He explained that the full record was not in possession of the Central Government as part

of it was forwarded to different agencies for taking action on the basis of the report made by Justice Mishra Commission and the Committees that were appointed by the Government thereafter.

Pursuant to the directions given by the Commission, the Central Government produced 133 files on 1-2-2001 and 92 files on 17-7-2001. The Delhi Government declared to the Commission that it did not have any relevant record in its possession. The Delhi Police, alongwith the affidavits of Shri TN Mohan, DCP (Headquarters), produced on 15-11-2000, 7-12-2000 and 14-11-2001, a list containing details of cases registered by the police on the basis of recommendations made by the Kusum Latta Mittal Committee, 1084 affidavits received by the Riots Cell and Special Riots Cell alongwith Status Report, files received by the Riots Cell, files which were with the Vigilance and Special Branch of the Delhi Police and affidavits filed before Jain Aggarwal Committee. A list of affidavits filed before Jain Banerjee Committee is annexed with this report as Annexure – IV.

Though the full record of Justice Mishra Commission did not become available to the Commission, it was decided to proceed with the inquiry as it became clear from the affidavits filed on behalf of the concerned authorities that inspite of their efforts the remaining record was not traceable.

After hearing all the parties the Commission framed rules in exercise of its power under Section 8 of the Commissions of Inquiry Act, 1952, regarding the procedure to be followed during the inquiry. By making Rule 7, it was made clear by the Commission that unless the Commission deemed it fit and proper to hold some part of the proceedings in Camera, the hearings/sittings of the Commission would be open to the public. In fact the Commission had no occasion to hold any proceeding in Camera. Only some documents produced by the Central Government were kept in sealed covers

During the proceedings some applications were filed for summoning independent witnesses. They were granted and responding to the summons issued by the Commission

21 independent witnesses appeared and gave evidence. The Commission received some applications for directing the Government of Uttar Pradesh to produce before the Commission details regarding those officials of civil and police department posted at Kanpur who were found to be negligent in performance of their duties and also to give details regarding action taken against Shri Brijendra Singh, the then District Magistrate of Kanpur and Mrs. Tomar who was then working as Magistrate at Kanpur. Pursuant to the notice issued by this Commission Shri Ajay K. Agarwal, Advocate appeared on behalf of Government of Uttar Pradesh and filed an affidavit of Shri Bhola Nath Tiwari, Chief Secretary of Government UP. In the said affidavit the Government of UP has supplied the required information. Thereafter no grievance has been made by anyone as regards the incidents that happened in UP.

The Commission had also received one application for summoning some record from the Ministry of Railways. Pursuant to the notice issued by the Commission Mr. Harananda, Joint Director/RPF Railway Board filed his reply and informed the Commission that no record was available because of lapse of time. He also stated in his reply that it was not possible to furnish the required information in view of non-availability of the full record. He sent alongwith his reply photo copies of the available record. After this material was received, no one has made any grievance as regards the incidents which had happened at Railway Stations or in trains.

In order to collect the required information in respect of each Police Station, the Commission had directed the SHOs of all the Police Stations in Delhi to reply to the questionnaire, which was sent to them except whatever information was available with them has been supplied.

The first witness was examined by the Commission on 17-4-2001. The bodies representing the riot victims examined 118 witnesses. The Commission on its own and also on being requested by the parties issued summons to 33 persons. Out of them 21 appeared and gave evidence. Some of them are social and political leaders who had made efforts to request the highest authorities to take prompt and effective steps for

stopping the massacre and for restoration of law and order in the city of Delhi. Shri Gandhi called 71 witnesses and they were allowed to be cross examined by the other parties. One witness was examined by the Central Government. Recording of evidence was completed on 12-3-2004. The parties appearing before the Commission wanted sufficiently long time to make their oral submissions, as the record was voluminous. After making their oral submissions they also filed written submissions. The Commission after scrutinizing the material and considering the submissions made by the parties thought it fit to issue notices under Section 8B of the Commissions of Inquiry Act to those persons likely to be adversely affected by the findings that were to be recorded by the Commission. This process started on 28-10-2003 and was completed on 27-8-2004. Notices were issued to 141 persons with a view to enable them to give their explanations. It was reported that some persons had died and some persons had retired from service. Some persons could not be served because of lack of their identity or complete address. Some persons to whom the notices were served filed their explanations personally while others filed their explanation through their advocates who also made oral submissions in addition. The last explanation was submitted by Shri P.V. Narasimha Rao on 24-11-2004.

As no fresh material or statement was received with respect to the incidents which had happened in other parts of the country and as no grievance has been made that no proper inquiry was made earlier with respect to those incidents or that no proper action has been taken against the officers and policemen found guilty, this Commission has thought it fit not to refer to the material which was produced before Justice Mishra Commission with respect to those incidents. The Commission has also thought it fit not to record any fresh findings with respect to those incidents. As stated earlier in the report the fresh affidavits which have been filed by persons from outside Delhi are for claiming more compensation and for paying compensation to them on uniform basis.

PART – III
EVIDENCE

A. GENERAL OBSERVATION

At the time of these riots Delhi was a Union Territory and was administered by the President of India through an Administrator who was initially designated as Chief Commissioner and later on as Lt.Governor. Under the set up then existing, maintenance of law and order including organization and discipline of Police force was one of the functions to be performed by the Lt.Governor. He was thus, incharge of maintenance of law and order subject to the general control of the Central Government. Shri P.G.Gavai was the Lt.Governor at that time. The Commissioner of Police was the Head of the Police establishment. He had below him Deputy Inspector Generals of Police, Additional Commissioners of Police, Deputy Commissioners of Police, Asst. Commissioners of Police, Inspectors, Sub-Inspectors, Head Constables and Constables. Shri S.C.Tandon was the Commissioner of Police at that time. By November, 1984, Delhi was divided into 6 Police Districts, each being called a range and each range was managed by a DIG of Police. They were later on designated as Additional Commissioners of Police. Delhi at that time had 63 Police Stations. Each Police Station was incharge of a Station House Officer of the rank of Inspector and he was assisted by some Sub Inspectors, Asst.Sub-Inspectors, Head Constables and Constables attached to that Police Station.

In 1984, Delhi had a sizeable population of Sikhs. According to the 1981 Census the Sikh population of Delhi was 3,93,921, which worked out to 6.33% of the total population of Delhi. In each of the 6 districts of Delhi, many jhuggis had come up. The Commission is referring to this fact as it appears to the Commission on the basis of the record that poverty stricken and unsatisfied residing in these jhuggis had played a significant role in the anti Sikh riots. Substantial increase in the anti social population also appears to be one of the causes for the large scale looting and killing that took place during the riots.

The attack on Smt. Gandhi took place at about 9.20 a.m. on 31-10-1984. She was taken to All India Institute of Medical Science (AIIMS) Hospital for medical treatment. This information had spread like wildfire and thousands of people started gathering near AIIMS. The crowd was gradually becoming impatient as the exact condition of Smt. Gandhi was not being disclosed to it. The South District Police was required to make elaborate arrangements to keep the crowd under control and to ensure safety of visiting VIPs. Between 1 and 1.15 p.m., media started breaking the news that Smt. Gandhi was dead. By about 2 p.m. the angry crowds started shouting slogans, and after some time they pulling out Sikh passengers from buses and manhandling them. The first incident of pelting stones happened at about 5 p.m. The massacre that followed thereafter was a nightmare for the Sikhs and the civilized society.

During these riots large number of Sikhs were killed. According to the finding of the Ahuja Committee 2733 Sikhs were killed in Delhi between 31-10-84 and 7-11-84. Though the representative bodies of the Sikhs are even now disputing that figure and claim that more than 3000 Sikhs were killed, in absence of definite evidence in this behalf that figure has to be accepted as more or less correct. Most of the deaths took place on 01-11-84 and 2-11-84. Big mobs armed with weapons attacked the houses of Sikhs; male members were assaulted and beaten mercilessly and many of them were burnt alive or cut into pieces. Many dead bodies were removed in vehicles and it is alleged that they were thrown into river Yamuna. Large number of shops and business establishments of Sikhs were looted and many of them were thereafter burnt also. Many taxi stands and taxis were also burnt as mainly Sikhs were in that business. This was the pattern of attack on the Sikhs. Taking into consideration the manner in which the violent riotous acts were committed against the Sikhs this Commission has to inquire into the causes and events which led to such violent attacks and also to inquire whether those incidents and events happened as a result of any instigation and whether they could have been prevented by the police and other authorities responsible for maintenance of law and order. In view of the request made by the representative bodies of the Sikhs the evidence in this behalf was taken district-wise. As stated earlier, 3752 affidavits were filed before Justice Mishra Commission and 2557 affidavits have been filed before this Commission.

About 5000 more affidavits have been filed but they are of general nature and ask for compensation. What is stated therein is that loss was caused to the properties of persons deposing about the same and that they should be paid proper amount of compensation.

The affidavits and the evidence given by witnesses refer to the various incidents that took place in Delhi between 31-10-84 and 7-11-84; but, it is not necessary to refer to all those incidents as they are not much helpful in deciding the aspects which this Commission has to consider. Commission has, therefore, thought it fit to refer to only major incidents and those incidents which disclose, the manner in which the violent acts were committed, or involvement of persons or organizations in commission of those acts or the conduct of the police. The Commission is of the view that the details regarding other incidents, which are not indicative of either the causes for the incidents or conduct of the law enforcing agencies, need not burden this report as it is now not in dispute that those incidents did take place.

B. NEW DELHI DISTRICT

New Delhi District was divided into two Sub Divisions : (1) Parliament Street and (2) Chanakyapuri. Shri B.K. Gupta was the DCP in charge of this District. Parliament Street Sub Division had three Police Stations – Parliament Street Police Station, Connaught Place Police Station and Mandir Marg Police Station. Shri A.L. Chadha ACP was the in charge of this Sub Division. Chanakaypuri Sub Division had three Police Stations – Chanakaypuri Police Station, Tughlak Road Police Station and Tilak Marg Police Station. Ms. Yamin Hazarika was the ACP of this Sub Division.

New Delhi District included within its area important places like Rashtrapati Bhawan, Teen Murti House, Government Offices, Foreign Embassies, residents of Union Ministers etc. On 31-10-84, dead body of Smt. Indira Gandhi was brought and kept at Teen Murti House with view to enable the dignitaries and mourning public to pay their homage to her. Therefore, elaborate police arrangements were made at Teen Murti House and also at strategic points in the area.

Sub Division Parliament Street**Police Station: Parliament Street**

Three persons had filed affidavits before Justice Mishra Commission with respect to the incidents which took place in this area. Four more persons have filed affidavits before this Commission. Out of them S/Shri Mukhtiar Singh, Monish Sanjay Suri and Ram Bilas Paswan personally appeared before the Commission and gave evidence. Shri Ajit Singh, who had not filed any affidavit/statement earlier, also appeared before the Commission and gave evidence as a witness.

In this area only two major incidents took place on 1-11-84. One was the attack on Gurudwara Rakab Ganj and the other was killing of a Sikh inside the residence of Shri Ram Bilas Paswan on Rajendra Prasad Road. Muhitkar Singh (Witness No.2), Ajit Singh (Witness No.4) and Satnam Singh have spoken about the attack on Gurudwara Ranakbganj and Shri Ram Bilas Paswan (Witness No.135) has spoken about the incident of killing a Sikh inside his house. Shri Monish Sanjay Suri (Witness No.17), who was then a Staff Reporter of Indian Express Newspaper, has also disclosed what he had seen at Gurudwara Rakab Ganj.

The dead body of Smt. Indira Gandhi was brought from All India Institute of Medical Sciences and kept at Teen Murti House on 31-10-84 so as to enable the dignitaries and the mourning public to pay their homage to her. As large number of mourners were to pass by Gurudwara Rakab Ganj, on 1-11-84, by way of precaution 2 Head Constables and 14 Home Guard Constables were posted at the Gurudwara. However, it was noticed by Shri Mukhtiar Singh and Ajit Singh who were residing within the premises of the Gurudwara that some groups passing by the Gurudwara were raising anti – Sikh slogans. 10 to 15 sewadars who had come for the night duty were in the compound of the Gurudwara. They were not able to go home because of the large angry crowds outside the Gurudawara. Some of them were near the gate and some were sitting under a tree near the sewadar's residence. The District Control Room started receiving

calls since the morning of 1-11-84 that tension was developing in the area around the Gurudwara. At 9.03 a.m. a message was received at the District Control room that Sikhs were roaming in the Gurudwara with open swords and 'Bhaalaas'. Therefore Sub Inspector Hoshiar Singh who was in charge of the Police Post at North Avenue was immediately informed about it. He in turn conveyed this information to Station House Officer of the Police Station who was at Teen Murti House at that time. The Station House Officer immediately went to the Gurudwara, found that the persons who were alleged to be moving with weapons were sewadars of the Gurudwara and they were there only because they were not able to go to their homes. He, therefore, left that place believing that nothing further was required to be done.

According to Shri Mukhtiar Singh, who was residing in one of the staff quarters of the Gurudwara, a big mob attacked the Gurudwara at about 11 a.m. by pelting stones upon the devotees, sewadars and other staff members of the Gurudwara. They were also raising anti – Sikh slogans. This attack had continued for about half an hour. Though some policemen were present there, they did not take any action. Sometime between 11.30 a.m. and 12.00 noon a mob entered the Gurudwara but the sewadars and staff members were able to push it out. Soon thereafter one aged Sikh gentleman, who was within the Gurudwara premises, went near the mob and with folded hands tried to pacify it and persuade it not to attack the Gurudwara. He was however dragged out of the Gurudwara premises and badly beaten. After he had fallen down, someone from the mob had thrown some white powder on him as a result of which body of that man started burning. Seeing this condition of his father, his son who was also inside the Gurudwara premises ran to that place to save his father. The mob caught him, beat him and then set him on fire in a similar way. Then with the help of some devotees, he brought the bodies of these two persons inside the Gurudwara. They were still alive. He and others requested the police to take them to a hospital but they refused to give any help. The aged man died after sometime. The young Sikh also died after about 3 to 4 hours as no medical help was provided to him. This witness has further stated that he made number of calls to the police but there was no response. He has further stated that Gurudwara remained under attack even thereafter. After the mob was able to enter the Gurudwara it

tried to break the main door of the Gurudwara but could not succeed in doing so. Therefore, it set it on fire. He, along with other devotees and staff members, extinguished the fire and again pushed the mob out of the Gurudwara by throwing stones at them and bursting crackers. The mob believing bursting of crackers as gunshots ran out of the Gurudwara. When the mob again attempted to get inside the Gurudwara, one person who was inside the Gurudwara and had a licensed gun fired some shots in air so as to frighten the mob. Thereafter the mob became bigger and at that time Congress leaders Shri Kamal Nath and Shri Vasant Sathe were seen in the mob. According to Shri Mukhtiar Singh, on the instructions of the Congress leaders, the police fired several rounds at the Gurudwara. After some time, the Manager of the Gurudwara, Shri Gurdial Singh, requested those Congress leaders to stop the mob from attacking the Gurudwara and tell it to go away from that place. Because of their request the mob retreated but after some time it again gathered near the Gurudwara. This time, Sub Inspector Hoshiar Singh instigated the mob to enter the Gurudwara and also handed over his service revolver to one person in the mob for firing at the persons who were inside the Gurudwara. That man fired some shots towards the Gurudwara. At about 3 p.m. the Police Commissioner came to the Gurudwara with heavy police force and took all the devotees, sewadars and staff members to Lakhi Shah Banjara Hall and ordered them to remain there. At that time the mob entered the Gurudwara, attacked the house of Gurdial Singh and set it on fire. In the evening ladies, children and students of Gurmeet Sangeet Vidayalya were taken to the Tughlak Road Police Station in police vehicles. He was taken by Sub Inspector Hoshiar Singh along with 6 to 7 other persons at the Police Post North Avenue. He was detained there for the whole night and also on the next day.

Ajit Singh, who was also staying in the Gurudwara Complex in his capacity as Electrical Supervisor, has substantially supported the version of Mukhtiar Singh except that he has not referred to the presence of Shri Kamal Nath and Shri Vasant Sathe in the mob. This witness had not filed any affidavit earlier. Shri Satnam Singh has in his affidavit referred to what happened at the Gurudwara only generally.

Shri Monish Sanjay Suri, who was a staff reporter with Indian Express, has stated in his affidavit that on 1-11-84 at about 4.00 p.m. he went to Gurudwara Rakab Ganj as he had come to know that there was some trouble there. When he reached there he saw a big crowd of about 4000 persons led by Congress leader Shri Kamal Nath. The mob was making attempts to enter the Gurudwara. But the Congress Member of Parliament and other leaders of the Congress Party were able to keep them under control. He has further stated that there he also came to know that some time earlier the mob had entered the Gurudwara but had retreated as someone had fired some shots from within the Gurudwara. He also came to know that two Sikhs were killed outside the Gurudwara. Bodies of the two Sikhs were still lying there when he reached that place. He has also spoken about the rumour which was going round at that time that four non-Sikhs were burnt alive inside the Gurudwara and that there were some more hostages inside. That rumour was found to be false after the police entered the Gurudwara and found that there were no hostages inside. According to this witness, Shri Gautam Kaul, who was a high ranking police official, was present near the Gurudwara when the mob tried to enter the Gurudwara, but he did nothing to prevent the mob from entering the Gurudwara and merely stood on one side. While giving his evidence before this Commission, he has stated that Shri Kamal Nath tried to control the crowd and the crowd was looking at him for directions. He did not hear Shri Kamal Nath giving any direction to the mob. He merely saw him speaking to different persons who were in the mob. He reiterated before the Commission that Shri Kamal Nath did not make any attempt to control the situation near the Gurudwara. The discrepancy that can be noticed between his affidavit and the evidence before this Commission is that whereas he had stated earlier that he had reached the Gurudwara at 4 p.m. now he has stated before the Commission that he reached there between 2 and 4 p.m.

The police version, as can be seen from the reports made by the police from time to time to their higher officers and from what Shri T.S. Bhalla has stated while deposing before this Commission, is that a message was received by the police at about 1 p.m. that situation at Gurudwara Rakab Ganj was grave as there was indiscriminate firing from inside the Gurudwara and as a result thereof 2 persons were injured. Station House

Officer Shri T.S. Bhalla, who was at that time at Teen Murti House was told to proceed to the Gurudwara but while he was on the way he was asked to go to some other place. However, DCP alongwith ACP and some CRPF men immediately went to the Gurudwara. There they found that firing was still continuing. Therefore, CRPF was directed to fire to neutralize it. The police also resorted to lathi charge to disperse the mob, which was outside the Gurudwara. The situation was thus brought under control. Soon thereafter the Commissioner of Police alongwith additional force also reached the Gurudwara. Those persons who were inside the Gurudwara were shifted to the Banjara Hall within the Gurudwara complex as that place was found safe being away from the roads around the Gurudwara. After the situation became normal those persons were shifted to a safer place. Females and children were taken to Flat No.147 of North Avenue which was a residence of Sardar Hakim Singh who was a Member of Parliament. Men were taken to Tilak Marg Police Station initially and then to Flat No.103 North Avenue. Other persons who had come to the Gurudwara but were residents of far off localities were taken to their respective homes. The police had registered an offence with respect to this incident on the same day.

Another serious incident was the one which happened inside the bungalow of Shri Ram Bilas Paswan (Witness No.135), on Dr. Rajendra Prasad Road. The only witness regarding this incident is Shri Ram Bilas Paswan, who in his affidavit and also while deposing before this Commission, has stated that a violent mob set on fire a taxi stand near his house and one Sardarji hiding there was beaten. That Sardarji fled from that place and came inside the compound of his bungalow. The mob followed him but it was stopped by his guards by closing the gate. Thereafter a group of persons came near his house from Rai Sina Road side where office of the Youth Congress (I) is situated. He, therefore, tried to contact the Parliament Street Police Station but could not get any response. He then rang up at the residence of the Home Minister at about 3 p.m. and informed his Private Secretary about what was happening. He was assured by the Private Secretary of the Home Minister that police would soon come. However the police did not come. The mob attacked his house at about 4 p.m. and surrounded it from all sides. The mob was shouting anti Sikh slogans. Apprehending some serious trouble his

bodyguard fired a shot in the air to scare away the mob. The mob, however, broke open the gate of his house and set on fire his garrage and one car, which was parked near the garrage. The mob then entered his house. Therefore, he and others who were in the house ran away from the rear side of the house. The mob caught the Sardarji as he was not able to escape from that place. The mob threw him alive in the burning garrage and thus he was killed. He has further stated that he had seen one police van passing on the road many times while this incident was happening but it did not stop and the police came to the scene only at about 6.30 or 7 p.m. In his evidence before the Commission he has stated that he had not seen what had happened before as he had returned from outside some time before 3 p.m. He has further stated that he was told by other persons who were in his house that some Congress workers were in the mob.

Police Station : Connaught Place

On 31-10-84 mobs had collected at different places in the area under this Police Station but no incident of violence had taken place. On 1-11-84, there were attacks on taxi stands on BKS Marg, Janpath and Jantar Mantar. Some shops were looted and burnt. Before Justice Mishra Commission 2 persons had filed affidavits stating what they had seen. 4 persons have filed affidavits before this Commission. 4 persons appeared before this Commission and gave evidence.

Shri Inder Mohan in his affidavit filed before Justice Mishra Commission has stated that on 1-11-84 at about 12.00 noon he saw a mob near the crossing of Bangla Sahib and Shaheed Bhagat Singh Marg. It was stopping buses, cars and other vehicles and pulling out Sikhs. The mob beat some Sikhs also. He, therefore, contacted the police and within few minutes the police arrived and dispersed the mob. He has further stated that on 2-11-84 at about 3 p.m. a mob collected near Bangla Sweet House. It was led by youths belonging to Congress(I) whom he knew by faces but whose names he did not know. The mob started looting a restaurant opposite Bangla Sweet House as it belonged to a Sikh. The mob thereafter broke open a shop belonging to another Sikh and tried to set it on fire. But on being informed by the local residents that the persons residing above

that shop were non – Sikhs, it did not do so. The mob, however, looted some articles and then left that place. He has further stated that some policemen were present when this incident took place but they remained totally indifferent. Joginder Singh has stated in his affidavit that on 1-11-84 between 11 and 12.00 noon a mob led by Congress workers attacked a taxi stand on Janpath and burnt 13 taxis. Three or four taxi drivers who were present were also attacked. They were however, able to escape from that place.

The material on record shows that on 1-11-84 Marina Hotel and some shops at Mohan Singh Palace were attacked and 8 taxis were burnt. One furniture shop was also burnt on that day. In respect of attack on the taxi stand and looting of shops on BKS Marg, Janpath and Jantar Mantar, police had recorded FIR No.1056 and during the course of investigation of that offence police had received 114 complaints with respect to the incidents which had taken place on 1-11-84. The police record consisting of Log Book and reports made to the superior officers show that on receiving messages regarding happening of various incidents, police parties were immediately sent to those places and things were brought under control. The material also discloses that the policemen of this police station by taking timely actions were able to prevent mobs from committing more acts of arson and looting. The police was able to prevent the mobs from looting more shops at Shankar Market. The police had also saved the shops of Palika Bazar and Janpath from being looted and burnt. The police had arrested 4 persons from the spot when the mob was trying to loot shops at Shankar Market.

Police Station : Mandir Marg

In this area some shops of Sikhs were looted on 1-11-84. One liquor shop at Bhagat Singh Marg run by Delhi Tourism was also attacked. The material on record shows that in all 18 shops were looted. On 1-11-84 at about 2 p.m. a branch of Punjab and Sind Bank at Gole Market was set on fire and there was also an attack on Bhai Vir Singh Sahitya Sadan situated in the same building. In this area the police did not act promptly to control the mobs. The only grievance made with respect to these incidents is that no separate FIRs were registered with respect to each incident and therefore no

proper investigation was done by the police and therefore, all the offenders could not be punished.

Sub Division Chanakyapuri
Police Station : Chanakyapuri

Some shops at Yashwant Palace and some shops on the Kautilya Marg and S.P. Marg were attacked by mobs on 1-11-84. In all the police had received 7 complaints regarding attacks on shops of this area. On 2-11-84 at about 8.45 p.m. a message was received by the police that some sardars were hiding in the jungle behind the bridge near Akbar Hotel. Sub Inspector Mahipal Singh alongwith some police force went to verify that information. There he was informed by persons residing near jhuggis that some sardars were hiding in the jungle. Mahipal Singh fired two rounds from his revolver as warning shots. DCP of the District also reached there by that time and he also fired 8 rounds. After the place was searched it was found that no Sardars were hiding there.

The grievance that has been made by the bodies representing Sikhs is that this incident shows that the police was quick to resort to firing at Sardars but as the other incidents would show, it was reluctant to fire at the rioting mobs.

Police Station : Tilak Marg

No complaint was received by the police in respect of any incident within this area. From the material on record what appears is that some messages were received by the police regarding collection of mobs in this area. Immediately policemen were sent to those places and because of timely action taken by them the mobs had to run away.

Police Station : Tughlak Road

Shri Khushwant Singh (Witness No.7) in his affidavit and also while giving evidence before the Commission has stated that some shops were looted and burnt at

Khan Market on 31-10-84. He has further stated that at around mid night a Gurudwara behind his house was attacked and thereafter the said mob attacked a nearby garrage of a Sikh mechanic and burnt some cars there. He has further stated that one taxi stand was burnt by a mob and at that time about 30 policemen were standing on the road but they did not try to prevent the mob from doing so and merely stood there watching the incident as spectators.

Ms. Jaya Jaitley, a prominent political leader, has stated that after receiving a call at about 6.30 p.m. regarding some trouble in the area she and her husband went out in a car to see what was going on and what they could do about it. She has stated that she saw some burning vehicles on Lodhi Road, near Safdarjung Tomb and at some other places. She has also stated about the incidents, which had taken place on the subsequent days, and about which she had come to know when she had visited those places. She has also stated that when she had visited Farsh Bazar Camp, she was told by many refugees there that Congress Pradhan, Rampal Saroj of Trilokpuri had led the mobs which had killed many Sikhs. She has further stated that she was also told that when such incidents were going on the policemen were telling the mobs “loot and kill as much as you want for three days, after that the army will come”. She has further stated that she had visited Farsh Bazar Camp during the night between 3-11-84 and 4-11-84. She had noticed some tension there because Shri H.K.L. Bhagat had come to that Camp. The people in the camp were against allowing him to enter the camp as according to them he was the person responsible for what had happened to them. She has also stated that during her visits to various places on 2-11-84 and 3-11-84 she had found that people were freely moving in the affected areas and there was no visible sign of curfew. She was also told that the Sikhs were attacked by the mobs, which were led by Congress (I) leaders.

C. CENTRAL DISTRICT

This District was divided into four Sub Divisions: namely, Patel Nagar, Pahar Ganj, Kamla Market and Darya Ganj. An Assistant Commissioner of Polce was Incharge of each Sub Division. Police Stations Patel Nagar, Karol Bagh, and Rajinder Nagar were

parts of Sub Division Patel Nagar. Police Stations Pahar Ganj and Desh Bandhu Gupta Road made up Sub Division Pahar Ganj. Police Stations Kamla Market and Hauzkazi were the parts of Sub Division Kamla Market. Police Stations Darya Ganj, Jama Masjid and Chandni Mahal were in Sub Division Darya Ganj. Shri Amod Kanth was the DCP of this district.

Central District was one of the most thickly populated areas of Delhi. It had mixed population; and business establishments of Sikhs and non – Sikhs existed side by side. Violent incidents started during the night of 31-10-84 in Regarpura, Desh Bandhu Gupta Road and Paharganj areas. Violent incidents were reported from other areas also from the morning of 1-11-84. Law and order situation improved on 3-11-84 and remained under control thereafter.

Sub Division Patel Nagar
Police Station : Patel Nagar

Mr. Ram Murthy was the Assistant Commissioner of Police in charge of the Patel Nagar Sub Division. Shri Amrik Singh Bhullar was the Station House Officer of Police Station Patel Nagar.

According to the police record, 7 Sikhs were killed in the area covered by this police station. A Gurudwara was damaged. 9 houses, 21 shops and 9 factories were either looted or burnt. 28 vehicles were burnt.

As regards the incidents in this area 13 persons had filed affidavits before Justice Mishra Commission. Two persons have filed affidavits before this Commission. One of them Bua Singh had filed an affidavit before Justice Mishra Commission also.

There was an attack on the house of Group Captain Manmohan Singh who was residing in bungalow No.9 in West Patel Nagar. He and his family members were residing in that bungalow and its front portion was used as a garment show room. On 1-

11-84 at about 9.30 a.m. his house was attacked by a mob. It tried to set his house and the shop on fire but his neighbors came to his rescue and on their persuasion the mob left. Again a mob came near his house at about 11.30 a.m. and set his furniture shop on fire. Thereafter the mob attacked his house and broke open the shutter but again on persuasion by the neighbors it left. At about 2.30 p.m. some persons came in two DTC buses. They were joined by other local persons. This time the mob consisted of about 4000 to 5000 persons. When his neighbors tried to persuade the mob not to set the house on fire someone from the mob hit his neighbour Sanjay Kumar Singh with a stone. The mob then broke locks of the outer gates of his house and started looting his garment shop. The crowd surrounded his house from all the sides and therefore he and his family members went to the rear portion of the building hoping that the mob will loot the shop and go away. However at about 4.15 p.m. the mob set the shop on fire and some persons from the mob broke open the rear verandah door of the house. One of them attacked him with an iron rod. He therefore fired few shots to save himself and his family members. The rioters who had entered his house ran out of the house but the mob continued to surround his house. Some persons in the mob then fired at them. Others threw fire balls at their house and as a result thereof their barsati caught fire. The attack continued till about 7.30 p.m. He continued to fire in the air to prevent the mob from coming near them. At about 8.30 p.m. some policemen came. On being told by the police to surrender he did so. The grievance made by him is that he did not get timely help from the police and though he had fired few shots in his self-defence a false case of murder was filed against him. He has also made a grievance that no action was taken by the police against the mob.

Shri Amrik Singh Bhullar (W-74) who was the Station House Officer of this Police Station has stated while deposing before this Commission that at about 7 p.m. he received information that a Sikh was firing from his house situated on the main road of West Patel Nagar. He immediately left for that place and saw a crowd of 3000 to 4000 persons outside the house of Manmohan Singh. ACP of the area Shri Ram Murthy was also present there. The house of Manmohan Singh was already set on fire and Manmohan Singh and his family members were on the first floor of their house. He saw

Manmohan Singh firing from there. At about that time DCP Amod Kanth also reached that place with some force. Shri Amod Kanth told Manmohan Singh not to resort to firing any more and surrender to the police. Manmohan Singh was initially reluctant to surrender to the police and wanted to surrender before the army. Some time thereafter the Commissioner of Police, Delhi and a Major of the Army came there and thereafter Manmohan Singh surrendered. As a result of firing by Manmohan Singh 5 persons from the mob had died and 5 more had received injuries. He also stated that as so many persons had died and were injured as a result of firing by Manmohan Singh an offence (FIR No.554) was registered against him. He admitted that nobody from the mob was arrested by the police and that he had come to know about the attack at 7 p.m. only. He has also stated that an offence (FIR NO.563) was registered with respect to the attack on the house of Captain Manmohan Singh. Relevant entry (Ex.73/7) in the Log Book of Police Station Patel Nagar shows that a wireless message was received at the Police Station regarding firing from a house at Patel Nagar resulting in death of 6 persons at about 5.05 p.m. However, the movement chart of Station House Officer Amrik Singh Bhullar shows that he reached the place of incident at about 7 p.m. He has also stated that at about 5 p.m. he had received a message that a crowd was looting shops on the military road and therefore, he had gone there. He had seen the crowd pelting stones and setting fire to a Gurudwara. He was required to fire two rounds to disperse the crowd. He was away from the Police Station when the message regarding the attack on the house of Manmohan Singh was received at the Police Station.

Another major incident in this area was an attack on the house of Kartar Singh Viridi and burning him alive on 3-11-84. The material on record shows that, on 3-11-84, house of Kartar Singh Viridi was attacked by a violent mob and it killed Kartar Singh Viridi by burning him alive. The material further shows that on receiving this message the police rushed to that place. 18 persons from the mob were arrested. Station House Officer Ranbir Singh of Karol Bagh Police Station also reached that place on receiving the information regarding this incident. They dispersed the crowd and saved other members of the family. Shri Madan Lal Khurana appeared before this Commission and stated that on 3-11-84 he had received a call from the wife of Shri N.S. Basant, the then

Chairman of PSEB informing him that his son in law Kartar Singh Virdi was killed by a mob and that she wanted to get the dead body of Kartar Singh Virdi to perform last rituals. So he went to Patel Nagar Police Station and met ACP Ram Murthy. Shri Ram Murthy told him that it was not possible for him to hand over the dead body to the family as he had orders not to hand over dead bodies of the victims to their relatives. However, Shri Ram Murthy told him the time and the place where the family members could come for cremation.

Ajit Singh, a resident of Military Road, Anand Parbat has stated that on 1-11-1984 that about 10 or 11 a.m., his house was set on fire. The Police did come but instead of helping him, they fired at him thrice. The Army men turned them out of their house. They were then beaten by the Police with sticks, as a result of which his son received serious injuries. He has named Chaudhary Dharam. Pal and Shadi Lal as the policemen who had fired at him. He has also complained that thereafter the police filed a false case against him.

Bua Singh (Witness No.13) who was residing in Faridpuri, West Patel Nagar has stated that on 1-11-84 at about 12.00 noon Rajinder Kumar Shukla and Dharam Dass Shastri had come near his house in a car and Dharam Dass Shastri had told Rajinder Kumar Shukla to get more persons and kill Sikhs. Rajinder Kumar Shukla alongwith about one thousand persons then attacked his colony. His house was also attacked and looted. His truck was set on fire. During this incident his brother Dayal Singh was injured. When he contacted the police, he was told to make his own arrangements. He has repeated the same thing while deposing before this Commission.

Dalip Singh Bawa Bhamra, Amarjit Kaur, Sham Singh, Jagjit Singh, Baljit Singh, Amrik Singh have spoken about the attacks on their shops or houses generally. Amarjit Kaur has stated how Satnam Singh was beaten and Dalip Singh was killed by a mob. Amrik Singh whose shop was looted has stated that Rajinder Shukla and Shri Dharam Dass Shastri were leading the mob of about 1000 persons which had come near his shop

on 1-11-84 at about 12.00 noon. Shri Dharam Dass Shastri told the mob to burn all the houses belonging to Sikhs and kill them also. After about half an hour his shop was attacked by a mob but on persuasion by other residents of the colony the mob left that place. However, at night a mob attacked his shop and the goods therein were looted.

Shri Harvinder Singh in his affidavit filed before this Commission has stated that on 1-11-84 at about 2 p.m., he had seen a mob led by Shri Dharam Dass Shastri and some local leaders near his house. The persons in the mob were shouting “kill the Sikhs and loot them”. Thereafter his shop was looted and the opposite house was set on fire. Because the Hindu neighbours intervened and he and other Sikhs came out with swords, the mob went away. Some policemen though present did not help them but were seen instigating the rioters to loot the shop. Police had resorted to lathi charge at various places and fired 31 rounds to disperse the rioting mobs. Police had also given shelter to 600 women and children in the compound of the Police Station. The log books and other relevant files show that as and when the police station received messages regarding such incidents, policemen were rushed to those places and they dispersed the mobs indulging in such violent acts.

Police Station : Karol Bagh

The area covered by this Police Station remained comparatively peaceful. On 31-10-84 no incident of violence was reported. Some violent incidents did take place on 1-11-84 and 2-11-84. No incident of violence against Sikhs was reported on 3-11-84 or thereafter. According to the material on record, one Sikh was killed and 8 Sikhs were injured. 5 houses and 37 vehicles were burnt and 6 shops were looted or burnt. In order to disperse the mobs the police resorted to firing at 7 places and in all 153 rounds were fired. The material also shows that some shops belonging to non - Sikhs were looted or set on fire. The police was able to recover looted goods worth Rs.20 Lacs and they were returned to their rightful owners. Police made some preventive arrests also and 82 persons were arrested for violating prohibitory curfew orders. 5 FIRs were recorded on 1-11-84 and 2 FIRs were recorded on 2-11-84.

18 persons had filed affidavits before Justice Mishra Commission. 14 affidavits been have filed before this commission and 6 persons have given evidence

Two major incidents which happened in this area are : (1) Attack on the house of Avtar Singh Vir, and (2) Attack on the house of S. Sohan Singh.

On 1-11-84 a mob armed with weapons attacked the house of Avtar Singh Vir a resident of Krishna Nagar in Karol Bagh. The mob injured Avtar Singh Vir and his two sons and also indulged in looting and arson. Police had to resort to firing to bring the situation under control. Avtar Singh Vir and Chunni Lal in their affidavits filed before Justice Mishra Commission have described how the house of Avtar Singh was attacked and what happened thereafter. Avtar Singh has stated that Tek Chand Sharma, Rajinder Sharma, Kailash and Jatinder Kumar who were the persons of the same locality led the mob. He has stated that no police help was given to him despite his repeated telephone calls to the local police station and other higher police officers. H.T. Souzi has also supported the version of Shri Avtar Singh and stated that the attack had continued for about 3 hours. Shri Daljinder Singh S/o Avtar Singh (Witness No.9) appeared before this Commission and gave evidence with respect to this incident. He has stated that on 31-10-84 at about 10.30 p.m. he had seen Shri Dharam Dass Shastri who was a Congress MP going to the houses of Shri Tek Chand and Shri Rajinder Pal Sharma and heard him asking those persons how many Sikhs they were going to kill. On 1-11-84 when his house was attacked he had seen two or three persons in the mob who were earlier seen with Shri Dharam Dass Shastri in the meeting. He has also stated that he had fired three shots in air in self defence. The mob dispersed after one Sub Inspector and two Constables reached their house. His grievance is that though they had sent a written complaint on 1-11-84 in respect of this incident no case was registered against the offenders till 28-11-84 and even thereafter no action was taken against all the named persons responsible for the attack.

Shri Ranbir Singh was the Station House Officer of this Police Station. In his evidence before the Commission he has stated that soon after coming to know about the attack on Mrs. Gandhi he had taken precautionary steps to prevent violent attacks on Sikhs and their properties. He has further stated how he rescued some Sikhs and saved their properties from the mobs. He has also stated that he had resorted to firing to disperse violent mobs. With respect to the attack on the house of Avtar Singh Vir he has stated that on coming to know about this incident Sub Inspector Mahinder Singh was sent to that place and he fired some shots to disperse the crowd. He also reached that place and brought the situation under control. He offered to take the injured to the hospital but they declined as one of the sons of Avtar Singh Vir was a Doctor.

The second major incident was the attack on the house of Shri Sohan Singh It was attacked by a crowd of about 4000 to 5000 persons. When the mob started setting his house on fire, Sohan Singh and his brother fired some shots as a result of which 4 persons in the mob were injured. Two had died subsequently as a result of the injuries received by them. Station House Officer Ranbir Singh immediately rushed to that place and brought the situation under control. He took the family of Sohan Singh to the Police Station. Narinder Singh (Witness No.10), brother of Sohan Singh had filed an affidavit before Justice Mishra Commission regarding this incident. He appeared and gave evidence before this Commission as his brother Sohan Singh has died. He stated that their house was attacked by about 11 a.m. and as it was set on fire he asked his brother to fire a shot in air. Police did come within about 10 to 15 minutes but his grievance is that instead of using force against the crowd Station House Officer asked them to stop firing. The police did fire some shots, but they were fired not to disperse rioting mob but towards them. Even though the crowd continued to be there, the police left that place. The mob thereafter threw some chemical on their house and put it on fire. Thereafter another police party came which took them to the Police Station in a police jeep. His grievance is that though they had fired in self defence a case was registered against them and they were arrested and sent to jail. They could get themselves released on bail on 16-11-84. It was a false case and therefore, ultimately it was withdrawn in 1987.

One more incident, which deserves to be mentioned, is the incident, which happened on 5-11-84 at the Karol Bagh Police Station. After the situation was brought under control Station House Officer of the Karol Bagh Police Station launched a massive drive for recovery of looted property and for arresting the rioters. He had by then arrested 24 persons and recovered property worth Rs.20 Lacs. On 5-11-84 Shri Dharam Das Shastri accompanied by Shri M.L. Bakolia and some other Metropolitan and Municipal Councilors went to this Police Station with some persons. Shri Shastri condemned the police officers for the arrests made by them and stated that those arrested were not criminals. The police was also warned of dire consequences if they did not release those arrested persons and if any action was taken against them. At that time Additional Commissioner of Police Shri H.C. Jatav and Deputy Commissioner of Police Shri Amodh Kanth were also present. Shri M.L. Bakolia in presence of these higher officers tried to manhandle the Station House Officer. Shri D.D. Shastri shouted at the Deputy Commissioner of Police and the Station House Officer and tried to pressurize them to release the arrested persons. The Deputy Commissioner of Police and the Station House Officer were not in favour of releasing those persons and told so to Shri Dharam Dass Shastri and others. Thereupon Shri H.C. Jatav told the Deputy Commissioner of Police and the Station House Officer that it was not a proper way to behave with political leaders. While giving evidence before this Commission Shri Ranbir Singh has referred to this incident. His version stands supported by the affidavit of Shri Pritipal Singh whose shop was looted on 1-11-84 and who was present in the Police Station as he had gone there to lodge his complaint. Shri Monish Sanjay Suri, a Journalist, has also supported his version.

Police Station : Rajinder Nagar

Inder Puri was the only area falling within the jurisdiction of this Police Station which was affected by the riots. Though the mob had collected at various places on 31-10-84, no incident of violence was reported from any part. Some incidents took place on 1-11-84, 2-11-84 and 4-11-84. Damage was caused to one Gurudwara and some shops were looted or burnt. 14 vehicles were burnt.

Three persons namely Brijit Singh, Gurcharan Singh and Kirpal Singh had filed affidavits before Justice Mishra Commission. 4 Persons have filed affidavits before this Commission. Brijit Singh in his affidavit has stated that his house was looted during the anti Sikh riots. He was not present when the incident had happened, but he was informed by his neighbours that some persons had come in a Haryana Roadway Bus of Chandigarh Depot and had looted his house. His grievance is that though the Police inquiry revealed that one Haryana Roadways Bus No. HYR 1285 had come to Delhi from Chandigarh on that day and that it was hijacked yet police did not make further inquiries and find out who the culprits were. His grievance does not appear to be justified. On investigation by the Police, it was found that the said incident had no relation with anti Sikh riots.

Gurcharan Singh has stated in his affidavit that his truck was looted on 1-11-84 at about 11 a.m. by a group of persons who had come in a truck. One Hem Chander a Congress(I) worker was in that group. He has further stated that when he was at his home he saw Brahm Yadav's brother Mahesh coming near his house in a jeep and distributing petrol cans to the mob. Thereafter the mob attacked his house and poured petrol over his father and burnt him alive.

Kripal Singh Chawla has stated in his affidavit that his house was first attacked at 10 a.m. and a part of it was burnt. At about 1 p.m. another mob of 5000 persons came near his house. At that time it was led by Mahesh Yadav brother of Congress(I) Councilor Brahm Yadav, Hem Chander, Narinder Singh Bisht, Rajinder Singh Bisht, and Bawa Bisht. Mahesh Yadav had petrol cans with him. The mob threw two petrol bombs at his house as a result of which it caught fire he fired some shots from his brother's licensed revolver and double barrel gun to prevent the mob from doing further damage. He thereafter escaped by cutting his hair. His grievance is that instead of taking down his complaint, the police registered a false case against him.

With respect to this incident, the police version is however, different. According to the police record, attack on the house of Kripal Singh Chawla was at about 4-15 p.m.

On coming to know about it, the Assistant Sub Inspector Hakim Khan went there with two Constables. They saw Jagjit Singh Chawla and Kripal Singh Chawla firing from the top floor of their house. Two persons from the mob were killed and some others had received injuries. ACP of Patel Nagar and Station House Officer of Rajinder Nagar thereafter reached there and dispersed the mob. Shri Hardeep Singh(Witness No.75), Station House Officer in his evidence has stated that when he reached the place of incident, firing had stopped but the mob was there. He with the help of other police officers dispersed the mob. He has further stated that he had seen 5 dead bodies of Hindus lying on the road and also came to know that 10 more persons had received injuries. He has also stated that the crowd was very much agitated yet he was able to remove Kirpal Singh and his brother from there without any harm. He has stated that an offence was registered against Kirpla Singh and his brother as they had indulged in indiscriminate firing.

No incident of violence was reported against the Sikhs on 2-11-84 and 3-11-84. 8 dead bodies of Sikhs were found from the Ring Road. During investigation it was found that the offence had taken place within the jurisdiction of Police Station Delhi Cantt.

Sub Division Pahar Ganj
Police Station : Pahar Ganj

Between 31-10-84 and 4-11-84, in this area 6 houses were looted, 1 house was burnt, 105 shops were looted or burnt and 30 vehicles were either damaged or burnt. 3 Gurudwaras were also damaged partially.

Two incidents worth referring are : (1) burning of a shop named Sahni Paints on 1-11-84 and (2) attack on the house of a Sikh in Gali No.1, Chuna Mandi on 5-11-84. On 1-11-84 at about 9.30 a.m. a mob of about 1000 to 1200 persons was moving along Rajguru Road burning vehicles and shops belonging to Sikhs. It broke the lock of Sahni Paints, opened its shutter and started looting it. Meanwhile the owners of Sahni Paints reached there. They were four persons. The eldest of them fired some shots in the air.

So the mob moved away from there. After sometime it again attacked the shop. Again the Sikh owners fired 6 more shots but this time it did not have any effect on the mob. So they entered the shop and downed the shutter. Someone from the mob put a drum containing some inflammable material on a cart, set the drum on fire and pushed the cart upto the shutter of the shop. The drum burst and the shop caught fire. The four owners who were inside the shop were burnt alive.

Smt. Gurcharan Kaur had filed an affidavit before Justice Mishra Commission regarding this incident and pointed out inaction of the Police when this and other shops were being looted. Shri Triolok Singh has filed an affidavit before this Commission and stated that when the incident happened two policemen were standing near that shop but they did nothing and merely kept on watching what was going on. One of the policemen was having a stengun with him. Shri Avtar Singh Diwan (W-16) appeared before this Commission and gave evidence regarding this incident. He has stated that while this incident was going on two policemen who were standing nearby just kept on watching the attack and did nothing to disperse the mob or to prevent it from committing such an offence.

According to Shri S.S. Manan (Witness No.79), Station House Officer of this Police Station, the place where two policemen were deployed was 2 furlongs away from Sahni Paints. No policeman was near the shop when it was set on fire. As soon as information regarding this incident was received at the Police Station, SI Ram Kumar and other policemen were sent there and he also went to that place soon thereafter. .

With respect to the second incident what Shri Trilok Singh has stated in his affidavit filed before this Commission is that on 5-11-84 at about 6.30 p.m. he saw some unknown persons collecting near his house. He therefore, informed the Station House Officer about the same. Thereafter Additonal Station House Officer Dev Raj came to his house alongwith two Constables and told his uncle and his father that 7 Constables and Home Guards have been posted outside his house to protect them. Thereafter he left. When he went out of his house at about 7 p.m. he found that those policemen were not

there. Some time thereafter his house was attacked by a mob. His uncle therefore opened fire to scare away the mob. At this point of time, the police and military arrived. They brought him and other inmates out of their house and made them sit on the road. One of them fired at Narinder Singh, a relative of his uncle. The police beat them with 'Lathis' and then took them to Police Station Darya Ganj. As Narinder Singh was bleeding profusely, they requested the police to take him to a hospital but the Police did not do so. After much delay he was taken to a hospital where he died on 23-11-84. He has also stated that the mob chased his father and killed him. During this incident two persons Mangal and Kishan Bahadur died and for their deaths police registered a false case against him and his uncle though they had died as a result of firing by the police and the military. He has further stated that though the report given by the CFSL ruling out the possibility of those two persons having been killed by the bullets fired from their weapons was received by the prosecution much earlier yet the case was not withdrawn till 28-7-87. Trilok Singh subsequently withdrew this affidavit but while giving evidence before this Commission stated that time and again he was threatened by the police officials to withdraw it and because of the said threats and fear of the police he had withdrawn the same. In the subsequent affidavit filed by him he described the role of police officers Shri S.S. Manan and Shri Amod Kanth in a different manner.

According to the police version this incident took place at about 8 p.m. The inmates of the house were found firing indiscriminating from their house and had killed one person. On seeing a big mob two Constables, who were on patrolling duty, reached there and fired 10 rounds to disperse the mob. On getting information regarding this incident Station House Officer S.S. Manan and DCP Amod Kanth rushed to that place alongwith the army patrol. As firing from the house was still going on they told the persons in that house to stop firing and surrender. According to the police as a result of the firing by Trilok Singh and his uncle, one Shri Mangal and Shri Kishan Bahadur a jawan of the army lost their lives. It is also stated by them that the first CFSL report produced in the criminal case was not relevant and the 2nd report which was more relevant did not rule out that possibility and the case against Shri Trilok Singh was withdrawn for some other considerations.

Police Station : DBG Road

This area was not much affected by the riots. On 31-10-84 at about 10.07 p.m., Shri MS Chikara who was the Station House Officer of that Police Station received information that there was fire in some shops in the tyre market of Siddipura. This was the first incident of violence reported in this area.

Two persons Shri Harvinder Singh and Shri Bodh Raj have filed affidavits before this Commission regarding this incident. They have merely stated that their shops were set on fire and the fire brigade had to be called for. On that day at about 3.45 p.m. an armed mob attacked a gurudwara situated in Block No. 66 of Dev Nagar. After setting the gurudwara on fire the mob caught one Sikh and burnt him alive.

Shri Chikara immediately went there and saw that one shop was burning. So he called the fire brigade and intensified patrolling in the area. There was no mob when he reached that place. On 1-11-84 at about 7.00 a.m. he received information that there was a fire in the shops of tyre market near Filmistan. He reached there within about 5 minutes. Many persons had gathered there but he did not find anyone indulging in acts of violence. He resorted to lathicharge and dispersed the crowd. He also called the fire brigade.

Sub Division Kamla Market**Police Station : Kamala Market**

This area was free from any incident related to anti-Sikh riots. There is some material to show that mobs had collected at various places during those days but the police was able to disperse them before they could indulge in any violence. No person had filed any affidavit about any incident in this area before Justice Mishra Commission. Three persons have filed affidavits before this Commission but they are for claiming compensation. Bishan Kaur has stated that her husband was killed. She was a resident of

this area but her husband was killed some where in Bihar while he was going to Ranchi. Gurbachan Singh has stated that his factory was destroyed but has not stated at which place that incident had happened.

Police Station : Hauz Quazi

This area also remained comparatively peaceful. No person had filed any affidavit or statement regarding any incident in this area before Justice Mishra Commission and no affidavit has been filed before this Commission. However from the police record it appears that in all 42 shops were looted and out of them 10 were burnt thereafter. All those incidents happened on 1-11-84. The police resorted to lathicharge and also used teargas to disperse the mobs. The police was also able to recover looted property worth about Rs.7 lakhs. Regarding looting of 26 shops and burning of 2 shops FIR No.566/84 was registered at this Police Station. FIR No.567/84 and 568/84 were registered regarding the looting and burning of 14 shops. 36 persons who were shown as accused in FIR No.566/84 were convicted while the accused in other two cases were acquitted.

Sub Division Daryaganj

Police Station : Daryaganj

Mr. Ved Pal Rathi was the Station House Officer of this Police Station and Shri Ajmer Singh Chauhan was the ACP of the area. The situation in this area was generally speaking quiet. There was no incident of violence on 31-10-84. On 1-11-84 some incidents had taken place in this area but only two incidents deserve to be noted.

Marina Store was burnt on 1-11-84 at about 3.30 p.m. With respect to this incident 15 persons had filed affidavits before Justice Mishra Commission. What they have stated is that on hearing the news of assassination of Smt. Indira Gandhi two Sikhs of Daryaganj connected with Marina Store distributed sweets and that provoked the persons of the area, and for that reason sometime thereafter the store was attacked. The evidence of Station House Officer Ved Pal Rathi discloses that Sub Inspector Om

Prakash, ASI Rameshwar Nath and Constable Mahinder Singh were instructed by him in the morning not to allow mobs to gather on Dayanand Road and other nearby areas. On coming to know about the attack on Marina Store he reached there at about 5 p.m. He noticed that there was a big crowd of about 4000 to 5000 persons on Dayanand Road and it was indulging in looting and burning shops. SI Om Prakash , ASI Rameshwar Nath and Constable Mahinder Singh who were posted in this area were found standing like spectators. His report of 20-11-84 also discloses that the three policemen had not performed their duty properly as they had failed to take steps to prevent the mob from looting and burning shops and also the Marina Store. On the basis of his report a departmental inquiry was initiated against those policemen.

Another incident happened at about 6 p.m. on that day. An armed mob of about 50 to 60 persons entered President Hotel, threatened its employees and indulged in looting goods. The police on coming to know about this incident immediately rushed to that place and apprehended 15 persons with the goods looted by them.

In respect of the incident of Marina Store FIR No.837 was recorded by the police. Two persons were arrested during the investigation and were put up for Trial. They were acquitted by the Court. With respect to the incident of attack on President Hotel FIR No.838 was recorded. During the course of investigation one more person was arrested and 16 persons were put up for trial. They were all acquitted by the Court.

Police Station : Jama Masjid

Shri Prithivi Singh (Witness No.83) was the Station House Officer of the Police Station. In his evidence before this Commission, he has stated that no incident relatable to anti – Sikh riots took place in this area between 30-10-84 and 5-11-84. He has stated that some outsiders had tried to create problems in this area but the police had prevented them from doing so.

Police Station : Chandni Mahal

Satinder Nath was the Station House Officer of the Police Station. No person had filed any affidavit before Justice Mishra Commission with respect to any incident in this area. No affidavit has been filed before this Commission. The police record shows that a mob had collected at one place on 1-11-84 and it had tried to loot shops and attack properties of the Sikhs. The police prevented them from looting shops by using force and resorting to firing.

D. NORTH DISTRICT

North District consisted of five sub divisions: Kotwali, Subzi Mandi, Sadar Bazar, Ashok Vihar and Kingsway Camp.

Sub Division Kotwali

There were two police stations in Kotwali Sub Division - Police Station Kotwali and Police Station Lahori Gate. Subzi Mandi Sub Division had three police stations - Police Station Sabzi Mandi, Police Station Civil Lines and Police Station Roshanara. Ashok Vihar Sub Division consisted of areas falling within Police Station Ashok Vihar, Police Station Sarai Rohilla and Police Station Lawrance Road. Sub Division Sadar Bazar consisted of areas falling under Police Station Sadar Bazar, Police Station Bara Hindu Rao and Kashmiri Gate. Sub Division Kingsway Camp consisted of areas falling within Police Station Kingsway Camp, Adarsh Nagar, Alipur and Narela. According to the Ahuja Committee Report 151 Sikhs were killed in this District between 31-10-84 and 5-11-84.

Police Station : Kotwali

Inspector Tiwari was the Station House Officer of this Police Station. On 31-10-84 no incident of violence against Sikhs happened in this area. On 1-11-84 at about 10 am. an armed mob gathered in Chandni Chowk and burnt Punjab Hotel. Thereafter it

looted and burnt some shops belonging to Sikhs. One or two shops of Hindus were also looted and burnt.

In respect of these incidents Shri N.D. Pancholi had filed an affidavit before Justice Mishra Commission. Before this Commission S/Shri Sajjan Singh, Ajit Singh, Manjit Singh, Joginder Singh, Jasvinder Singh and Ms. Gurmeet Kaur have filed affidavits. What Shri N.D. Pancholi has stated further is that though the policemen were present, they did not make any effort to stop the rioters from committing those acts of arson and looting. Those witnesses who have filed affidavits before this Commission have stated that their shops were looted by riotous mobs.

The police record shows that the ACP of this area on coming to know about these incidents reached that place within a short time and ordered the mob to disperse. As it did not disperse inspite of his direction, he ordered firing which resulted in death of one person. This had a deterrent effect on the mob and the persons in the mob soon went away. It appears that ACP Shri Parera, Station House Officer Shri Tiwari and Head Constable Satish Chandra had dealt with the situation quite promptly and efficiently and therefore no further damage was done in that area or in any other area falling within this Police Station.

Police Station : Lahori Gate

Shri P.D. Duggal was the Station House Officer of this Police Station. No serious incident took place in this area. Nobody had filed any affidavit before Justice Mishra Commission with respect to any incident in this area. Nobody has filed any affidavit before this Commission also.

Only one incident happened on 31-10-84. On that day at about 9.30 p.m. a mob of about 500 to 600 persons gathered on Church Mission Road, Khari Baoli and started looting and burning shops of Sikhs. Shri Duggal immediately rushed to that place and after ordering the crowd to disperse resorted to firing. He fired 9 rounds and arrested 14

persons from the spot. Thus the situation was brought under control immediately. Those apprehended were put up for trial. They were however acquitted by the Court.

Sub Division Sadar Bazar
Police Station : Sadar Bazar

Shri Raj Bahadur Tyagi was the Station House Officer of this Police Station. No death of any Sikh was reported in this area.

On 31-10-84 at about 8 p.m., an armed mob collected near Qutab Road Crossing and started looting and burning shops. Some Sikhs were also beaten. The Police reached there immediately and controlled the situation. In respect of this incident an offence was registered as FIR No. 600/84 and 15 persons were arrested and put up for trial. They were acquitted by the court.

On 1-11-84, some stray incidents of looting and burning of shops did happen between 8.30 a.m. and 4.30 p.m but police rushed to those places and brought the situation under control.

Police Station : Bara Hindu Rao

Shri K. S. Bedi was the Station House Officer of this Police Station. In this area 2 sikhs were killed, 1 Gurudwara was partly burnt and about 17 vehicles were damaged.

On 1-11-84, at about 1.30 p.m., a big mob of about 3000 to 4000 persons attacked Gurudwara Singh Sabha, Pul Bagash. Jaswinder Singh who was residing in the Gurudwara has stated that the mob was led by Ravi, Tetu Aman and Suresh Panwala who were all local bad characters. The mob hurled petrol bombs and sprinkled kerosene on the Gurudwara and set it on fire. He has further stated that his uncle Sardar Thakur Singh went out of the Gurudwara with folded hands and told them not to indulge in such acts. Ravi who was leading the mob hit his uncle with a heavy iron rod. Thereafter his

uncle was dragged to the main road. The mob then threw truck tyres around his neck and poured kerosene on him and burnt him alive. At about 4 p.m., when two wounded Sikhs were being brought to the Gurudwara, the mob caught them threw them at the place where the body of his uncle Jaswinder Singh was still burning. Some more tyres were thrown into the fire and thus they were also burnt alive. He has stated in his affidavit that two police jeeps with some policemen were standing near the Gurudwara when the incident happened but instead of helping the inmates of the Gurudwara, the policemen incited the crowd and fired three rounds at the Gurudwara.

Surinder Singh has also referred to this incident in his affidavit. According to him, the mob was led by Shri Jagdish Tytler, Congress(I) MP. He has further stated that on 10-11-84, Shri Jagdish Tytler contacted him at the Gurudwara and asked him to sign on two sheets of paper but he refused to do so. In his cross-examination Surinder Singh has admitted that he had not filed any affidavit earlier.

Shri Gurcharan Singh has also referred to the attack on the Gurudwara. He has stated that his shop was burnt on the previous day. Harminder Singh is another witness who gave evidence before this Commission. He has also referred to the presence of Titu, Aman and Suresh Panwala and stated they were the bad characters of that area. The grievance made by this witness is that some policemen who had come in a jeep and were present there were inciting the mob by saying “you are not able to kill 5-7 sardars”.

The Police record shows that Police resorted to lathi charge and firing wherever it was found necessary to disperse the crowd. Some incidents of looting and burning of shops by mobs took place at some places but the police immediately went there and dispersed the mobs. On 3-11-84, a huge mob attacked a Gurudwara but ACP reached there alongwith some force and brought the situation under control immediately. Some persons were arrested from the spot.

Police Station : Kashmiri Gate

Shri Hari Deo Singh was the ACP of the Sub Division and Shri Dario Singh was the Station House Officer of the Police Station. Only three incidents of this area are worth mentioning.

On 1-11-84 at about 2.45 p.m. a violent mob set on fire 20 taxis and two persons at the Inter State Bus Terminus (ISBT). Shri Smitu Kothari in his affidavit has stated that the mob had with it cans of inflammable material. He has also stated that 6 Constables were present near by but they merely kept on watching what was going on and no attempt was made by them either to prevent the mob from committing such acts or to apprehend the persons committing those acts. The material on record shows that ACP and the Station House Officer reached that place and quickly dispersed the mob. The material also discloses that ASI Amar Nath and SI Ram Singh were the two policemen who were present when this incident of burning of taxis and killing of Sikhs had taken place.

At about 10.00 a.m., some shops were looted and burnt on Hemilton Road. The police reached that place immediately and the situation was brought under control.

On that day a 'samadhi' was demolished at Jamna Bazar. Shri Fakkar Nath in his affidavit has stated that while he was sleeping in his house, he heard some noise coming from outside. So he went out and saw that Ram Lal, Congress(I) Councilor Lahri Singh and Dharmo were leading a mob and raising slogans. Shri Ram Lal then instigated the mob to kill him and burn his house. He, therefore, ran away from that place to save his life. He has further stated that thereafter he went to the Police Station but the Duty Officer refused to register his complaint. Subsequently on the basis of his complaint an offence was registered.

Sub Divison Ashok Vihar
Police Station : Ashok Vihar

Shri Mahavir Singh was the ACP of the Sub Division and Inspector Yashvir Singh was the Station House Officer of Ashok Vihar Police Station. In this area 7 sikhs were killed between 31-10-84 and 4-11-84. 4 Gurudwaras, 5 houses, 7 shops and 31 factories were burnt. About 42 vehicles were either damaged or burnt. No incident had happed on 31-10-84 .

On 1-11-84 at about 9 a.m. a mob looted and burnt some houses of Sikhs in Nimri Colony. Some vehicles belonging to Sikhs were also burnt. The affidavits filed by Shri Maan Singh, Inder Singh and Mahesh Sharma speak about this incident. Shri Maan Singh has further stated that while the mob was attacking houses in the locality, Sub Inspector Mange Ram and his assistant had come there but instead of protecting the Sikhs, they abated the rioters by not taking any step to prevent them from committing those acts. Inder Singh has further stated that the mob was led by local persons. He has named Kaka Bali, Ramchander Nagoria, Ishwar Pala, Pandit Shoke, Jitu, Lovely, Vimal and others as persons in the mob. He has also stated that Om Prakash alias Omi brother in-law of Deep Chand Bandhu, a Municipal Councilor (Congress-I) and son of Deep Chand Bandhu were also leading the mob. They were in a jeep. They had brought in that jeep tins full of some inflammable liquid. He has stated that SI Mange Ram and ASI Raja Ram and other policemen remained with the mob and though these policemen were armed with weapons they did not stop the mob from committing such acts of arson and looting. He has further stated that the mob looted the house of Maan Singh and Mange Ram himself went inside the house and came back with a bag full of currency notes. This witness had subsequently written letters to higher police officers and other concerned authorities for taking action against A.S.I. Mange Ram and ASI Raja Ram. Mahesh Sharma has also spoken about the presence of these two policemen in the mob. It appears that later on the basis of an affidavit made by Inder Singh, FIR No.435 dated 13-12-91 was registered and 12 persons were arrested and chargesheeted.

On that day at about 10.00 a.m. a Gurudwara was attacked by a mob. Persons inside the Gurudwara were beaten. After looting the Gurudwara it was set on fire. In this incident 4 persons Harbir Singh, Inderjeet Singh, Ram Shankar and one unknown Hindu lost their lives. On coming to know about this incident police reached there within about 10 minutes. Families of Granthi Prem Singh and Sewadar Natha Singh were rescued by the police and sent to a safe place. The mob then went to Deep Cinema and set it on fire. It also set on fire some shops in the market. On coming to know about it, the policeman who had gone to the Gurudwara, went to Deep Cinema. Station House Officer Yashvir Singh also went there. But by that time the mob had gone towards Phase – II. So the police followed it and went to Phase-II. There they came to know that houses and vehicles of Surinder Singh and Harcharan Singh were set on fire and that the mob was going towards Nayapul. On its way the mob set on fire Silver Plate Restaurant and some vehicles. Properties in Satyawati Colony, Shakti Nagar, Nimri Colony and J.J. Colony were also damaged or burnt. The police chased this mob and was successful in apprehending 14 persons. Others were able to run away. Ram Prakash in his affidavit has stated about burning of the Gurudwara and Deep Cinema. Other details as regards how the mob conducted itself appears from the evidence given by Shri Yashvir Singh who was the Station House Officer.

Some factories in the Wazirpur Industrial Area were also looted and some of them were set on fire. The first such incident had happened at about 11.55 a.m. The factory No.103/2 was looted and burnt by a mob. This incident was reported by Mukhtiar Singh, President of Jhuggi Wazipur Industiral Area. Shri C.P. Gupta, Tarlochan Singh Rana, Shashi Kant, Vinod Khosla, Surjeet Singh, Mohan Kumar Marwah and S.K. Marwah have stated in their affidavits how some of those factories in the Wazirpur Industrial Complex were looted or burnt.

It was submitted by the November'84 Carnage Justice Committee that the material on record clearly establishes that SI Mange Rama and ASI Raja Ram had not only failed to perform their duty but had assisted the mob in attacking Sikhs and their properties. It was further submitted that ASI Raja Ram has admitted that he was on duty

alongwith four Constables when this incident had happened in the Nimri Colony locality. It was submitted that the material further establishes the presence of Ramchander Nagoria, Vice President of Youth Congress(I) East District and his men when this incident took place.

In order to disperse the mobs one round was fired by the police at Deep Cinema, six rounds were fired in Ashok Vihar Phase – II and four rounds were fired in Wazirpur Area. The police had also resorted to lathi charge and firing of tear gas shells for dispersing the mobs.

Police Station : Sarai Rohilla

In this area some incidents happened on 1-11-84. No incident was reported either on 31-10-84 or on 2-11-84, 3-11-84 or 4-11-84. 3 Gurudwaras, 32 houses, 105 shops and 34 vehicles were burnt. 14 Sikhs were killed.

14 persons had filed affidavits before Justice Mishra Commission. 13 persons have filed affidavits before this Commission.

The only incident which deserves to be referred to is the attack on a Gurudwara on 1-11-84 in the afternoon. As a big mob assembled near the Gurudwara, the Granthi of the Gurudwara requested the Sikhs to collect in the Gurudwara in order to resist any attack by the mob. Seven attacks were made by the mob on the Gurudwara but they were all repelled by the Sikhs. At about 3 p.m. police came and announced that Sikhs should go inside the Gurudwara and they would protect the Gurudwara. Soon after the Sikhs went inside the Gurudwara the RPF fired shots from across the road towards the Gurudwara as a result of which 5 persons in the Gurudwara died. The mob then looted and burnt the Gurudwara. Pursuant to the message received at 3 p.m. about the attack on the Gurudwara the Additional Commissioner of Police and DCP reached that place. At 3.25 p.m., Additional Commissioner of Police sent a message to the control room that firing is taking place in front of RPF Lines and the Station House Officer should reach the place of the incident. Station House Officer Raghunath Singh reached the Gurudwara

at about 3.30 p.m. but the grievance of the witnesses who have filed affidavits is that he did not take steps to control the situation there.

S/Shri Ravail Singh, S. Narang Singh, Ahuja, Pratap Singh, Gurcharan Singh, Balwinder Singh and Balbir Singh had filed affidavits before Justice Mishra Commission and after describing the incident had complained that Police did not try to control and check the mob nor they prevented the Railway Protection Force from firing at the Gurudwara. Shri Raghunath Singh (Witness No.185), while deposing before the Commission, has stated that he went to the Gurudwara at about 4.25 p.m. At that time no higher police officer was present there and probably they had left. He denied that in fact 6 Sikhs were killed and 4 Sikhs were injured as a result of firing by RPF. He admitted that the police, which was present near the Gurudwara at the time of incident, had not resorted to firing. He has stated that he had inquired from the RPF whether there was any firing by them but they had denied to have done so. He, however, admitted that his policemen had informed him that sound of firing was heard from the direction of RPF lines.

Police Station : Lawerance Road

Inspector Ram Gopal (now retired) was the Station House Officer of this Police Station till 1-11-84. On that day Inspector Asha Ram took over as the Station House Officer of this Police Station. The mobs had burnt 2 Gurudwaras, 2 houses, 2 shops and 9 vehicles.

2 persons had filed affidavits before Justice Mishra Commission. 6 persons had filed affidavits before Jain Banerjee Committee. 2 persons have filed affidavits before this Commission. All of them have stated about the loss caused to them as a result of attacks on their shops and have claimed compensation.

On 1-11-84 between 12.00 noon and 4 p.m. shops and houses in the areas of Trinagar, Totaram Bazar, Jai Mata Mandir and Omkar Nagar were attacked by a mob of about 200 to 250 persons. The mob also fired some shots as a result of which one

Paramjit Singh and one Mohd. Sohad were killed. On being informed about this incident, the police immediately rushed to that place and apprehended 12 persons from the pot.

At about 2 p.m. on that day a mob attacked and burnt Gurudwara Singh Sabha and thereafter looted and burnt houses in Blocks A-1, C-2 and C-8. On coming to know about these incidents the police had rushed to those places and dispersed the mobs.

Sub Division Subzi Mandi

Police Station : Subzi Mandi

Shri Kewal Singh was the ACP of Subzi Mandi sub division. Shri Gurmel Singh was the Station House Officer of this police station. On 1-11-84 Shri Raghbir Singh Malik was directed to look after this sub division as ACP. Shri Jai Bhagwan Malik was directed to take over as Station House Officer.

In this area 28 incidents were reported between 31-10-84 and 5-11-84. Ahuja Committee found that during this period 25 sikhs were killed in this area. Kusum Lata Mittal Committee's estimate was that 35 persons were killed. 3 Gurudwaras, 5 houses, 48 shops and 26 vehicles were burnt. Some more shops were looted. 17 persons had filed affidavits before Justice Mishra Commission with respect to those incidents. 12 persons have filed affidavits before this Commission. 4 witnesses appeared before this Commission and gave evidence.

Shri N. S. Bawa, an advocate and a teacher has stated in his affidavit that during the night between 31-10-84 and 1-11-84, he heard some noise indicative of breaking open shops in the Indira Market which was in front of his house. He and his other family members and neighbors saw that a mob was looting those shops. They came out of their houses. On seeing them the mob looting the shops started running away with looted goods. He and his other family members were able to apprehend 6 persons with looted properties. Meanwhile, Shri SC Jatav who was the Additional Commissioner of Police arrived there with some Police force. This witness apprised him of the incident and handed over 6 persons who were caught. He also requested Shri Jatav to post some

armed Constables near the market to prevent looting of shops again. However, Shri Jatav did not pay any attention to their request and within a short time allowed the apprehended persons to run away. This witness has also stated that on 1-11-84, a group of armed persons came to their locality and burnt 2 shops belonging to his younger brother. This mob was led by Congress(I) workers. As his father was a Congress leader, he knew those persons. He has further stated that he had subsequently requested the Police to take down a separate complaint for this incident, but they did not do so and it was made a part of FIR 633 which was a general complaint. He has also made a grievance in his affidavit that Inspector L.S.Barar who was taking stern action against the rioters was strangely transferred from that Police Station. Jasbir Singh and Kartar Singh have also supported Shri Bawa's version.

Another incident in which 10 Sikhs were killed in Kabir Basti deserves to be noted. They were burnt alive and according to Smt. Pritam Kaur, her husband and son were dragged out of the house and burnt alive. All this had happened in presence of ACP Raghbir Singh Malik and Station House Officer Jai Bhagwan Malik. She has also stated that instead of preventing the mob from doing so, they were telling it "Do not spare anyone. Do not leave any evidence."

Smt. Balwinder Kaur Wd/o Lakhbir Singh, Smt. Balwinder Kaur Wd/o Jagjit Singh, Smt.Swaran Jeet Kaur Wd/o Babbir Singh, Smt. Inder Jeet Kaur Wd/o Jaswant Singh and Smt. Lajwanti Kaur Wd/o Darshan Singh have also filed affidavits and supported what Pritam Kaur has stated. An FIR in respect of this incident was registered but it did not mention that so many Sikhs were killed.

Shri Jai Bhagwan Malik (Witness No.179) was called for cross examination by the Commission. Eventhough the police record shows that the shops of Indira Market were again attacked on 1-11-84, he denied any knowledge about the same.

Police Station : Civil Lines

Shri B.M. Chopra was the Station House Officer and Shri Kewal Singh was the ACP of this area. No death had taken place in this area during this anti Sikh riots. No complaint was received by the Police regarding any such incident.

On 1-11-1984 at about 1 p.m., a tent of Taxi Stand was burnt and one taxi was damaged. Some factories at Timarpur were burnt by a mob. The police record shows that 1 Gurudwara, 4 shops and 1 vehicle were burnt in this area. The police record further shows that immediately on coming to know about these incident, policemen were sent to those places and the situation at those places was brought under control. The material on record discloses that the Police officials in this area had acted promptly and effectively in controlling the riots.

Police Station : Roshan Ara Road

Shri R.C.Kalia (Retd.) was the Station House Officer of this Police Station which was subsequently named as Roop Nagar Police Station. Incidents of anti sikh violence in this area started from the night of 31-10-84 and continued on 1-11-84. The material on record shows that during period of riots, 2 Sikhs were killed, 2 Gurudwaras and 4 shops were damaged and 19 vehicles were burnt.

During the night between 31-10-84 and 1-11-84, a violent mob looted some shops belonging to Sikhs at Chandrawal Road. Thereafter it went to Gurudwara Singh Sabha and attacked it. It was partly damaged by putting it on fire. Police reached that place and resorted to firing to disperse the crowd. During investigation of this incident, police arrested 21 persons.

Arvinder Kaur has stated in her affidavit that on 1-11-84, at about 8.00 a.m. a violent mob attacked her house and her husband was shot in the chest as a result of which

he died on the spot. Thereafter he was set on fire. They were saved by the Police and the army.

Sub Divison Kingsway Camp

Kingsway Camp Sub Division consisted of areas covered by Police Station Kingsway Camp, Police Station Adarsh Nagar, Police Station Narela and Police Station Alipur. Shri Kashyap was the ACP of the Sub Division.

Police Station : Kingsway Camp

Shri Durga Prasad was the Station House Officer of the Police Station. The affidavits filed before Justice Mishra Commission indicate that about 15 Sikhs were killed in this area between 31-10-84 and 4-11-84. According to the police record 8 Sikhs were killed during this period. 5 Gurudwaras, 7 houses, 12 shops, 23 factories and 24 vehicles were burnt. About 37 more shops and 13 factories were also looted. Only 4 FIRs were recorded in respect of these incidents.

8 persons had filed affidavits before Justice Mishra Commission. 6 persons had filed affidavits before Jain Banerjee Committee and 7 persons have filed affidavits before this Commission.

On 1-11-84 at about 8 a.m. an armed mob burnt vehicles and killed 5 Sikhs at Rana Pratap Bagh Taxi Stand. Some houses and vehicles were attacked and burnt in Model Town. Gujarawala Town was also looted and some houses of Sikhs were burnt. 2 Nihang Sikhs residing opposite the Gurudwara were burnt alive. Some factories on GT Karnal Road Industrial area were looted or burnt. Thus violence against Sikhs and their properties in this area was widespread.

Rajinder Pal, in his affidavit, has stated that 60 to 70 policemen in uniform had pelted stones on their houses at about 10 p.m. on 1-11-84. They had done so from the near by police lines. Ajmer Kaur has stated that a mob of about 500 to 700 persons

attacked their colony at about 5 p.m. Her house was also attacked and burnt and her husband was killed by burning him alive. Piara Singh has stated that his factory was destroyed on 1-11-84 at 12.00 noon by a mob led by Congress (I) leader Mr. Tarvinder Singh. Thereafter, they took shelter on the roof of their house. Station House Officer Durga Prasad came there and gave an assurance that he would take care of them. However, sometime after he left a mob returned. Shri Durga Prasad was with the mob. Seeing that Durga Prasad was instigating the mob, he and his family members ran away from that place. Ajit Singh in his affidavit has stated about burning of his factory at Mori Gate at 10 a.m. and the attack on his house at about 1.30 p.m. He has further stated that the mob was led by persons sitting in a light green coloured jeep which was having a Congress Flag. One of the persons sitting in the jeep had pointed out his house to the mob which then attacked his house. However, he was able to keep the mob away by firing in the air. After about an hour, Police came from Model Town Police Station. So he opened the door. At that time one policeman aimed his gun at him and fired a shot which injured him. ACP Kashyap then came and took him to a hospital.

Piara Singh in his affidavit has stated how Station House Officer Durga Prasad alongwith SI Sat Prakash instigated the mob. He has also complained that even though they informed Durga Prasad that goods looted from his house were lying in the nearby Jhuggi, he did not do anything to recover the same.

Police Station : Adarsh Nagar

Shri Roop Chand (Retd) was the Station House Officer of this Police Station. This area was very badly affected. 39 persons were killed in this area. 28 of them were identified while 11 could not be identified. 28 houses, 66 shops and 190 vehicles were burnt. 16 more houses and 80 shops were looted and damage was caused to some more houses and shops. Violence in this area had started from the morning of 1-11-84.

12 persons had filed affidavits before Justice Mishra Commission. 22 persons had filed affidavits before Jain Banerjee Committee and 39 persons have filed affidavits before this Commission.

The affidavits filed by Balwinder Kaur, Surinder Singh, Prem Kaur, Sarabjit Kaur and Balvinder Kaur describe the incidents which happened in J-Block. Mohan Singh and Charanjit Kaur have described the incidents which happened in K-Block of Jahangir Puri. Jaswinder Singh of Jahangirpuri has stated that while a mob was attacking houses in their locality, 4 policemen had come but instead of helping them they remained passive and did not prevent the rioters from doing so or made any attempt to apprehending them.

Police Station : Narela

Shri U.C.Kataria (Retd) was the Station House Officer of Narela Police Station. According to the available police record four Sikhs were killed and three were injured as a result of the attacks on them in this area. Complete record with respect to all the incidents and what the police had done was not available to the Commission as the police could not trace it inspite of all efforts made by them. However, it appears from the available material that only a few incidents had happened in this area and that Station House Officer Kataria had taken prompt and effective steps to prevent the rioting mobs from doing any further damage.

Police Station : Alipur

Shri Raj Mohinder (Retd.) was the Station House Officer of this Police Station. Between 30-10-84 and 4-11-84 only 2 offences – FIR No.314 and FIR No.315 were registered at this Police Station. 25 Sikhs lost their lives in this area. 2 Gurudwaras were burnt and two were looted and partly damaged. 3 houses, 2 shops and 3 factories were also burnt. 27 other factories were either looted or damaged. During the course of investigation of these two offences, 77 complaints from the affected persons were received. The police had resorted to firing and as a result thereof one person had died. In

most of the complaints, the complainants have stated about the loss suffered by them as a result of damage caused to their properties.

Two persons had filed affidavits before Justice Mishra Commission and 6 persons have filed affidavits before this Commission. Only affidavit which needs to be referred is that of Dr. Kochar whose factory was looted on 1-11-84. What he has stated in his affidavit is that one Raj Rup, who owned premises near his factory, had come with gundas, removed furniture and fixtures from their factory and applied his lock to the factory building. He had lodged a complaint with the police on 14-11-84. However, the police did not take any action against Mr. Raj Rup.

In the affidavits filed before this Commission, the deponents have only stated about killing of their relatives or the damage caused to their properties and have asked for compensation.

E. SOUTH DISTRICT

South District was divided into Sub Divisions : (1) Delhi Cantt. (2) Hauz Khas (3) Lajpat Nagar and (4) Defence Colony. Shri Chander Prakash was the DCP of the South District. Sub Division Delhi Cantt had 4 Police Stations - Delhi Cantt. Vasant Vihar, R. K. Puram and Naraina. Sub Division Hauz Khas had 3 Police Stations : Hauz Khas, Mehrauli and Sarojini Nagar. Lajpat Nagar Sub Division had 4 Police Station – Lajpat Nagar, Badarpur Srinivas Puri and Kalkaji. Defence Colony Sub Division had 3 Police Stations - Defence Colony, Lodhi Colony and Nizammudin.

Sub Division Delhi Cant.

Police Station : Delhi Cant.

The area falling within this Police Station was one of the worst affected areas of Delhi. Mr. D.P. Verma was the ACP of this Sub Division and Inspector Rohtash Singh was the Station House Officer of this Police Station

Incidents of arson and looting started in this area from the evening of 31-10-84. Killing of Sikhs on a large scale took place on 1-11-84 and 2-11-84. According to the police record 246 Sikhs were killed in this area between 31-10-84 and 5-11-84. It is stated by the Carnage Justice Committee that as many as 426 persons were brutally killed in this area by the rioting mobs. The Ahuja Committee in its report determined the number of deaths at 341. According to the police record 6 Gurudwaras, 385 houses, 110 shops and 45 vehicles were burnt. The police had received about 150 complaints regarding murders and incidents of arson and looting. Most of the deaths took place in Sagarpur, Mohan Nagar, Raghu Nagar, Mahavir Enclave, Sadh Nagar, Raj Nagar, Durga Park and Dwarka puri localities of this area.

Large number of incidents happened in the Palam Colony and West Sagarpur area of this Police Station. Jaspal Kaur, Baljinder Singh, Harbans Kaur, Bhupinder Singh, Chanan Singh, Kishan Dev and Sampuran Singh of Sadh Nagar of Palam Colony have in their affidavits referred to the attacks which took place on their houses on 1-11-84 and 2-11-84 and described how those incidents happened and inmates of the houses were attacked by the mobs.

Jasbir Singh, Sudershan Singh, Sampuran Kaur, Jagdish Kaur W/o Mohan Singh Jagdish Kaur, Wd/o Kher Singh, Joginder Singh, Davinder Kaur, Jagdish Kaur, W/o Jeet Singh all residents of Raj Nagar Palam Colony have stated in their affidavits or in their evidence about the attacks made by the mobs on 1-11-84 and 2-11-84 on their houses and killing of the Sikhs in their localities.

Ms. Parkash Kaur widow of Harnam Singh, Parkash Kaur widow of Mahinder Singh, Jagjit Kaur and Gurdeep Kaur have stated in their affidavits about the attacks made by the mobs on their houses and killing of Sikhs in Mahavir Enclave.

Sardar Prab Charan Singh, Harjinder Kaur, Balwant Kaur, Daljit Kaur, Nirmal Kaur, Lajwanti Kaur, Harjit Kaur, Jagdish Kaur and Joginder Kaur have described the

attacks in West Sagarpur by the mobs on 1-11-84, 2-11-84 and 3-11-84 and killing of Sikhs there.

Smt. Surjit Kaur of Hari Nagar, Gurmez Kaur of Dwarka Puri, Balwant Singh of Mohan Nagar, Kulwant Kaur of Raghu Nagar, Gajinder Singh of Puran Nagar have stated in their affidavits how they and others were attacked by the mobs and how Sikhs were killed in those localities.

Jagdish Kaur, Sudarshan Singh and other persons from the Raj Nagar, Palam Colony have stated that the mobs which attacked their houses were led by Balwan Khokkar and other Congress leaders. Sudarshan Singh has also stated that Shri Sajjan Kumar who was the Member of Parliament was also seen near the mob and he was supervising the entire operation. He also was giving directions to Balwan Khokkar. Police was present at that time but instead of helping the victims they were instigating the mob.

Kishandev Singh of Sadh Nagar has also stated that a mob attacked his house on 1-11-84 in the afternoon. It was led by Balwan Khokkar's brother Dinesh, Rakesh s/o D.D.Sharma, Naresh and Suresh s/o Prakash Sharma. Naresh and Suresh poured petrol on his son after beating him.

Jagdish Kaur R/o Raj Nagar has stated that kerosene oil was supplied to the mob by Balram, a youth Congress(I) worker who had a depot at Palam Colony. She has also stated that when she had gone to the Police Station to lodge a report the police had refused to take it down. .

Baljinder Singh of Sadh Nagar has stated in his affidavit that a mob attacked his house and killed his Father and 3 brothers on 1-11-84 at about 10 a.m. It was led by Harkesh Vats, Radhey Shyam and other Congress(I) leaders.

Prakash Kaur a resident of Palam Road has stated that when she had gone to the Police Station for lodging a complaint regarding killing of her sons, the Police had refused to take down any report or take her statement. She has also stated that the Police instead of helping them took away the dead bodies of her brother and relatives and thus deprived them of performing their cremation ceremony.

Joginder Singh of Raj Nagar in his affidavit has stated that on 1-11-84 at about 7 a.m., a mob led by Balwan Khokkar and Kishan Khokkar burnt the Gurudwara and started killing Sikhs. Their houses were also attacked thereafter. After about 2 hours, a police van of local police check post Palam Pur came and took away kirpans from the Sikhs and thus they were deprived of the means with which they could defend themselves. He has stated that on 2-11-84, he with some other Sikhs had gone to the Police Station for help but instead of giving them shelter police informed a mob nearby about their presence in the Police Station. The mob thereafter started killing Sikhs.

Amarjit Kaur of Chand Nagar has spoken about killing of her husband Capt. Nazar Singh Mangat. She has specifically named Shri Sajjan Kumar, local Congress MP, as the person who led the mob which killed her husband by burning him alive.

Surjeet Kaur of Tilak Vihar has also stated that on 1-11-84 when a mob led by Rohtas, Partam Jeet Ram and others attacked her house, Shri Sajjan Kumar, a local Congress(I) MP brought a truck load of hooligans and announced that no sikh should be left alive and thereafter the mob killed her husband Dalip Singh and three other persons.

Jagdish Kaur of Raj Nagar has named two more Congress workers Manan Singh Chand and Capt. Bagh Mal as the persons who were in the mob which attacked her house on 2-11-84. She has also stated that on 2-11-84 while she was going to the Police Station and had reached Mandir Mangla Puri, she heard Sajjan Kumar telling the persons who had gathered there “SARDAR SALA KOI NAH BACHNA CHAHIDA’.

Jasbir Singh (Witness No.125) of Raj Nagar has in his evidence before this Commission stated that he himself was a member of Congress and thus he knew Shri Balwan Khokar, Sajjan Kumar, Mahinder Singh Yadav. He has further stated that when he went to the Police Station to lodge a report, the Police told him that he should disclose only the damage caused to his property and not give names of the assailants. Even though he had gone with a written complaint, in which he had mentioned the names of the assailants, it was not accepted by the Police and they noted down the complaint in their own way. He has stated that even though he had specifically named Sajjan Kumar, he was not put up for trial by the Police.

Gajinder Singh has also stated that he approached the Police for help as he apprehended danger but the Police refused to help him and his complaint regarding injuries sustained by him was not taken down. Police recorded his statement only regarding the loss caused to his property.

Jagdish Kaur Wd/o Kher Singh has stated that she had gone to the Police Station to lodge a complaint but it was not recorded. She has also stated that the Station House Officer while moving in his vehicle was announcing through a loudspeaker that curfew was imposed in the area but took no steps to disperse the mobs which were freely roaming in the area. She has also stated that she had heard the Station House Officer inquiring from the mob as to how many 'murgas'(Sikhs) were killed.

Smt. Nirmal Kaur of Sagarpur has also stated in her evidence that even though she had gone to the Police Station to lodge a complaint, it was not taken by the Police nor her statement was recorded. She has also stated that her children were the eye witnesses but their statements were not taken by the Police.

Even though more than 340 Sikhs were killed in this area and a large number of houses and other properties were burnt, only 5 FIRs were recorded by the Police. The Police did not resort to firing till 3-11-84 even though the mobs were seen indulging in such acts of heinous acts violence. From the report of SI Ramesh Singh Rana, Incharge

Sagar Pur Division, it appears that on 1-11-84 itself he had reported that the situation in this area was very grave and that it was getting out of control. He has stated that the DCP Chander Parkash of that area had asked him to keep restraint and not to use fire arms, When he had asked for additional staff, he was told that he was a jat and he was more than enough in the area. He had reported about 77 deaths in Sagarpur division alone; but he was told not to disclose such a high number of deaths and was also threatened that he would have to face dire consequences if he did so. Subsequently, he was suspended on 15-11-84 on the ground that he had reported less number of deaths even though it was the DCP who had wrongly reported to the Headquarters that the number of deaths was only 20. SI Rana in his report has stated that the DCP had himself got the dead bodies cleared and burnt.

Police Station : Vasant Vihar

Inspector Duriyav Singh(Retd) was the Station House Officer of this Police Station. Death of only 1 Sikh was reported at this Police Station. According to the police record, 2 Gurudwaras, 1 house, 4 shops and 19 vehicles were burnt between 31-10-84 and 5-11-84. No incident of violence had happened after 1-11-84.

As stated by Sharamjit Singh in his affidavit on 1-11-84 at about 9.30 a.m., a mob of about 100 persons attacked Guru Har Kishan Public School. A bus and a Metador van of the school were set on fire. While this attack was going on many persons came there in 6 to 8 DTC buses and joined the attack. Police also came. As the mob was still attacking them, he and others requested the Police to rescue them but the police did not render any help and merely asked them to go inside their respective houses.

Police Station : R.K. Puram

Shri Ram Phal was the Station House Officer of this police station. Between 31-10-84 and 5-11-84 deaths of 3 sikhs were reported at the police station. The police record shows that 3 Gurudwaras, 4 houses, 14 shops and 35 vehicles were burnt. The police had resorted to firing near the Gurudwara for dispersing the riotous mob.

5 persons had filed affidavits before Justice Mishra Commission. One more person has filed an affidavit before this Commission. Shri Ram Phal (Witness No.171) who was the Station House Officer was examined as a witness. He has explained what steps he had taken for controlling the riots. In this area violence had started on 31-10-84 and continued upto 2-11-84. From the affidavits filed by the witnesses, it appears that policemen who were posted at different places did not perform their duty properly and merely watched the incidents as spectators. However, in absence of any material it is not possible to identify those policemen and make any recommendation against them.

Police Station : Nariana

Shri Vijay Malik was the Station House Officer of this police station. Deaths of three Sikhs were reported between 31-10-84 and 5-11-84. 1 Gurudwara, 2 houses, 92 shops and 20 vehicles were burnt. Because of non - availability of the relevant record no further information is available with respect to this police station. 2 persons had filed affidavits before Justice Mishra Commission. 13 persons had filed affidavits before Jain Banerjee Committee. They have described the damage caused to their properties and loss suffered by them and have claimed proper compensation. 8 persons have filed affidavits before this Commission.

Diwan Singh has stated about the attack on his factory on 1-11-84 at about 2.00 p.m. He has stated that he and his family members were saved by their Hindu friends. The grievance which he has made is when he contacted the Police on telephone he was told that whatever was happening was right.

Malkiat Singh who was the Secretary of Shri Guru Singh Sabha in Narayana Vihar has described the attack on the Gurudwara and further stated that when he contacted the police he was told “Theek He To Ho Raha Ha. Intjar Karey Aap Ko Bi Jailaya Jayega” (Right thing is happening – wait – you will also be burnt).

Those who have filed affidavits before this Commission have also stated about the loss caused to them and have requested for proper amount of compensation.

Sub Division Hauz Khas

Police Station : Hauz Khas

Shri Krishan Gopal was the ACP of the Sub Division and Shri S.D. Sharma was the Station House Officer of the Hauz Khas Police Station.

This area did not witness many incidents. According to the police record there were 9 incidents on 1-11-84; 1 on 3-11-84; 1 on 4-11-84 and 1 on 5-11-84. During investigation of those offences the police received 73 complaints from the affected persons. The police record shows that only one death was reported at the Police Station. However, Ahuja Committee Report discloses that 19 sikhs were killed. 2 Gurudwaras, 17 houses, 17 shops and 63 vehicles were burnt. 7 houses and 19 shops were looted.

6 persons had filed affidavits before Justice Mishra Commission and 3 persons have filed affidavits before this Commission. The affidavits filed before this Commission are mainly for claiming compensation. Smt. Satinder Kaur, in her affidavit, has stated that her house was damaged and her car was set on fire by a mob on 1-11-84. Three policemen came when the incident was over but the mob was still present nearby. The police did not try to apprehend anyone of them. Instead they took three chairs from her garden, sat thereon for sometime and then left.

Shri Gopal Singh, in his affidavit, has stated about the attack on the Gurudwara. He has further stated that policemen who were posted there disappeared when the Gurudwara was attacked. However, no material is available on the basis of which it can be said who those policemen were.

Police Station : Mehrauli

Shri Jaipal Singh was the Station House Officer of this Police Station. According to the police record 7 Sikhs were killed in this area between 31-10-84 and 4-11-84. 4 Sikhs had received injuries. 4 Gurudwaras, 11 houses and 2 shops were burnt. 32 vehicles were also burnt.

There were many farms belonging to Sikhs in this area. From the morning of 1-11-84 there were attacks on such farms. Many Sikhs had therefore, taken shelter in the nearby Gurudwara. In the evening of 1-11-84 Chatwal Farm situated in Village Samalka was attacked by a mob. On being informed about the attack the police rushed to that place and advised the persons residing therein to leave it. They were however, not willing to leave that place. So, Station House Officer Jaipal Singh posted ASI Dinesh Tiwari and two Constables for the security of Mr. Chatwal and his family. In spite of the presence of police a mob attacked the farm at about 9 p.m. and put a part of it on fire. The mob also killed 5 members of Chatwal's family. According to the police record ASI who was posted there had fired a shot in air but could not prevent the mob from entering the farm and then burnt it. The police version regarding ASI having resorted to firing is challenged and does not appear to be correct. It appears that the ASI and the policemen either disappeared from the place when the mob attacked or allowed the mob to attack the farm. ASI Tiwari had failed to perform his duty and therefore a departmental inquiry was also held against him. By way of punishment he was censured.

Police Station : Sarojini Nagar

Harmeet Singh was the Station House Officer of this Police Station. No Sikh was killed in this area; but 4 Gurudwaras, 10 houses and 5 shops were burnt. 29 vehicles were either damaged or burnt.

6 persons have filed affidavits before this Commission. It appears from their affidavits that mobs started stopping vehicles and attacking Sikhs right from the evening

of 31-10-84. Mobs were roaming in the area from the morning of 1-11-84. Ajit Singh and George Mathew have referred to such incidents in their affidavits. Other affidavits are mainly for the purpose of claiming compensation.

Sub Division Lajpat Nagar

Police Station : Lajpat Nagar

Shri Avinash Chander was the ACP of Lajpat Nagar Sub Division and Inspector Om Vir Singh was the Station House Officer of the Lajpat Nagar Police Station. At this Police Station no death of a sikh was reported between 31-10-84 and 4-11-84. However, as found by the Ahuja Committee 14 dead bodies were recovered from this area. 5 Gurudwaras, 15 houses, 10 shops and 31 vehicles were burnt. About 56 more houses were looted.

On 1-11-84 at about 00.30 a.m. Sri Guru Singh Sabha of Lajpat Nagar was attacked by a mob. Shri Gurcharan Singh in his affidavit has stated that on coming to know about it he immediately went to the Gurudwara alongwith his driver and some persons. On seeing them the rioters ran away. He then contacted Lajpat Nagar Police Station and informed the Station House Officer about the said attempt. After about half an hour the Station House Officer came there and posted 5 to 6 policemen to guard the Gurudwara. At about 10 a.m. on 1-11-84, a mob again attacked the Gurudwara. On this occasion it was led by Himmat Rai, a local Congress(I) worker. It carried weapons and canes containing inflammable material. Gurudwara was then burnt. Four vehicles were also burnt. The allegation made by Shri Gurcharan is that even though Sub Inspector V.K. Rana and other policemen were present when the Gurudwara was attacked they merely stood there as silent spectators and did nothing to protect the Gurudwara from being looted and burnt. On the contrary the policemen were telling the mob "Jo Kuch Ho Sakta He Karo". The policemen went away from that place thereafter.

Ms. Madhu Kishwar, a social worker and a resident of the same locality has stated in her affidavit, and has also reiterated in her evidence before this Commission, that on

1-11-84 at about 9 a.m. she came to know about the attack on the Gurudwara and therefore, she rushed to that place with 2 or 3 colleagues. She saw a crowd there led by some local youngsters. There were many unknown persons in the crowd and they were all raising slogans like 'Khoon Ka Badla Koon Se Lange, Rajiv Gandhi Jindabad' etc. By the time she reached there, a part of the Gurudwara was set on fire. The mob wanted to set the other parts on fire. When they tried to stop the mob from doing so the leader of the mob threatened her by stating that if she came in their way she would also be burnt alive. She, therefore, tried to contact the police on phone but there was no response. Some policemen who were standing there merely kept on watching the incident. When she told those policemen to interfere the policemen told her to go home for her own safety. She has further stated that on seeing this attitude of the Police she thought it fit to organize a defence group of Hindus and Sikhs in the locality. The said group patrolled the area during the night and on the following days. Even though mobs came three times thereafter, they were not able to commit any mischief in their locality, because of the presence of the defence group.

Station House Officer of this area Shri Omvir Singh (Witness No.166) in his evidence before this Commission confirmed posting of constables near this Gurudwara. However, there is no material on record to establish the identity of those constables. He has also stated that the police had rushed to the places of incidents whenever they were informed about the same and that he had also resorted to firing on 3-11-84 for the purpose of frustrating an attempt of a mob to loot and burn properties of Sikhs in Amar Colony. According to him no death had taken place in this area.

Police Station : Badarpur

Inspector Sukhbir Singh was the Station House Officer of this Police Station. In this area, between 31-10-84 and 4-11-84, 69 incidents of looting and 88 incidents of arson were reported. 3 Sikhs were killed, 3 Gurudwaras, 1 house, 31 shops and 53 vehicles were burnt. About 151 persons had given statements during investigation of the offences that were registered by the police. The police record further shows that police

had resorted to firing at three places and had also fired 11 tear gas shells to disperse the rioting mobs.

5 persons had filed affidavits before Justice Mishra Commission. These affidavits show that attacks on Sikhs and their properties started in this area from the evening of 31-10-84. The mob stopped vehicles at Mathura Road, dragged Sikhs out of those vehicles and beat them. One cinema theater was also set on fire. Badarpur Gurudwara and Ahluwalia Petrol Pump were also damaged. Factory of Mohan Meakin was also set on fire. All those incidents happened on 1-11-84.

Kamaljit Singh, in his affidavit, has stated that on 1-11-84 at about 10 p.m. a mob looted and burnt his hotel. Next day in the morning at 10 a.m. he went to the Police Station for help but the police refused to help him in any manner. He, therefore, took shelter at a place, which was at a short distance from a police chowki. The mob again attacked him and his family members. His father and younger brother were beaten with sticks. He was also beaten and thereafter the mob poured kerosene oil on him and set him ablaze. He became unconscious and was taken to Safdarjung Hospital.

Shri Damanjit Singh, in his affidavit, has stated that his factory situated in Badarpur was attacked by a mob on 1-11-84. Goods were looted and the factory was set on fire. The police did not properly investigate the offence and nobody was prosecuted.

Police Station : Srinivaspuri

Shri Om Prakash Yadav was the Station House Officer of this Police Station. This area was very badly affected.

Trouble in this area started from the night of 31-10-84. A taxi stand opposite DAV College was set on fire. On 1-11-84 large number of incidents happened at various places. Smt. Sarabjit Kaur of Hari Nagar Ashram has stated in her affidavit that on 1-11-84 her house was attacked by a mob. The male members of the family were severely beaten and when they were almost dead kerosene oil was poured on them and

thus they were burnt alive. She has further stated that Station House Officer alongwith some policemen came in a vehicle while this attack was going on but instead of helping them joined the mob and stood with the leaders of the mob. Thereafter the mob burnt her car. A mob again came in the evening and attacked their house. She has specifically named Karan, his sons, Sarni Chakiwala and his two sons Deep Chand and Kanwar Jain of Hari Nagar Ashram as the persons who were responsible for killing her family and looting and burning her house.

Narinder Singh, a resident of Jeevan Nagar, in his affidavit has stated that at about 9 a.m. a mob led by Naresh Sharma, Yogesh Sharma, Naresh Jain and Suresh Jain came near the chowk of their area. The mob caught three Sikhs and took them inside a nearby Mandir . Yogesh Sharma exhorted them to finish the Sikhs.

Sardar Balbir Singh has also referred to this incident in his affidavit. According to him one of those boys was killed. The mob thereafter looted some shops of Sikhs. At the instigation of Naresh Jain his house was also looted and nearby shop was burnt. Balbir Singh has further stated that Havaladar Sultan and two Constables were with the mob. He has also stated that on 2-11-84 at about 8 a.m. again a huge mob came to their locality. Houses of Atma Singh, Attar Singh and Pritam Singh Dhir were looted. After some time military came in their area and only thereafter mobs disappeared. He has stated that he did lodge a complaint with the police but no policemen came to inquire and when he used to go to the Police Station to inquire what was happening to his complaint, he was harassed and threatened by the police.

Four houses of Sikhs were looted and burnt at Maharani Bagh on 1-11-84. Gouri Choudhury, a resident of Maharani Bagh, has stated in her affidavit that the mob systematically burnt those four houses after looting them. One Ajay or Ajeet son of Mr. Singhania led the mob. One Dhobi of the area was also in the mob. All her attempts to call the police and fire brigade failed. Affidavits of Surinder Kaur and Santokh Singh describe the incidents which happened in Hari Nagar Ashram area. She has described how her husband was taken away by a mob and beaten near the bridge. She has stated

that though policemen were present near the bridge they did not help them in any way. On the contrary they encouraged the mob and also fired at the Sikhs. Santokh Singh has stated in his affidavit that the mob was led by R.L. Walecha, Kalu Ram, Panna Lal and Suresh Kumar Jain. They had fire arms with them and they fired some shots at Sikhs as a result of which he and other Sikhs received injuries. The mob burnt trucks, cars, four buses and about 20 three wheelers and 10 scooters. The Deputy Commissioner of Police and Station House Officer of that area came with two Sub Inspectors and Constables but instead of protecting Sikhs they were announcing on loudspeaker that Sikhs should be killed and their properties should be burnt. The police fired some shots but they were aimed at Sikhs. On 2-11-84 when he and Talwinder Singh Marwah contacted the police officers who were standing at the corner of the nearby street to help them in securing milk and eatables for their children they were told that a train load of Hindu bodies had arrived from Punjab and in reply Hindus were to send one train full of dead bodies of Sikhs back to Punjab. Hearing such a remark he and others returned and took shelter in their houses. They were left to defend for themselves and were saved by the military which came to that area.

Shri Bakshi K.S. Sahni has stated in his affidavit that on 1-11-84 at about 8.30 a.m. Kali Ram, P.D. Sharma, an Advocate, Ved Prakash Yadav, Dharam Paul Nai, Bablu S/O Kalu Ram, Anil Sharma, Kanwar Lal Jain, Karan Singh and his sons, Pandit Lal Chand Sharma, Kanwal Lal Jain and other local persons collected on the main road armed with iron rods and lathis. When one Sikh young man was passing by that place on his motorcycle they intercepted and beat him. Thereafter he was burnt alive. The mob then attacked a petrol pump of Gurdit Singh Bhasin and Sons. He has further stated that though Station House Officer Shri Yadav, Sub Inspectors Ved Prakash and Ishwar Singh were present, they did not take any action against the rioters. The mob thereafter came inside their street and looted one shop and burnt it. His house was also looted and burnt. Amarjit Singh has stated about looting of his house by a mob.

S. Kishan Singh of Jeevan Nagar in his affidavit has spoken about the attack on his house by a mob of 300 persons. About 10 to 15 Sikh neighbours had also taken shelter in his house. The mob was led by Sharma, a resident of Ganga Niwas and Suresh Jain.

Kuldip Singh Bhogal, who was the General Secretary of Akali Dal Youth Congress Wing has stated in his affidavit that on 1-11-84 at about 10.30 a.m. a mob of about 500 persons came in Hari Nagar Ashram area and started pelting stones on the houses of Sikhs. Though about 15-20 policemen of PAC were present there, they did not prevent the mob from doing so. Instead of dispersing the mob they asked the Sikhs who had collected there to go back to their respective houses and threatened them that if they did not go to their houses they would open fire on them. Therefore they all returned to their houses. Thereafter the policemen instigated the mob to loot and burn their houses and shops. He has also stated about the arrival of large number of persons in a train at about 11 a.m. on 2-11-84. He was able to apprehend one person and who according to his identity card was a policeman of Haryana and belonged to Madhuban Police Training Center.

Mukhinder Singh, a resident of Friends Colony has stated that a mob led by Ajay Satsangi, a Youth Congress(I) leader of their area came to Friends colony in the morning of 1-11-94 and noted which houses belonged to Sikhs. He soon received a telephone call about the likely attack and therefore he and his family members ran to the house of Shri Lohia and took shelter there. After some time a mob of about 200 to 300 persons attacked his house. This time the mob was led by Ajay Satsangi. Thereafter the house of Inderjit Singh was attacked and burnt. Though his complaint was taken down, he was not called as witness in that case. Manjit Kaur, Pritpal Singh and Ishwar Kaur have also filed affidavits and stated about looting of their houses by that mob. They have also complained about the passive role of the police.

Station House Officer O.P. Yadav (Witness No.167) during his examination has stated before this Commission that big crowds consisting of persons residing in the Jhuggi / Jhopri Clusters behind the railway line were seen attacking and looting houses

and other properties of Sikhs. The police had prevented them from committing more attacks. He has also stated that they had frustrated attempts of the mobs which had attacked the house of Charan Jit Singh, factory of Ranbaxy and Gurudwara Balasahib. He has also stated that he had used force and resorted to firing to disperse the mobs.

One more feature which is required to be noted is that on 1-11-84 after receiving a message that looting and burning of vehicles was going on in New Friends Colony, Shri Gautam Kaul who was the Additional Commissioner of Police rushed to that place and apprehended 14 persons from the spot. They were then handed over to the Deputy Commissioner of Police of that area for taking proper action against them. However, the police record does not show that anyone of them was arrested and they all appear to have been let off by Shri Chander Prakash Deputy Commissioner of Police soon thereafter. Log Book of the Deputy Commissioner of Police also appears to have been tampered with.

Police Station : Kalkaji

Inspector B.K. Kishi (now dead) was the Station House Officer of this Police Station. In this area 1 Gurudwara and 56 vehicles were burnt.

One person had filed an affidavit before Justice Mishra Commission and the grievance which he has made therein is that when he went to the Police Post to lodge a complaint on 5-11-84 in respect of looting of his shop on 1-11-84, the officer incharge of this Police Post refused to register his complaint. He was therefore required to submit a written complaint on 6-11-84.

5 persons have filed affidavits before this Commission. They mainly set out the losses caused to them and contain requests for adequate compensation.

No death of any Sikh was reported at this Police Station. Ahuja Committee however found that 7 Sikhs were killed in this area. According to the police record

police had resorted to firing at Govind Puri and Harkesh Nagar in order to disperse the mobs.

Sub Division Defence Colony
Police Station : Defence Colony

Shri KB Kumar was the ACP of this Sub Division. Shri RC Gaur, Inspector was the Station House Officer of the Police Station. In this area no Sikh was killed between 31-10-84 and 3-11-84 but 2 Gurudwaras, 4 houses, 24 shops and 45 vehicles were burnt. Subsequent to the riots about 16 complaints were received from the victims of the riots. 6 persons had filed affidavits before Justice Mishra Commission. Some persons had filed affidavits before Jain Banerjee Committee but they were mainly for claiming compensation.

Shri T.S. Bedi, a resident of Kotla Mubarakpur, in his affidavit has stated that his business establishment was burnt by a mob during the night between 31-10-84 and 1-11-84. His allegation is that though his business establishment was very close to the Police Station the Police did not try to save it from being looted or burnt. He has also complained that when he went to the Police Station on 8-11-84 for lodging a report the police behaved very rudely with him and his report was taken after much reluctance.

Shri Jeet Singh Bindra, who had his factory in Kotla Mubarakpur area, has stated that his factory was looted during the night between 31-10-84 and 1-11-84. When he went to the Police Station to lodge a complaint his report was not taken and he was told that they have no instructions for registering cases of individuals. Sri Guru Singh Sabha Kotla Mubarakpur was also looted and burnt on that night. Shri Jeet Singh Bindra, who was the Secretary of Guru Singh Sabha has spoken about the same in his affidavit and has complained that even though the Police Station was very near to the Gurudwara the police did not take any step to prevent the mob from looting and burning it.

Two persons, in their affidavits, have spoken about what happened near AIIMS at about 4 p.m. on 31-10-84. Jagjit Singh, in his affidavit, has stated that S/Shri H.K.L.

Bhagat, Lalit Maken, Sajjan Kumar, Dharam Dass Shastri and Arjan Dass left the hospital at about 4.00 p.m. and within a period of about 10 to 20 minutes a group of persons came near that place and attacked a Sikh who was going on a scooter. After sometime Giani Zail Singh the President of India, passed by that road and his cavalcade was also stoned by a mob. Jagjit Singh has also stated that he was advised by the policemen and some Congress workers that he should go away from that place suggesting thereby that they knew what was going to happen.

Police Station : Lodhi Colony

Shri KB Kumar was the ACP of this Police Station. Shri Sitaram Mangai was the Station House Officer of this Police Station. No death of any sikh was reported in this area. The Police record discloses that 1 Gurudwara, 1 house, 7 shops and 5 vehicles were burnt. 5 more vehicles were damaged.

One Narinder Singh had filed an affidavit before Justice Mishra Commission. He was residing in the staff quarters of the Gurudwara situated in the Ali Ganj area of Lodhi Road. In his affidavit he has stated about the attack on the Gurudwara on 1-11-84. What he has further stated is that when they raised shouts for help one of the policemen came near them and told them to run away from the quarters. Other 4 policemen who had by that time come in the Gurudwara did nothing to stop the mob from entering the Gurudwara and setting it on fire. One person has filed an affidavit before this Commission but it is only for claiming compensation.

Shri Ashok Jaitely and Ms. Jaya Jaitely in their affidavits have jointly stated about their having seen burning vehicles in this area on 31-10-84. They have also said that while they were passing through Safdarjung Flyover they saw one junior police officer standing there and when they told him about burning of vehicles he told them not to worry as the mobs were after sardars only. This incident was referred to by them to show the attitude of the police towards the persons who were indulging in attacking Sikhs and their properties. They have also stated that when they passed by the entrance of Jor

Bagh on the Lodhi Road, they saw a mob looting and burning some shops. Policemen were standing there but they did nothing to prevent it from doing so.

Police Station : Nizamuddin

Inspector Ram Phal was the Station House Officer of the Police Station. In this area 9 houses and 39 shops were either looted or burnt and 114 vehicles were either damaged or burnt. In order to disperse the mob Police had resorted to firing at Bhogal area and near Rajdoot Hotel. 16 persons had filed affidavits before Justice Mishra Commission.

Shri Kanwarjit Singh, has stated in his affidavit about burning of vehicles at Bhogal on 1-11-84 by a big mob. He has stated that the said mob was led by Hari Chand Saini and Vijay Chaudhary. While the mob was burning vehicles SI Shakti Singh came there alongwith 15 to 20 policemen but they did not prevent the mob from committing those acts. Some Sikhs who were present and were trying to protect their vehicles were asked by the policemen to go to their respective homes and were threatened that if they did not do so, they would open fire on them. He has further stated that after they went inside their houses the mob freely looted and destroyed their vehicles. He has further stated that on 3-11-84, he saw a mob looting shops in presence of policemen. On that day also the mob was led by Mr. Saini. When examined before this Commission, Shri Kanwarjit Singh has admitted that he had not named Vijay Chaudhary as the person leading the mob in his complaint.

Smt. Kuldeep Kaur in her affidavit has stated that their house was set on fire by a mob. The policemen who were present near that place, instead of preventing the mob from burning their houses helped it in doing so and also fired a shot towards her children who had tried to leave the house after it was set on fire.

Station House Officer Ram Phal (Witness No.175), while giving evidence before this Commission, has stated that Bhogal was a sensitive area as there are more Sikhs in that area than non-Sikhs. He admitted that in Bhogal 66 trucks, 5 buses, 7 cars, 6 taxis, 5

scooters, 10 motorcycles, 2 matadors, 1 jeep and 4 four-wheelers were burnt. He also stated that 146 complaints were received by him later on. He also resorted to firing in the Bhogal area to disperse the rioting mobs.

What has been stated by Kanwarjit Singh and Kuldeep Kaur and others in their affidavits regarding burning of vehicles and attacks on their houses is also supported by the affidavits of independent witnesses, like, Ashwani Ray, Amit Bararia, Dinesh Mohan, Ravi Chopra and Punam Mutreja.

Shri Narinder Singh in his affidavit has stated that in the evening of 1-11-84 at about 5.00 p.m. while the mob was indulging in rioting SI Ved Prakash who was from Srinivas Puri was provoking the mob by saying “Can’t you people set 100 houses on fire when the police is with you”. As a result of this provocation the mob became more vigorous in its attack on the houses and shops of the Sikhs.

F. EAST DISTRICT

Sub Division Farsh Bazar

East District was divided into 3 Sub Divisions namely (1) Farsh Bazar, (2) Gandhi Nagar and (3) Shahadara. Shri Sewa Das was the DCP of this District. Shri Purushottam Das was the ACP of Sub-Division Farsh Bazar. Farsh Bazar Sub-Division had 3 Police Stations - Farsh Bazar, Seema Puri and Krishna Nagar.

Police Station : Farsh Bazar

Shri Daryav Singh (Retd.) was the Station House Officer of this Police Station. Though the Farsh Bazar sub division was very badly affected by the riots, the area within the Farsh Bazar Police Station remained comparatively peaceful. Some incidents of violence did take place and as a result thereof Gurudwara Hargobind Place and Gurudwara Anand Vihar were burnt on 1-11-84. There was an attack on Swaran Cinema

also but Police Inspector Badan Singh reached there in time, resorted to firing and controlled the situation. It was again attacked by a mob on 3-11-84 and this time it was completely burnt. No person had filed any affidavit before Justice Mishra Commission and no one has filed any affidavit before this Commission.

Station House Officer Daryao Singh has given evidence before the Commission and stated that on 1-11-84 when the house of Shri P.S.Bhinder, former Commissioner of Police was surrounded by a mob, he rushed to that place and by resorting to firing was able to disperse the crowd. He was successful in preventing the mob from doing any harm to Mr. Bhinder and his family.

Police Station : Seema Puri

Shri R.C.Thakur was the Station House Officer of this Police Station. Many incidents of violence had happened in this area between 31-10-84 and 1-11-84. According to the police record 32 Sikhs were killed. Ahuja Committee found that probably 247 Sikhs were killed. The affidavits before Justice Mishra Commission indicated deaths of about 203 Sikhs. The Delhi Administration paid compensation to about 205 persons. On the basis of the record it appears to the Commission that more than 200 Sikhs were killed in this area.

27 persons had filed affidavits before Justice Mishra Commission describing the various incidents that had happened in this area. 54 persons have filed affidavits before this Commission. 7 persons including 2 Police Officers appeared before the Commission and gave evidence. Daya Kaur, Lajwanti Kaur, Surjeet Kaur w/o Darshan Singh, Surjeet Kaur w/o Joginder Singh, Smt. Satwant Kaur, Smt.Raghubir Kaur, Smt. Narinder Kaur, Smt. Gurbachan Singh, Smt. Shanti Devi, Sukhvinder Kaur, Niranjana Kaur, Joginder Kaur, Nanki Devi, Trilochan Singh, Smt. Inderjeet Kaur, Gurdyal Singh, Gurcharan Kaur have filed affidavits and stated therein about the attacks that were made by the riotous mobs on 1-11-84 and 2-11-84 on the houses of A - Block of Nand Nagari.

Smt. Daya Kaur has stated that Jamna Devi and her five sons, all Congress Workers, had attacked houses of Sikhs in their locality and killed many Sikhs. Smt. Surjeet Kaur and Satwant Kaur have also supported her statement. Raghubir Kaur has stated that as many as 48 Sikhs were killed in her street. Smt. Narinder Kaur has described how Sardar Than Singh was killed and his wife was stripped naked and burnt. Gurbachan Singh has also stated in his affidavit that Jamna Devi and Dr. P.D.Verma who were the local active Congress(I) workers were leading the mob. Smt. Nanki Devi has also involved Jamna Devi at whose instance the mob had killed 7 members of her family including her 3 children. She has further stated that Shri HKL Bhagat was also present at that time. Gurcharan Kaur has also involved Jamna Devi, and her sons and Dr. Verma as persons leading the mob on 1-11-84. She has stated that Chakkiwala was in the mob which had attacked her house.

According to the Police record only 12 persons were killed in A - Block and 65 houses or shops were looted or burnt. The Police record shows that at about 10 a.m. on 1-11-84, a message was received at the Police Station regarding an attack on Sikhs. The Station House Officer therefore sent Sub Inspector Shiv Charan alongwith 2 other Sub Inspectors and 3 Constables. Many witnesses had seen these policemen but what they have stated that policemen stood nearby as silent spectators and did not prevent the mob from attacking and killing Sikhs.

Some houses in DDA Quarters of New Seemapuri were also burnt on 1-11-84 and 2-11-84. According to the Police records, 4 Sikhs were killed on 1-11-84 and 3 were killed on 2-11-84. Bablbir Kaur's house in B - Block was attacked on 1-11-84 and her husband was killed. Surjit Singh has spoken about killing of his 2 sons at Meet Nagar by a mob after stopping a train. Kaushalya Kaur and Balwant Singh have also spoken about attacks on the houses in F Block and killing of some persons there. 4 persons were killed in Nathu Colony at Nand Nagri on 2-11-84. Charanjit Kaur has stated in her affidavit about the attack on her house on 2-11-84 in Block B. Satpal Kaur has also supported her version and stated that Rampal Saroj, Dharam Vir and Brij Mohan led that mob. Trilochan Singh has spoken about the burning of Gurudwara at Nand Nagri on 1-11-84.

Sardul Singh has stated that on 2-11-84, an armed mob attacked his house and killed 7 members of his family. He was able to escape. On 2-11-84, he went to the Police Station to lodge a report and named 11 persons whom he could recognize from out of the mob. Sub Inspector Tulsi Das called some of these persons whom he had named as assailants. One of them Virender Singh had a revolver with him in his hands. SI Tulsi Das forcibly obtained a writing from the complainant that those persons had no hand in the assault.

Ms Kamlesh has stated in her affidavit that on 31-10-84, Shri HKL Bhagat addressed persons who had gathered in their locality and incited them to kill Sikhs. On 1-11-84, Ram, his three sons, Hari Singh, Jagdish Nittarpal Khansi Ram, Roshan Lal, Omi Munna of Ration and Kerosene Oil Depot attacked their house and cut one hand of her son and then burnt him alive.

Manjit Kaur, Davinder Kaur, Ram Kaur, Pawan Kaur, Kartar Kaur, Satpal Kaur, Jasbir Kaur have stated in their affidavits how the mobs attacked their houses and killed their relatives on 1-11-84, 2-11-84 and 3-11-84. Jasbir Kaur, Jit Singh, Manjit Kaur were also orally examined before the Commission and they have repeated their allegations against the police and other persons.

Shri R.C. Thakur, who was the Station House Officer of the Police Station, was examined before the Commission. He admitted that even though Dr.Verma, Jamna Devi and her 4 sons were specifically named by many witnesses they were not arrested till 4-12-84 i.e. till the date investigation of that case had remained with the local police.

Police Station : Krishna Nagar

This area also witnessed large number of incidents of looting and burning of houses and shops and killing Sikhs. Shri S.M. Bhaskar was the Station House Officer of the Police Station and Shri B.S. Bholra was the Assistant Commissioner of Police of the Sub Division.

17 persons had filed affidavits before Justice Mishra Commission. 18 persons have filed affidavits before this Commission. Their affidavits show that large number of shops at Lal Quarters were looted and burnt by armed mobs on 1-11-84. Kulbir Singh, Gulab Singh, Pritpal Singh, Tara Singh, Pishora Singh and Harjeet Singh have spoken about those incidents.

Pishora Singh has stated that on 1-11-84 he requested Station House Officer S.M. Bhaskar for saving his shop but he was told that the police station did not have adequate force. On 3-11-84 his house was attacked by a mob. At that time SI Kapoor came there. Instead of providing protection to him Sub Inspector Kapoor pointed his pistol towards him and asked his men to search his house. Sub Inspector Kapoor went away as in the meantime military arrived near that place.

Tara Singh and Pishora Singh have stated that Deputy Commissioner of Police Sewa Dass, Station House Officer S.M. Bhaskar and SI Kapoor instead of taking action against riotous mobs encouraged them to carry on looting. Harjeet has also complained that while his shop was being looted Station House Officer S.M. Bhaskar came near that place and went away, thus allowing the rioters to loot his shop.

Shri Ram Singh, O.P. Sharma, Surjit Singh, Harish Kumar, Nirmal Kumar, Sarabjeet Singh and Mangal Sain Jain have stated in their affidavits about the attack on the house of the owner of Swaran Cinema on 1-11-84 which was 50 yards away from the Police Station. Surinder Singh Kanwar, one of the partners of Swaran Cinema, has stated that he and his brothers were living with their families in a house very close to Krishna Nagar Police Station. On 1-11-84 at about 1 p.m. a mob of 2000 persons attacked their house. When he contacted the Police Station he was told that there was no sufficient force. Thereafter their house was surrounded by the mob. According to him the Station House Officer and some policemen together with some persons wearing Khakhi clothes were guiding the mob. When his brother went out of the house alongwith his wife and elder son the mob caught them and after pouring kerosene on them burnt them alive. The mob thereafter burnt 5 vehicles belonging to them. Thereafter it entered their house and

started causing damage to it. They had also assaulted female members in the house and forcibly removed their ornaments and looted other household articles. He was assaulted and 5 children of Kanwar were burnt alive. He and his wife tried to run away from the house but they were over powered and pushed back into the burning house as a result of which his wife and son received serious burn injuries. After the mob left, some responsible persons of the locality including Shri O.P. Sharma, Mangal Sain Jain and others came there and helped them. His version is supported by other persons who have filed affidavits regarding this incident. The police version on the other hand is that the house of Swaran Singh was set on fire, because of the provocation given by Swaran Singh and his brothers by resorting to firing at the mob. He admitted that in this incident 9 persons were burnt alive. Harjeet Singh has spoken about an attack by a mob in Shankar Nagar area.

Surjit Kaur has also spoken about the incident, which happened in the area in which her husband and two sons were killed. Apart from these persons, Hardeep Singh, Harvant Singh and Avtar Singh have spoken about this incident. Harjeet Singh has stated that the mob which looted shops in that area was led by Sanjay, Lokesh Sethi and Virender Sethi who were all Congress(I) leaders.

Ishwari Singh, Kulwant Rai, Mohinder Kaur and Tara Singh have also filed affidavits disclosing how their houses in Krishna Nagar were attacked and their near relatives were killed. One Balbir Kaur has stated that on 31-10-84 at about 7.30 p.m. she had seen Shri H.K.L. Bhagat addressing a mob of about 5000 persons. Soon thereafter there was an attack by that mob. Her husband was assaulted but they were able to escape and take shelter in a Gurudwara.

Shri S.M. Bhaskar, who was the Station House Officer, has stated in his evidence before the Commission that only 14 deaths were reported in this area. He has also stated that he had received instructions from the Deputy Commissioner of Police that if there were no complaints and if the offence was registered on the basis of a report made by a police officer then only one FIR should be registered.

Sub Division : Gandhi Nagar

Shri R.D. Malhotra was the ACP of this Sub Division and Shri Ram Meher was the Station House Officer of Gandhi Nagar Police Station.

Police Station : Gandhi Nagar

The Police record mentions only 30 deaths in this area but according to the record of the Relief Commissioner 51 persons were killed between 1-11-84 and 3-11-84. 20 persons had filed affidavits before Justice Mishra Commission in respect of the incidents in this area. 4 Gurudwaras, 56 shops and 24 vehicles were looted and or burnt. 19 persons have filed affidavits before this Commission. One witness Mohinder Singh gave evidence before this Commission.

On 1-11-84 Gurudwara of Ajit Nagar was attacked and then set on fire. The Priest of the Gurudwara was killed. Swaran Kaur and Mohinder Singh r/o Ajit Nagar have stated in their affidavits that at about 12 noon on 1-11-84 a big mob consisting of local persons and some outsiders attacked the Gurudwara situated in their colony. They were raising anti Sikh Slogans. When Mohinder Singh requested the mob not to cause any damage to the Gurudwara he was beaten by the mob. Thereafter the mob forcibly opened the Gurudwara, desecrated the Guru Granth Sahib and then looted and burnt the Gurudwara. Mohinder Singh has also stated that on 2-11-84 the mob attacked his house. He was badly beaten by the mob and thereafter his son and the Granthi of the Gurudwara, who had taken shelter in his house, were killed. His brother and father were also seriously injured. He has made a grievance that they did not receive any police help for getting themselves treated for the injuries received by them till 2 a.m. on the night of 2-11-84. The police was telling the mob why the three Sikhs were left alive. Even after the police removed them from their house they were first taken to the Mortuary at Sabzi Mandi where dead bodies were handed over and thereafter they were taken to LNJP Hospital. Nirmal Kaur wife of brother of Mohinder Singh has also filed an affidavit and supported the version of Mohinder Singh.

Swaran Kaur, in her affidavit, has stated that on 1-11-84 her house was attacked by a mob. They had pelted stones and injured her husband. On 2-11-84 the mob again attacked her house and this time her husband was burnt alive. Her house was also looted and burnt. Her grievance is that when she went to lodge a report on 4-11-84 the police did not record it properly.

House of Gurcharan Singh was attacked by a mob at 9 a.m. on 2-11-84. He therefore alongwith other family members took shelter in a nearby house. The mob looted and burnt his house. When his father went out of the house on an assurance of the mob that no harm would be done to him, he was assaulted and set ablaze. Thereafter the mob killed Gurcharan Singh's brother Satnam Singh. The mob also attacked Gurcharan Singh. He was able to run away from that place. Mohinder Singh who gave him shelter was also stabbed and his father and brother were killed. Gurcharan Singh has named Prabhu Dairy Waala and Sethi Dairy Waala as their assailants.

Ms. Surjit Kaur of Shankar Nagar has stated in her affidavit that on 3-11-84 a military van came in their locality to take the remaining Sikhs to safety. Therefore, all the Sikhs collected on the road. Many Sikhs were accommodated in that vehicle and the remaining Sikhs remained on the road waiting for further help. After the said vehicle went away a mob of 400 to 500 persons assaulted the sardars who were standing on the road. Many male Sikhs were killed. The said mob was led by one Narender Kumar who was residing in the same locality in Gali No.3. In the said attack her husband and two sons were killed. Three sons of her husband's sister were also killed. To the same effect is the affidavit filed by her before this Commission. Satkartar Singh of Ram Nagar has described how the Gurudwara Jheel was attacked and Santokh Singh and Head Granthi of Gurudwara were killed on 3-11-84. The grievance, which he has made, is that even though it was a clear case of murder the police deliberately did not include that offence in the FIR.

Similarly Ranjeet Kaur, Surinder Singh, Ajmer Kaur and others have described attacks on their houses and killing of relatives and other persons in their localities. Surinder Singh of Jheel Khuranja, apart from describing the attack on the Gurudwara and killing of the Granthi, has stated that Sant Lal and Deepak Dutta who were local Congress leaders and who were close to Shri H.K.L. Bhagat were leading that mob. Ajmer Kaur of Sindhi Colony has stated about burning of Gurudwara Baba Gurmail Singh on G.T. Road and killing of 25 Sardars in that Gurudwara.

In spite of so many incidents and so many deaths having taken place in this area, the police had registered only one FIR on 1-11-84, 3 FIRs on 2-11-84 and 2 FIRs on 3-11-84. FIR No.319 registered on 3-11-84 was in respect of killing of three persons. Even though 2 persons were named therein as accused, Sub Inspector Om Parkash arrested them under Section 107 and 105 of the Criminal Procedure Code and not under Section 302 Indian Penal Code with the result that they were able to obtain bail in the Court. According to the police version 45 rounds were fired by the police to disperse the mobs on 2-11-84 and 3-11-84 but there is no material to show that even a single individual was injured as a result of firing by the police.

Shri Ram Mehar Sharma, who was the Station House Officer of that Police Station, while giving evidence before this Commission, has stated that there was some discussion at the District level and it was decided that all cases of deaths during riots should be registered as offences falling under section 304 IPC and not under section 302 Indian Penal Code. He admitted that during investigation of FIR No.318 witness Ajay Kaur had made an allegation against Shri H.K.L. Bhagat but he had received a letter from M.M. Kutty, Secretary (Home) that Shri H.K.L. Bhagat should not be challaned. He also admitted that police did not arrest anyone from the mob and explained that circumstance by stating that the mobs were too big.

Police Station : Kalyanpuri

The area falling under Police Station Kalyanpuri consisted of many resettlement colonies inhabited by poorer sections of the society. This area was one of the worst

affected areas of Delhi. The incidents of arson, looting and killing had continued almost continuously from 1-11-84 till 3-11-84. According to the police record 154 Sikhs were killed in this area during those days. The Ahuja Committee estimated that about 610 deaths had taken place in this area. The figure disclosed by the police records does not appear to be correct as no effort was made to register all the deaths. Large number of dead bodies were allowed to be burnt or were carried away in vehicles either by the police or by the rioters. On the basis of the affidavits filed by witnesses to the incidents it would appear that 300 to 400 Sikhs were killed in this area. Inspector Shoorvir Singh Tyagi was the Station House Officer of the Police Station and Shri R.D. Malhotra was the ACP of Kalyanpuri Sub-Division.

85 residents of this area had filed affidavits before Justice Mishra Commission. They disclose that trouble in this area started on 31-10-84. Major incidents started from the morning of 1-11-84 and continued till the evening of 3-10-84.

There was mass killing in Blocks No.32 and 36 of Trilokpuri and it appears that almost all Sikh males of these two blocks were killed. From the affidavits filed by the witnesses it appears that a mob under the leadership of Rampal Saroj, Dr. Ashok and some Congressmen had collected sometime before 10 a.m. near the Gurudwara of Block No.36. The mob thereafter burnt the Gurudwara of Block No.36. Sadhu Singh, a resident of Block No.32 having seen this attack started running back to his house in Block No.32. The mob chased him and beat him. Believing him to be dead the mob left him. He has also stated that Rohtas of Chilla Village, Kishori and Abbas of Block No.32 were the persons who assaulted him. He has specifically stated that Rampal Saroj was leading the mob and inciting the mob to kill Sikhs. At that time Station House Officer Tyagi of Police Station Kalyanpuri and some policemen were also with the mob. From affidavits of the witnesses it appears that the mob thereafter came to Block No.32 and started attacking Sikhs of that block. The Sikhs initially resisted the attacks but the policemen who came there told them to go inside their houses. Mohan Singh a resident of Block No.32 has stated that when the mob started attacking their houses, he requested the police for help but he and others were told by the police to go inside their houses.

The police also threatened them that if they did not go back to their houses they might resort to firing. He has named Station House Officer Tyagi and Head Constable Rajbir Singh as the policemen who had said so. Somti Kaur, Gopi Kaur, Tehni Devi, Boji Bai and Hari Singh have all stated that Sikhs who had collected near the Gurudwara, on hearing about the attack on the Gurudwara were told by the police to go back to their houses. Inder Singh has stated that Head Constable Rajbir Singh and fired a shot in air to force the Sikhs to go back to their houses. Somti Kaur has stated that the policemen took away Kirpans, Sticks and other weapons from the Sikhs and thus deprived them of the means with which they were defending themselves. Some witnesses have also stated that they were told by the police that they would take care of them if they returned to their houses. All those witnesses and other witnesses who have filed affidavits have stated that after they went to their respective homes the policemen gave a signal to the mob and left that place. Within a short time the mob started killing Sikhs. Milkho Kaur has stated that a mob of about 1000 persons attacked their Jhuggi. Dr. Ashok Gupta was in that mob. Her house was looted and burnt and her husband was killed. She has stated that at that time Station House Officer Tyagi and some other policemen were with the mob. Sugribai has stated that some time thereafter Rampal Saroj incited the mob to kill the Sikhs. The mob killed Sarup Singh, Pratap Singh, Dhiru Singh, Giru Singh, Kakum Singh, Arjun Singh and Jagat Singh by burning them alive. Amrit Kaur has also spoken about the instigation by the Rampal Saroj, Sukhan Lal and Khanak Singh Pehalwan.

Gurdeep Kaur also speaks about gathering of a crowd which was told by Rampal Saroj, Sukhan Lal, Dr. Ashok, Khanak Singh, Roop Lal, Kishori, Ram Pal and Rohtash to kill Sikhs. She has then stated how her neighbours Kundan Singh, Jaggu Singh, Jagat Singh and Harnam Singh were burnt alive and how Kishori stabbed 14 persons with a knife. Her son Pritam was also killed by the mob before her eyes. According to her Dr. Ashok took part in killing her son.

Gopi Kaur has stated that the attack in their Block started at about 11.30 a.m. and continued upto about 9 p.m. Her husband and brother were injured by the mob. She has further stated that womenfolk of this block were made to sit in the park of Block 32 and

after having a look at them, some young women were forcibly taken away by some persons in the mob. Sadhora Singh who was a worker of the Congress Party has supported the version of Gopi Kaur and stated that Abbas Chappalwala a resident of Block 32, forcibly took away some young women to the jhuggis where they were raped.

Sadhu Singh has specifically named Rohtas of Chilla Village, Abbas of Block No.32, Kishori and Ram Pal Saroj as the persons who were in the mob. According to him, Rohtas, Kishori and Abbas killed his brother. He has made a grievance that eventhough he had named Rohtas as an assilant , the Police did not arrest him.

Mohan Singh has also stated that Dr. Ashok was the person who not only incited the mob but poured kerosene oil on Kewal Singh and Mewal Singh who were then burnt alive. Mukhil Bai has stated that her son was burnt alive by Ram Pal Saroj, Kishori and Omi who was a shoe seller. Sadhora Singh whose 4 sons, 2 son-in-laws and one grand son were killed has stated that Ram Pal Saroj played a leading role in burning those persons. Inder Singh has stated that Ram Pal Saroj was pointing out houses of Sikhs and getting them killed. He has stated that actual killings were done by Kishori, Rashid and Duli Chand. He has further stated that in Nov.84, Shri Gulati, Councilor of that area took him and 5 others to the residence of Shri HKL Bhagat where they were told by Shri HKL Bhagat that he was making efforts to provide land for their houses and that no one should name him. Shri Bhagat had also sought their affidavits declaring that neither Shri Bhagat nor any Congress leader had participated in the riots.

Jassi Bai whose husband, son and son-in-law were killed has stated that Ram Pal Saroj Congress(I) Pradhan of Block No. 32 and Kanak Singh, Congress(I) Pradhan of Block 34 told the Sikhs of their block to stay in doors and that they would see that the mobs do not harm them. Smt. Gurdeep Kaur whose husband Nathu Singh and 2 sons were killed by the mob on 1-11-84 has stated that Kishori resident of Block 31 and Rohtas were the persons in the mob who killed those persons. Shammi Bai whose husband and son were killed by the mob has stated that her husband was dragged out of

the house and killed. She recognized Ram Pal Saroj and some other persons who were in the mob which killed her husband son and others.

Shri Mohan Singh who was injured by a mob but was not killed has stated that thereafter he went to the Police Station for help but he was turned out. He then reached Police Headquarters. There also nobody heard him. He then went to the office of Jansatta Newspaper on 2-11-84 at 11.30 a.m. and narrated to the persons there about what was happening in Trilok Puri. There upon B.Josheph Maliakan, a staff correspondent and Rahul Bedi, a Staff Correspondent with Indian Express, came with him to Trilok Puri. They met a Head Constable who was present there. He told them that there was peace in Block No. 32. On making further enquiries Head Constable told them that only two persons were killed in that Block. Thereafter they went to Kalyanpuri Police Station and met the Duty Officer. He also told them that there was no trouble in Block 32 and no death was reported from that locality. Shri Joseph has stated that when he reached the Police Station he saw 3 charred bodies of Sikhs. One more person outside whose body was charred but was alive was seen outside the Police Station. That Sikh told him that they were burnt by pouring kerosene over them. When he questioned the Duty Officer about the same he denied any knowledge about it and stated that it was the responsibility of Station House Officer S.V. Singh Tyagi. He then went to the office of the Police Commissioner Mr. Subhash Tandon at about 5 p.m. Shri Tandon, and Shri Nikhil Kumar, Additional Commissioner of Police, were informed about the situation prevailing in Block 32 of Trilok puri. Mr. Nikhil Kumar said that he was a mere guest artist and his only job was to inform the Police Control Room. He again went back to Trilok Puri at about 6 p.m. At that time Station House Officer Kalyanpuri arrived in a van. When he inquired from him about the massacre, Station House Officer told him that senior officers particularly DCP Seva Das was informed about the massacre. He has also stated that he saw large number of charred bodies in Block No.32. He then returned to the Police Headquarters. At that time H.C. Jatav, Additional Commissioner of Police arrived in the room of the Police Commissioner and declared that the situation in Block 32 was quiet. According to this witness about 350 persons were killed in Block 32 and other Blocks of Trilok Puri. He has also stated that Seva Das told him that he did not know about any massacre in that area. Shri Monish Sanjay Suri, a Staff Correspondent has also spoken

about the situation that prevailed in Kalyanpuri and supported the version of Mr. Joseph Maliakan. The Police record shows that there was a message from Police Station Kalyanpuri at 1510 hrs on 1-11-84 to District Control Room regarding the situation in that area. Shri Jatav reached Trilokpuri at about 7 p.m. and called for reinforcements. This also indicates that Police was aware of the fact that large number of Sikhs were killed in Trilok Puri

Inspite of so many incidents of arson, lootings and killing in that area, only 3 FIRs were recorded on 1-11-84. FIR 422 and 423 were of general nature. The fact that weapons, which were with Sikhs, were taken away receives some support from FIR 424. Surprisingly, all the arrests made pursuant to FIR 424 were of Sikhs. They were all made on 1-11-84 whereas the arrests of the real offenders were made after 3-11-84. FIR 426 was in respect of the incidents which took place on 2-11-84 at 3.30 p.m. Though it refers to killing of Sikhs including one Natwar Singh, no reference is made therein to Section 302 Indian Penal Code.

Residents of Block No.11 have also stated similar things as regards looting and burning of their houses by the mobs. It appears that such acts had started at about 11 a.m. in that area. Ghanpat Singh of Block No.11 has stated that on 1-11-84 when he rushed to the Police Station to lodge a report the Station House Officer of the Police Station and Khazan Havaldar instead of taking down his report told him to run away to save his life. When he reached his house he saw a mob, looting and destroying houses of Sikhs. Some policemen were with the mobs. He identified Chiman Gujjar, Biru Gujjar, Phelwan r/o Kalyanpuri and one or two other persons as the members of that mob.

Ms. Mohinder Kaur has stated that Dr. Ashok was also a member of the mob which attacked their block. Ram Singh has stated that Station House Officer Tyagi made a gesture to the mob and thereafter the mob attacked the Gurudwara in Block No.11 which was thereafter looted and burnt. Dhanu Kaur has stated that their block was surrounded by a mob, which was led by Dr. Ashok and some other Congress leaders.

Sahib Singh has also spoken about of Dr. Ashok, Makhan Lal, Subash, Kishor and Rattan leading the mob.

Prabhu Singh, Granthi of the Gurudwara in Kalyanpuri has stated that as his son was killed by a mob on 31-10-84, he went to the Police Station for help. Station House Officer told him that he was helpless on account of lack of force. Next day the Gurudwara was attacked and set on fire.

Parsa Singh has stated that in the middle of August, 1985, Head Constable Kanwar Singh took him to the Police Station. There Station House Officer Tyagi told him that whatever had happened was done at the instance of Additional Commissioner of Police Shri H.C. Jatav and that Dr. Ashok and Shri H.K.L. Bhagat were constantly pressurizing him to do such acts. He has also stated that a couple of days later Head Constable Kanwar again approached him and took him alongwith Shri Shoba Singh, Sahib Singh, Lachman Singh and Anoop Singh to the Police Station. Earlier Station House Officer Shri Tyagi was present there and he told them to help him by not implicating him. Lachman Singh, Hari Singh and Kabul Singh have also supported Parsa Singh on this point and stated how they were asked by Shri Tyagi to give affidavits praising his role.

There was mass killing of Sikhs in Block No.13 also. Mrs. Chan Kaur, Nanki Kaur, Sheela Kaur, Cham Kaur, Sham Kaur, Banti Kaur, Jeet Singh, Sant Singh, Dayal Singh, Sher Singh, Kishan Singh, Birmi Bai, Santosh Kaur, Katu Singh, Vidya Rani and Jogi Singh have filed affidavits and given details about the same.

Mrs. Chan Kaur has stated that Kamal and Dina of Kalyanpuri were supplying kerosene oil to the mob. Birmi Bai has stated that a mob of about 2000 persons which came to their locality on 1-11-84 was led by Dr. Ashok, Tara, Jai Narain and Dharampal who were residents of Kalyanpuri.

Vidya Rani has stated that Khan, Mange, Bulsher and Dabbu were the persons who were killing Sikhs in that area and that some workers of Congress(I) party were the organizers. Surjit Kaur has also specifically named Dr. Ashok, Jainarain and Dharampal as the persons leading the mobs.

Shri Katu Singh has also named Dr. Ashok, Narayan and Tara as the persons who were in the mob that attacked the Gurudwara. Shri Jogi Singh has also involved Dr. Ashok as the person who led the mob which came at about 4.30 p.m. and killed many Sikhs mercilessly.

Sikhs residing in Ashok Nagar, Mandawali, Block No.2, Block No.12, Block No.35, Block No.26 and Vinod Nagar were also killed by the rioting mobs. The witnesses who have filed affidavits with respect to these incidents have also alleged that policemen were with the mobs and instead of helping the residents of those areas, were helping the mobs in killing Sikhs and burning their houses.

Parkash Kaur, Bhajo Kaur, Bhargwa Singh, Sohan Singh, Surinder Singh, Daljit Kaur, Raghubir Kaur, Ajit Singh, Vidya Kaur, Harbhajan Kaur and Baljeet Kaur were all residents of Block No.30 and they have stated in their affidavits that some mobs attacked their locality on 1-11-84 and 2-11-84 and burnt their houses and also killed large number of Sikhs.

Sohan Singh named Dr. Yahiya Siddiqi r/o Block No.27 as the person inciting a mob to kill Sikhs. Ajit Singh saw Rampal Saroj inciting the mob. He has stated that Rampal Saroj took part in killing Sikhs. Smt. Parkash Kaur has stated that Rana, Satpal, Ashok and others were in the mob, which killed about 30 Sikhs in their locality. She has stated that dead bodies were removed from Block No.32 in 8 trucks and dead bodies were removed from Block No.30 in 2 trucks. She has also stated that the attacks were organized by Congress(I) workers.

Vidya Kaur has named Omi (Rajgir) as one of the persons who looted her house. Harbhajan Kaur has named Ashok and Satpal as members of the mob, which attacked their locality. One Shri Smithu Kothari, a social worker in his affidavit has stated that on coming to know about the situation there he alongwith others went to Kalyanpuri and saw one truck, one Metador and one van at the Police Station containing dead bodies of Sikhs.

Even though large number of Sikhs were killed and there was widespread damage in those two blocks and other areas of Kalyanpuri Police Station vital information appears to have been suppressed deliberately by the police at all levels and gravity of the situation was tried to be minimized. One thing, which clearly appears from the affidavits filed by the persons residing in this area, is that Station House Officer and the other policemen of this Police Station had unreasonably deprived Sikhs of their weapons, with which they were trying to defend themselves against violent attacks. An important circumstance that appears from their evidence is that soon after they were deprived of their weapons and were made to stay in their respective homes, the mobs had attacked them mercilessly. The police took no steps to prevent this large scale massacre of Sikhs. It also appears to the Commission that only to save their face the police later on placed the Station House Officer under suspension and the case u/s 217/221 of Delhi Police Act was registered against Assistant Sub Inspector Yukti Ram and Constable Driver Munshi Ram.

Police Station : Shakarpur

The record maintained at this Police Station shows that 27 sikhs were killed in this area. 25 persons had filed affidavits before Justice Mishra Commission regarding the incidents in this area. 34 persons have filed affidavits before this Commission. Badly affected areas under this Police Station were the School Block and Master Block. Shri Jai Singh was the Station House Officer of this police station.

Smt. Harbans Singh, Gurmeet Kaur, Smt. Prem Kaur, Smt. Surinder Kaur, Smt. Gurnam Kaur and Smt. Paramjeet Kaur have stated in their affidavits about the attacks on their houses and killing of Sikhs in their localities. Shri Sant Singh has further stated that

Sham Singh Tyagi brother of police Constable Giri Raj was leading the mob, which came in their locality. Giri Raj was also with the mob. He was having a rifle with him at that time. Giri Raj, instead of preventing the mob from committing riotous acts, incited them to attack Sikhs. Kusum Lata Jain, a resident of the said Block, has stated in her affidavit that the mob, which had come near her house, consisted of Haroo Singh gang. Haroo Singh, a local goonda was leading the mob. Other persons in the mob were Shyam Kishore, Sham Singh Tyagi, Shyam Narain Kishore and Jodhan. Surinder Kaur, another resident of School Block, has also stated that the mob was led by Sham Singh Tyagi and Haroo Singh. Surjit Kaur has stated that the mob, which had come in their locality on 2-11-84 at about 3 p.m. was led by Gupta Chholey Wala of lado house. Harbhajan Singh has stated that on 1-11-84 at about 9 to 10 a.m. one Shri Bhoop Singh Tyagi came with a mob and started killing Sikhs. His brother was attacked by Kalu Nai. Gurmit Kaur has also specifically named Shri Bhoop Singh Tyagi, Sham Singh Tyagi, Kalu Nai and one Raju Chakki Wala as the persons who were in the mob. Only one FIR (FIR No.370) was recorded regarding the incidents which took place in the School Block and Master Block. Subsequently, one more FIR (FIR No.375) was recorded on 13-11-84. Some more FIRs were registered in the year 1991.

Mohinder Kaur, Gurmeet Singh and Avtar Singh have stated about the incidents, which took place in Laxmi Nagar area on 1-11-84. Gurmeet Singh has further stated that some Sikhs had assembled in the Gurudwara of that area. At that time Shri H.K.L. Bhagat came in a car near that place. The policemen who were present there saluted him. Shri Bhagat was seen pointing out houses of Sikhs to the mob. Immediately after he left, a mob attacked those houses. He has also stated that instead of allowing them to defend themselves, the police took away their Kirpans and thus deprived them of the means by which they could have defended themselves against the attacks. Other witnesses have spoken about the incidents, which took place in other parts of Shakarpur. Their statements also indicate the same pattern regarding the attacks on Sikhs and their properties. Ajit Kaur, a resident of WB - 34, Shakarpur, has stated that the mob which attacked them was led by Mann Singh Chakki Wala S/o Bgadia Karam Chand and one Dogra a Congress leader.

The explanation given by the police for not recording separate FIRs for separate incidents is that they were told by the DCP(East) to register one FIR for all the incidents of the locality and as the incidents had taken place in three localities only three FIRs were registered.

Sub Division Shahadara

Police Station : Shahadara

Shahadara Sub Division had three Police Stations – Police Station Shahadara, Police Station Yamunapuri and Police Station Seelampur. Shri D.D. Sharma was the ACP of the Shahadara Sub Division and Shri M.S. Sapra was the Station House Officer of the Shahadara Police Station.

According to the Police record 114 incidents of arson, 36 incidents of looting and 33 deaths of Sikhs were reported at this Police Station between 1-11-84 and 5-11-84. According to the affidavits filed before Justice Mishra Commission about 580 deaths had taken place in this area. According to the estimate of the Relief Commissioner deaths were 258. Ahuja Committee has concluded that 171 deaths had taken place in this area.

18 persons had filed affidavits before Justice Mishra Commission. 81 affidavits have been filed before this Commission. 5 persons gave evidence and they have reiterated what they have stated in their affidavits.

Surjit Kaur of Ram Nagar, Shahadara has described the attack on her house on 1-11-84 and killing of her father-in-law and his elder brother. In her affidavit she has specifically named Gajraj, Attar Singh, Dariyao, Balkishan as the persons in the mob, which attacked them. Gajraj was a Congress(I) worker of Ram Nagar. No FIR was recorded by the police with respect to this incident but subsequently on the basis of an affidavit filed by Surjit Kaur FIR No.85 was registered in 1987. Swaran Kaur of Hardev Puri in her affidavit has given good account of the way the mobs were attacking Sikhs in

their locality on 2-11-84. With respect to this incident no separate FIR was recorded. On 1-11-84 factory of Mahinder and Mahinder was burnt. Its proprietor and some other Sikhs were killed by burning them alive. Nihal Singh has filed an affidavit with regard to this incident and has stated that 8 Sikhs were burnt alive by the mob. He has named Arjan Dass, Ravi, Gandhi, Goga, Rajinder, Jawahar a Sanitary Inspector of Mansarovar Park and Puran as the persons who were responsible for those acts. A mob led by Ram Parkash Tiwari and Hari Bhardwaj had gone to C-Block Jagarpuri on 5-11-84 and killed many Sikhs. Both those persons were chargesheeted pursuant to FIR No.609 but were acquitted by the Court on 23-9-87.

Lakhbir Singh of Block – A of Jagatpuri, Mandawali Road has stated how 10 members of his family were killed by the rioters. Only he and his 9 months old nephew could escape from the murderous attack on them. He has stated that Ram Parkash Tiwari, Rattan Choudhary, Bhardwaj, Latif Ali, Suraj Giri, Kallu, Narinder were the leading persons in the mob.

Sardool Singh of Chajju Colony has stated that a mob killed 7 members of his family on 2-11-84. He has named Dhanbir Singh, Rattan Singh, Om Singh, Virender Singh and some other persons as the members of the mob. He has stated that on 12-1-84 he went to the Police Station for lodging a report. Sub Inspector Tulsi Dass then called the assailants. Virender Singh was having a revolver with him at that time and in the presence of those persons Sub Inspector Tulsi Dass forced him to write that he has no grievance against any of the assailants. Jagbir Kaur of Nathu Colony has stated in her affidavit about killing of her three sons, brother-in-law and grand son and named Mintoo, Ram Saran, Arora, Ganpath, Ishwardayal Tyagi, Gautam Master, Ramchand all residents of that area as the persons who were in the mob.

Jasbir Kaur a resident of Gamrahi has stated that a mob tried to set on fire Singh Sabha Gurudwara on 1-11-84. On coming to know about this incident many Sikhs gathered near the Gurudwara and resisted further attempts of the mob. Police came there. They were told by the police to go inside their houses and were assured that the police

would keep a watch. After the Sikhs went to their respective houses the police went away and soon thereafter the mob attacked Sikhs and killed them. Manjit Kaur, Satnam Kaur, Prem Kaur and Harminder Kaur have also deposed about the attacks on their houses and killing of their near relatives. Harminder Kaur has named Ram Prashad Tiwari, Dhyan Singh and Satpal as the persons who killed her husband. Shanti Devi, Harjeet Kaur, Smt. Swaranjit Kaur, Smt. Gautam Kaur and others who have filed affidavits before this Commission have also stated about the incidents, which happened in their localities.

Shri M.S. Sapra who was the Station House Officer of Shahadara Police Station has given evidence before this Commission. He is a Sikh police officer. He has stated that on 1-11-84 when a crowd gathered at Chajjupur at about 10 a.m. he went there and tried to disperse the crowd. ACP of Shahadara Sub Division and the DCP of the District also came there. As the crowd was making menacing gestures at him he was asked by the ACP and the DCP to go back to the Police Station. He admitted that 9 persons named by Amarjeet Kaur in her statement were not challaned by the police even though her statement was corroborated by Rajwant Kaur in respect to 6 persons. He has stated that he was not able to give any reason why those 9 persons were not challaned. It is the grievance of the 1984 Carnage Justice Committee that Shri Sapra was a tough officer and he was trying to deal with the mob effectively but the higher officers i.e. ACP of the Sub Division and DCP of the District humiliated this officer in presence of a mob and asked him to go back to the Police Station. It was also alleged by the Committee that because of that the mob became more bold and thereafter attacked Takxshila Public School and Kar Sewa Baba Harbans Singh. It is also their grievance that even though assailants were named by the witnesses police did not arrest them and that the police deliberately tried to show lesser number of deaths even though many deaths to their knowledge had taken place in the locality.

Police Station : Seelampur

Shri Bhim Singh was the Station House Officer of this Police Station. According to the Police only 3 deaths were reported on 1-11-84 and 3 dead bodies were recovered.

However, Station House Officer Shri Bhim Singh has admitted that 10 deaths had taken place in this area and 5 dead bodies were recovered. The other material on record shows that 50 deaths had taken place in this area.

6 persons had filed affidavits before Justice Mishra Commission and 12 persons have filed affidavits before this Commission. The affidavits show that on 30-11-84, a mob collected near the house of Ram Singh and wanted to set it on fire. As no other help was available, Ram Singh fired some shots from his licensed gun. On coming to know about this incident, Station House Officer Seelampur along with ACP and DCP reached that place and rescued Ram Singh and his family members under heavy pelting of stones by the mob. Sometime thereafter, the mob gheraod the Police Station under an impression that Ram Singh and his family members were kept there. The Police dispersed the crowd but no arrest was made. No FIR was registered either with respect to the attack on the house of Ram Singh or with respect to surrounding of the Police Station by the mob. On the next day a case was registered against Ram Singh for having fired 4 rounds and injured some persons in the mob. The Police did not find out any person who was stated to have been injured as a result of firing by Ram Singh.

On 1-11-84 at about 9 a.m., a Gurudwara in Gawri Gurudwara Mohalla was set on fire by a mob. Surinder Kaur in her affidavit has stated that at that time 5 policemen were present there but they did not prevent the mob from attacking the Gurudwara or from killing her brother and son and her brother's brother-in-law. She has also stated that Gowri Shankar was one of the persons in the mob who took part in killing Sikhs. A mob also attacked Gurudwara in Seelampur Colony and many Sikhs were killed there. However, only one general FIR 340 was recorded in respect of this incident.

Bajri Bai resident of Jagjit Nagar has stated in her affidavit that on 1-11-84, a mob led by Raja, Tiwari and Kuldip attacked her house. Her husband and father-in-law were killed. Manjit Kaur, also a resident of Jagjit Nagar has stated that she saw Kuldip local oil dealer, Raju and Amrit Lal in the mob. One local policeman was also with them.

Bhim Singh Station House Officer gave evidence before the Commission and in his cross examination admitted that except Shri Ram Singh, no one was arrested on 1-11-84 or 2.11.84. He has stated that he recorded only one FIR because he had received a wireless message from the ACP Shahadara in that behalf.

Police Station : Yamunapuri

According to the Police record, 100 incidents of arson, looting and killing took place between 31-10-84 and 5-11-84 in this area. 30 dead bodies were recovered from this area. 17 persons had filed affidavits before Justice Mishra Commission and 56 persons have filed affidavits before this Commission.

Amarjit Singh, a sewadar of Voluntary Sewa Dal of Baba Harbans Singh has stated in his affidavit about burning of Gurudwara in Yamunapuri and Taxila Guru Har Kishan School on 1-11-84. Amarjit Singh has further stated that while the mob was indulging in violent acts of arson and murder Police did come there but took no action and allowed the mob to carry on its illegal acts. The mob killed 8 sewadars on the spot. He was the only one who survived. Even though the mob had killed so many persons, in FIR 275 recorded on that day no reference to any death was made and Section 302 was added subsequently.

Narinder Kaur, Paramjit Singh, Iqbal Singh, Kirpal Kaur have spoken about the incidents of looting and killings in Blocks B&C of Yamunapuri. In FIR 276 initially there was no mention of Section 302 IPC and that Section was added subsequently with respect of the incidents of Blocks B&C of Yamunapuri, Maujpur and Wazirabad Road. The contents of FIR disclose that many Sikhs were killed. In FIR No.277 also, even though many Sikhs were killed in Bhajanpura, Khazuri Khas and Ghonda, Section 302 IPC was not mentioned initially but was added subsequently.

A serious incident took place on 1-11-84 in Punjabi Colony where a Gurudwara and many houses of Sikhs were burnt and many Sikhs were killed. Avtar Singh and Surjit Kaur have spoken about these incidents. Rajinder Kaur has narrated the incident

that happened in Gawri Colony. Smt. Surinder Kaur has spoken about the attack on Nishan Sahib of Gurudwara Sahib in Ashok Nagar and killing of her son and other Sikhs in that area. Rajinder Kaur of Maujpur and Sardara Singh have stated in their affidavits about the incidents which took place in their areas.

While deposing before this Commission Surinder Kaur has stated that there were about 50 houses of Sardars in their locality. All the male members of their locality were killed by the mob. According to her, in all 86 persons were killed in their locality. Avtar Singh of Punjabi Colony has stated that there were about 200 - 250 houses of Sikhs in their locality and about 200 Sikhs were killed by the riotous mobs.

Inspector Shri Ramesh Pal Singh, Station House Officer, admitted while giving evidence before this Commission that during investigation of the FIRs recorded at this Police Station many dead bodies were recovered from the houses of the victims. While investigating FIR 282, which was in respect of the incidents which happened on 2-11-84, it was revealed that 50 deaths had taken place on that date even though not a single dead body was recovered by the police. He admitted that Military had come in the area on 2-11-84.

G. WEST DISTRICT

This District was divided into three Sub Divisions and had 9 Police Stations. Shri U.K. Katna was the DCP of the District. In Sub Division Punjabi Bagh there were Nagloi, Sultanpuri and Mangolpuri Police Stations. ACP of this Sub Division was Shri T.K. Saxena. Sub Division Tilak Nagar had three Police Stations : Tilak Nagar, Janakpuri and Najafgarh and its ACP was Shri Jagmal Singh. Sub Division Moti Nagar had two Police Stations : Moti Nagar and Rajouri Garden Police Stations and its ACP was Sajjan Singh. According to Delhi Police number of deaths in the district was 616. The Citizens Justice Committee has estimated the deaths at around 904.

Sub Division Punjabi Bagh**Police Station : Punjabi Bagh**

On 31-10-84 no serious incident had taken place in the area under the police station. The trouble started in this area from the morning of 1-11-84. Gurudwaras were the main targets in the beginning. But later on shops, houses and vehicles of Sikhs were also attacked. In all 10 Gurudwaras were attacked and looted. 29 houses were looted. 53 houses were damaged and 7 houses were burnt. 55 shops were damaged, 20 shops were looted and / or burnt. 55 vehicles were damaged or burnt. Between 1-11-84 and 4-11-84, 15 Sikhs were killed and 10 Sikhs had received injuries. The police later on received as many as 224 complaints regarding the incidents, which had happened in this area.

14 persons had filed affidavits before Justice Mishra Commission with respect to the incidents that had taken place in this area. 7 persons have filed affidavits before this Commission.

On 1-11-84 at about 1.30 p.m. an armed mob of about 600 to 700 persons attacked Gurudwara Singh Sabha at Road No.50. The mob then looted the Gurudwara and set it on fire. The mob thereafter attacked the house of one Kuldeep Singh. When it was about to set the house on fire, his neighbour fired a shot in the air and therefore the mob ran away from that place. But hearing the sound of fire two DTC buses came there with many persons. They were carrying lathis, iron rods and some white powder with them. Even though the police was contacted soon after the attack on Kuldeep Singh's house it did not come till about 2 p.m. The police after coming there, instead of driving away the mob, instigated and encouraged it to go head by stating that police was not going to harm any one of them. Kuldeep Singh was able to escape from the back side of his house and save himself by hiding in the house of his neighbour. A CRPF vehicle came at about 6 p.m. and thereafter the neighbours took Kuldeep Singh to those Policemen who took him to the Police Station in their vehicle. Kuldeep Singh has filed an affidavit to this effect. It is also supported by Pal Singh who has in his affidavit

referred to the attack on his own house also. In fact he was also required to leave his house alongwith his family members by the rear door and take shelter in the house of their neighbour. Because of the attack by the mob Pal Singh had suffered some serious injuries. He was also taken to the Police Station by the CRPF men at about 6 p.m. Inspite of his request to send him for medical treatment no arrangement was made by the police on that day and then he was put in a lock up on 3-11-84 on the charge of having caused death of someone. His grievance is that even though he made a complaint to the police specifically naming certain local persons as the assailants the police did not record his complaint. Later, on the basis of his complaint and the affidavits filed by others before Jain Banerjee Committee FIR No. 228 was registered on 2-4-93. Even though two persons were specifically named in that complaint police did not arrest anyone and the case was filed as untraced. In respect of the attack on the Gurudwara FIR 524 was registered as late as on 31-10-84 and that too on the basis of a complaint given by one Dalip Singh who was the General Secretary of the Gurudwara.

Gurudwara Tekana Sahib was another Gurudwara which was attacked by a mob on 1-11-84 in the afternoon. It was first looted and then burnt. One Gurcharan Singh and Shri Gulshan Singh had filed affidavits before Justice Ranganath Mishra Commission regarding this incident. Shri Gurcharan Singh in his affidavit, after referring to this incident, has stated that one white coloured ambassador car came there and the persons sitting therein asked the mob to loot the Gurudwara and set it on fire. At that time one police jeep also came there and one Inspector who was sitting in the jeep also instigated the mob. At about the same time one motorcycle fitted with wireless set came near that place and the police officer who was driving that vehicle also instigated the mob. When he went to the Police Station to lodge a complaint he noticed that the persons sitting in the white ambassador car were present there. Seeing him and Gulshan Singh they shouted that "Sardars have come kill them." Thereupon a police Head Constable beat him there and snatched away his wrist watch. He and Gurcharan Singh were however able to run away from that place. Gulshan Singh has fully supported the version of Gurcharan Singh.

Sometime between 11 a.m. and 12.00 noon a mob attacked Guru Nanak Public School. Laloo Ram, a peon of the School, has stated in his affidavit how the incident happened. He has also deposed about the ambassador car, the police jeep and the motorcycle, which had come before the attack started. This version of Laloo Ram is also supported by Shri Kuldeep Singh and Tulsi Ram. Varinder Singh has also spoken about the attack on Guru Nanak Public School and further stated that his house was also looted and set on fire. He has specifically named Congress Councilor Mala Ram as one of the persons involved in this incident. No separate FIR was registered in respect of this incident. But later on, on the basis of the affidavits of Tulsi Ram, Laloo Ram and Varinder Singh, an offence was registered in 1993 as FIR No. 8 of 1993.

House No.C - 64 in Raj Nagar, Samrat Enclave was also attacked on 1-11-84. The house was set on fire and three Sikhs were killed. The material on record shows that the incident happened some time before 1.30 p.m. The first message which was received by the police was at about 1.30 p.m. to the effect that Sikhs were firing at Samrat Enclave and three persons have been injured. There was a request by the ACP Punjabi Bagh to the Control Room to send additional force to Samrat Enclave. It appears that pursuant to the request additional force consisting of CRPF was sent there and it reached there at about 2.30 p.m. By 2.50 p.m. the police was able to disperse the crowd which consisted of more than 1000 persons but still the house was gheraod by some persons of the mob. At about 3.30 p.m. efforts were made to flush out the persons from the house. The record shows that the police fired 52 rounds from .303 rifles and 9 rounds from a revolver to flush out the inmates of the house. When the police entered the house they found three dead bodies of the Sikhs from the roof of that house. Two bodies were of male and one was of female. Some infant children who were found from behind Barsati and the remaining inmates of the house were then taken to Guru Nanak Public School. The DCP reached the place of incident at about 4.03 p.m. Shri Ram Chander was the Station House Officer and according to him he received information about this incident at about 1 p.m. He was at Madipur at that time. After receiving the message he went to Smrat Enclave with ACP and his force. He remained there till about 4 p.m. He has further stated that as a result of firing from within that house some persons were injured. No

separate FIR was registered in respect of this incident and it was made a part of FIR No.511/84. It is the allegation of the Delhi Sikh Gurudwara Management Committee that in inspite of repeated requests by the police for more force sending of additional force was delayed deliberately by Shri U.K. Katna who was the DCP of that area. He also delayed going to that place even though the information had reached him earlier. It is also alleged that the police fired towards the house and as a result thereof three persons inside the house died. There was no attempt on the part of the police to resort to firing for the purpose of dispersing the crowd. Not a single person in the mob was apprehended and none injured as a result of firing from within the house. Only Tear Gas Shells were fired for the purpose of dispersing the crowd. Though the incident started at 1 p.m. no attempt to disperse the mob was made till about 2.30 p.m.

Some shops were looted and burnt in G - Block and H - Block of Shakurpur Colony. A violent mob came to H - Block at about 9 a.m. and started looting and burning houses of Sikhs. Dalbir Kaur's husband was burnt alive. Her Brother-in-Law was also beaten and then killed. The crowd then moved to J Block and attacked 4 or 5 houses belonging to Sikhs in front of the Gurudwara. One Sardar Mohanta Singh was killed. Prakash Kaur who had witnessed this incident has further stated that she and her family members had to take shelter in their neighbour's house. Her own house was attacked by the mob and thereafter it was set on fire. While they were passing by the H - Block, they were assaulted by a mob. Her husband and her son were beaten. However, her two sons were able to run away and came back with some Hindu friends who were able to save them. Again there was an attack in G - Block at about 7 p.m. where Gurdev's Kaur husband was beaten severely. Her son who wanted to escape was also chased and then killed. Her house was looted and thereafter it was set on fire. Though, these incidents took place at different times and at different places, they were all made a part of FIR No.511/84.

One Gurudwara at Pocket - 3 Paschimpuri was also burnt and some houses of Sikhs in that locality were also attacked. Joginder Singh has stated that about 10.30 a.m., a big crowd came near Gurudwara and looted it and set it on fire. Thereafter crowd

started attacking houses of Sikhs. While they were persuading the mob to leave them one Rajbir Singh, a Congress(I) activist came in his jeep and also brought a mob with him. They looted the household articles. In spite of their request to the Police, no policemen turned up to help them. He and others in the locality remained hidden on 6-11-84 and 7-11-84. No separate FIR was registered in spite of the complaint made by Joginder Singh at the Police Station. However, a complaint was recorded later as FIR No. 559 dated 10-9-92, on the basis of the affidavit of Joginder Singh and Inderjit Singh. The Police arrested one person in that case but he was acquitted.

One Gurudwara in Jaidev Park, Rampura area was also burnt by a mob of about 1000 persons. It was looted and then set on fire. House of Amarjeet Singh was also attacked and burnt. Amarjeet Singh with his family members had to remain at Punjabi Bagh Police Station for 2 - 3 days. In respect of this incident a separate FIR was registered on 21-1-94.

Boorhi Bai's husband and son were killed by a mob on 1-11-84. The mob consisted of 400 to 500 persons. Some policemen were also with the mob. On 2-11-84, at about 7.00 a.m., again her house was attacked. She and other members of the family took shelter in the house of Cham Kaur. The mob then dragged them out of the house of Cham Kaur, beat their men and then burnt them alive

Police Station : Mangolpuri

This area was also very badly affected. Trouble in this area started from 31-10-84 itself and many serious incidents took place on 1-11-84. On 2-11-84 also violence continued and the situation came under control only towards the evening of 3-11-84.

On 31-10-84 Surinder Kaur's husband was dragged out of his house and was beaten. Thereafter a burning tyre was tied around his neck and as a result thereof he became unconscious. The mob then took him in a bus. She later on came to know that her husband was killed. This incident appears to have happened in the evening of 31-10-

84. Right from 7 a.m. on 1-11-84 big mobs were seen moving in this area. Sometime before 7 a.m. an armed mob attacked the house of Ms. Lab Kaur in S - Block. The mob killed her husband and two sons. She was also beaten. At about 9.30 a.m. a huge mob was seen roaming in Q – Block. It first attacked the Gurudwara of this locality and burnt it. Thereafter it looted the house of Gurmeet Kaur, and killed her husband. She has stated that the police came at about 7 or 8 p.m. and took away the dead body of her husband. She did not receive any police help and she remained sitting on a street road till she was rescued by the military on 2-11-84. Gurdeep Singh has stated that about 12.00 noon Shambu who was residing in that block and was running a tea shop came there with some armed persons. At about 1.30 p.m Shambu again came to that block and pointed out houses of Sikhs. His house was first attacked. So, he ran away to a neighbours house. From there he saw Sewa Ram, an owner of Kerosene Oil Depot in Q-Block, leading the mob and instigating it. The mob was about 2000 to 3000 strong. His house was first looted and then set on fire. Similarly other houses of Sikhs were attacked. The mob attacked Ratan Singh, Nirmal Singh and Kulwant Singh and thereafter threw kerosene oil on them, as a result thereof Rattan Singh was burnt alive and Nirmal Singh and Kulwant Singh received injuries. He then went with the injured persons to Punjabi Bagh Police Station and stayed there for two nights. Nirmal Singh and Kulwant Singh who had received burn injuries were taken to a hospital on 3-11-84. He lodged a complaint on 11-11-84 and at that time he came to know that Kulwant Singh had died as a result of burn injuries. Shri Sampuran Singh also speaks about killing of Rattan Singh and the attack on four nearby houses of Sikhs. Tara Rani, a resident of that block, has also spoken about that incident. She has also stated Ms. Davinder Kaur was raped by one Shanti Sawrup at that time. Tara Rani in her affidavit specifically named Sewa Ram, Shambu Ram, Goverdhan Mal, Shankar Lal and Bhim Singh as the persons who were in the mob which was indulging in looting and rioting in Q-Block. Gurmeet Kaur's house was also stoned heavily and thereafter it was looted. She stated that their scooter was set on fire. Thereafter her husband was dragged out and beaten to death. The dead body of her husband was thrown over the burning scooter. She has stated that this incident happened at about 5 p.m. Police came at about 7.00 p.m. and took away the body of her husband

inspite of her protest. She has also specifically named Shambu, Goverdhan, Kalia, Shanti Swarup, Sewa Ram and Shankar as the leaders of the mob.

A Gurudwara in G-Block was looted and burnt. Nirranjan Singh, a resident of the adjoining block, has stated in his affidavit that about 10 or 11 a.m. on that day Sh. Sajjan Kumar, who was a local Congress M.P. and his PA Hardwari Lal along with his two sons and one Babu Lal a hotel wala came to G-Block Gurudwara, burnt the Guru Granth Sahib and then set the Gurudwara on fire. In his affidavit filed before this Commission, this witness has also spoken about the attack on his house on 2-11-84 by a mob led by Hardwari Lal. This witness was able to save himself by wrapping himself in a blanket and running away from that place. Regarding the attack on Gurudwara one Harnam Singh has also filed an affidavit. He has also stated that Hardwari Lal was leading the mob and Hardwari Lal's two sons took part in looting the articles of the Gurudwara and setting it on fire.

A Gurudwara in Y-Block was looted and burnt. Shri Ragho Ram Pandey who was the president of the Y-Block had filed an affidavit before Justice Mishra Commission. Therein he has stated that at about 3 p.m. a mob arrived in Y-Block and started attacking the Gurudwara and houses of Sikhs. He has stated that peace was restored in this colony only after the military arrived on 3-11-84.

At about 11 p.m. an armed mob attacked L-Block and started burning houses of Sikhs. One Charan Singh was burnt alive and thereafter Harjeet Singh was beaten and killed. The mob then attacked the house of Agya Kaur and her husband was killed by burning him alive. Ms. Agya Kaur has described this incident in her affidavit and has stated that the mob searched for Sikhs and killed them when they were found. The dead bodies remained there lying till about 10 a.m. on 2-11-84. She has stated that Radhey Shyam, was a member of that mob and that he threatened her that he should not be named by her. She has stated that her husband was killed at the instigation of Radhey Shyam, Mahinder Singh and Raju who were all Congress(I) members, and leading the mob.

Ram Saran Singh of K-Block, in his affidavit, has stated that four of his family members were killed by the rioters and their properties were looted. He was also attacked by a mob but he was spared believing that he was not a Sikh.

Agya Kaur, a resident of C - Block, has stated in her affidavit that on 1-11-84 a mob of about 600 persons attacked her house at about 11 p.m. Her father in law was burnt, and her husband was taken away and killed at some other place. She has stated that she saw Congress(I) workers instigating the persons in the mob by informing them about the Sikhs residing in the locality.

A Gurudwara in I-Block was attacked wherein Dr. Iqbal Singh Chadha, Resham Singh and Ajit Singh were killed. Shri Kher Singh had filed an affidavit before Jain Banerjee Committee and has stated that on that day in the morning he had seen local MP Sajjan Kumar addressing a crowd of persons and telling them that Sikhs had killed their Maata and that no Sikh in the area should be spared. At that time Ishwar Singh, Hardwari Lal and other local persons had raised slogans against Sikhs. This witness therefore rushed back to his house. Dr. Iqbal Singh Chadha, Resham Singh and Ajit Singh were burnt alive. When the mob came near his house, the neighbours told the mob that nobody was present in the house and so he was spared. He was rescued by the military on 3-11-84. Kher Singh had later on approached the police and told them that he was a witness to the murder of those three persons but the police told him that as no case was registered with respect to their murders, her statement could not be recorded. Regarding this incident FIR No.178 was recorded only on 15-11-84. No person was arrested in that case and the case was filed as untraced.

A mob attacked the house of Amir Singh and other Sikhs who were present in his house. Thereafter it attacked the house of Manjit Kaur and killed her husband and two sons. Ms. Majit Kaur, in her affidavit, has stated that this incident happened at 12 mid-night. She has also stated that Amir Singh was Hindu but he was killed as he had given shelter to some Sikhs. On the basis of the affidavit filed by Shri Balwant Singh FIR was

registered with respect to this incident. Two persons were arrested by the police and were put up for trial. They were however acquitted by the Court on 30-8-94.

A Gurudwara in N-Block was also burnt and some Sikhs were killed at about 10 a.m. Surinder Singh, in his affidavit, has stated that on coming to know about the attack on the Gurudwara, he and other Sikhs went to the Gurudwara to save it. The police was standing there. Instead of helping them the police told them to return to their houses. In presence of the police his brother was attacked by the mob and was thrown in a burning truck. Some other Sikhs were also killed and thrown near the truck. The police helped the mob in setting the Gurudwara on fire. His father was also badly burnt. The mob also dragged him out of this house and caused injuries on his head. Believing him to be dead it went away. After sometime he got up and hid himself in the adjoining house which was vacant. He was then saved by his neighbours.

Similar incidents had happened on 2-11-84 also, though they were less in number. Niranjana Singh has specifically stated that on that day a mob led by Hardwari Lal attacked his house and tried to kill him. One Mahinder Kaur of D-Block has also stated how her husband Joginder Singh and two sons Baldev Singh and Lakhbir Singh were beaten by a mob. Her two sons were then killed by that mob. She has specifically stated that it was led by one Kumar Pal, a resident of D-Block. She has also stated that her house was pointed out to the mob by Dharam Pal and Gultan Jat who were also residents of D-Block. Shri ram Pal and Raju Jansiwala of that locality were present in that mob. Mohinder Kaur, a resident of D-Block has stated about the attack on her husband and her two sons who were beaten and burnt alive. She has stated that the crowd was led by Shri Sajjan Kumar, a local Congress(I) Member of Parliament. She has also stated that after having seen this incident her daughter has become insane. Even though she wanted to give her statement, the police did not record it. On the contrary they gave her a prepared statement which only referred to the loss suffered by her. Smt. Daropati has referred to the incident which happened at about 9.30 p.m. She has stated that her house was attacked and her father in law was burnt alive. One Lakhbir Singh and her brother - in - law Baldev Singh were also burnt alive in a similar manner. She has complained in her

affidavit that when she went to Mangolpuri Police Station to lodge a complaint, the police officials told her to get out of the Police Station and even threatened her that she would otherwise be killed. Ms. Surjeet Kaur in her affidavit has referred to the killing of her husband Beant Singh and three other members of her family. She has stated that rioters were supported by the Station House Officer of Mangolpuri as he was influenced and pressurized by local Congress MP Sajjan Kumar, Shri Dharam Dass Shastri of Karol Bagh, Jagdish Tytler and one other Delhi Member of Parliament. She has stated that rioters were taken from one place to another in DTC buses and kerosene oil and petrol was freely supplied to them. Regarding the incident, which happened on 3-11-84, Natha Singh and Amrit Kaur of Y-Block have filed affidavits. Both of them had specifically named the persons who had attacked houses of Sikhs and killed them. Amrit Kaur has further stated that Ram Niwas Khatri, a resident of Y-Block and his companion tried to rape her. One Rago Ram Pandey who was the Pradhan of Rohini area of Y-Block has stated that he was an eyewitness to the attacks on Sikhs on 1-11-84. He has said that being the Pradhan he had gone to the Police Station for help but he was asked by the police to run away and save his own life. He had named certain persons who were in the mob.

Police Station : Sultanpuri

This area was one of the worst affected areas of Delhi. Here the violent attacks on Sikhs and their properties were on a large scale. The blocks mainly affected were A-4, C-4 and F Block.

The affidavits of persons residing in Blocks A and B disclose that in the morning of 1-11-84 between 8 and 9 am, a mob of about 500 - 600 persons gathered near B-2 Park and it was addressed by local Congress(I) M.P. Shri Sajjan Kumar who instigated them by telling that “Sardarro ne hamari Indira Gandhi mari hai, ab sardoro ko maro, looto aur ag laga do”. The mob was raising slogans Khoon Ka Badla Khoon & Sardoron Ko Jaan Se Mar do”. Thereafter houses of the Sikhs in different blocks were attacked. These attacks continued for the whole day and on the following day also. More than 50 people were killed during these attacks and more than 650 houses were looted and burnt. Sumer

Singh S/O Bhioja Singh, Phota Singh, S/o Doonger Singh, Sidhouri Kaur W/o Annaand Singh, Anwar Kaur W/o Naveen Singh, Manbari Kaur, W/o Kuldeep Singh, Jal Kaur W/o Ram Singh, Jatan Kaur W/o Mistri Singh, Cham Kaur W/o Anar Singh, Smt. Prem Kaur W/o Amar Singh, Smt. Chal Kaur W/o Mohinder Singh, Bhag Singh W/o Balwant Singh, Bhikeli Kaur W/o Joginder Singh, Ram Kaur W/o Shaankar Singh, Salawati Kaur W/o Wazir Singh, Jeet Kaur W/o Sangat Singh, Padmi Kaur W/o Charan Singh, Dhoban Kaur W/o Ishwar Singh have described the attacks on their own houses and other houses in the locality and killing of their near relatives. Sumer Singh, Phota Singh, Sidhouri Kaur, Jatan Kaur and Prem Kaur have specifically named Sajjan Kumar, Congress(I) MP as the person who addressed the mob on that day in the morning near B - 2 Park and incited it to attack Sikhs. Sumer Singh, Manbari Kaur, Smt. Chal Kaur and others have also stated that Nathu Pradhan, Jai Bhagwan and others led one mob. Persons in the mob were armed with weapons and had also brought with them kerosene oil and petrol. Mr. Bhati, Station House Officer of Sultanpuri Police Station and Jai Chand Havaladar were also with the mob. Instead of helping the Sikhs who had gathered together, Station House Officer Bhati was telling them to go to their respective houses. He had also threatened them that if they came out of their houses he would fire upon them. Soon after the Sikhs went to their houses, the mob started attacking Sikhs. Prem Kaur's house was set on fire and when her husband and two sons tried to run away from that place, her husband was hit by a bullet fired by Station House Officer Bhatia. Her sons were also hit by shots fired by the crowd. Prem Kaur has stated that when she tried to go near her sons Nathu Pradhan, Brahmanand Gupta and Rajesh stripped her and committed rape.

Jeet Kaur W/o Sangat Singh has stated that Gupta, who had a kerosene oil depot, incited the mob to loot and kill Sikhs. She has also stated that the Police asked them to remain inside their houses. She has also spoken about the firing towards their houses. After sometime those policemen themselves led a mob armed with lethal weapons and attacked her house. The mob dragged her husband out and burnt him alive. Jeet Kaur has stated that she recognized Nathu Pradhan, Jai Bhagwan Gupta from the mob as they were prominent persons of the locality.

Padmi Kaur W/o Sheetal Singh has stated in her affidavit that some persons from the mob caught her daughter Maina Kaur and when they were tearing her clothes, her husband begged them to let her go. He was killed and the daughter was taken away. She has also stated that the mob was led by Brahmanand Gupta, Uddal and Nathu Pradhan. One Mr. Omi came in a tempo at night, loaded the dead bodies and took them away.

In spite of so many incidents, which took place in A-4 Block on 1-11-84, only one FIR (FIR No. 250) was recorded by the Police. During the investigation of that FIR, murders of 137 persons at different places of Sultan Puri were included in it.

On 2-11-1984 also, attacks had continued in a similar manner. Smt. Durjan Kaur W/o Dalip Singh, Ramesh Kaur W/o Dedar Singh, Ghuddi Kaur, W/o Jarnail Singh, Jeet Kaur W/o Sangat Singh, Banto Kaur W/o Inder Singh, Jatan Kaur, Sant Kaur, Rajani Kaur, Bori Bai and Cham Kaur have described in their affidavits the incidents witnessed by them. Ramesh Kaur has specifically named Nathu Pradhan and Om Tempawala as the persons leading the mob. She has also stated that SHO Bhatia, and Hawaldar Jai Chand were also in that mob. Ghuddi Kaur has also named Omi, Nathu Pradhan and Brahmanand Gupta as the persons who had killed her husband by pouring kerosene on him. Some persons are also named by Banto Kaur and Jatan Kaur. In respect of these incidents in Block A-4 on 2-11-84, FIR No. 252 was registered on 13-11-84. During investigation of this case, deaths of 95 persons and many cases of arson and looting were included in it.

In P – Block about 600 houses were attacked. These attacks began at 2 pm and continued during the night. Parsnni Kaur, Malkit Singh, Gopi Kaur, Lakhwinder Kaur, Sardar Harnam Singh, Manjit Singh, Kartar Singh, Thakuri Devi have spoken about the incidents which took place in this block. On 1-11-84, 10 sikhs were killed in P Block and many houses of Sikhs were looted and burnt. All these incidents were made a part of FIR No. 250 or FIR 251. C-4 Block of Sultanpuri was the worst affected block. In that block, attacks had started right from the morning of 1-11-1984 and continued upto 3-11-1984.

Rajni Devi has stated that sometime after 8 a.m. on that day, a mob came to her house took her husband out and burnt him by throwing some white powder on him.

Pinia Singh speaks about the attack on him and others at about 10 a.m. He has stated that when Sikhs were being attacked, police was just watching instead of helping them. He has stated that kerosene was supplied by Gupta who was the owner of kerosene oil depot. He was able to recognise some more persons in the mob and disclosed their identify to the Police. He has also stated that Station House Officer Bhatia shot Tota Singh Mastana in his presence.

Gopi Kaur has spoken about the attack on her house in the evening. She has stated that Sultanpuri's Thanedar was with the mob. That Thanedar shot dead an old Sikh. Her husband was brutally killed in front of her and thereafter he was set on fire by throwing kerosene oil on him. The said mob was led by Prem, Gopi and Denny.

Vidya Devi whose husband was also burnt alive by a mob has stated that the mob was led by Shri Sajjan Kumar, who was a Member of Parliament. She has stated that Danny, Prem, Raju. Gopi and others dragged her husband out of the house and burnt him alive.

Asudhi Bai, Inder Singh and Bhagwani Bai have also stated about the incidents which took place in this block. Bhagwani Bai has specifically stated that Member of Parliament Shri Sajjan Kumar came with a mob and instigated it to burn her house and kill the inmates. Her two sons were burnt by the mob in front of her own eyes.

Pehalwan Singh R/o F-Block has stated mobs had started collecting in their area right from 6 a.m. on 1-11-84. Teede Kaur has also stated a mob collected outside her house at about 9 AM. Sangat Singh, Anek Kaur, Pehalwan Singh, Shoba Singh, Film Kaur, Burfi Kaur, Teede Kaur, Uttam Singh, Santra Kaur, Rangbai Kaur and other have narrated in their affidavits the incidents of killing of their family members before their own eyes.

Anek Kaur has stated that her house was surrounded by a mob between 8 and 9 p.m. on that day. The mob was led by Rattan and Congress (I) leader Jai Singh. The policemen who were standing there were inciting the mob to kill sardars and burnt their houses. Her house was looted and set on fire. She has also stated earlier when she alongwith others had gone to Block E - 6 Sajjan Kumar M.P. and Jai Kishan a Congress(I) leader had come in a jeep and when she had run upto them for protection Jai Kishan had said that only 6 sardars were left and that he would get them killed. Sajjan Kumar had also stated that they should be beaten to death. More than 170 incidents had happened in the F - Block on 1-11-84. There were about 114 such incidents on 2-11-84 and 5 on 3-11-84. Regarding the incidents which took place in E - Block between 1-11-84 and 3-11-84, one person had filed an affidavit before Justice Ranganath Mishra Commission. Teerath Singh, Santra Kaur, Sukhi Kaur, Anek Singh, Dina Singh, Jagar Singh, Itbar Singh, Sheila Kaur, Amarjeet Kaur, Ram Pyari, Atma Singh, Kaura Singh, Bhag Singh, Maina Kaur, Shanti Kaur, Roshani Kaur, Shyam Kaur who were residents of E-6 have filed affidavits before this Commission. All of them have generally stated that their houses were looted and burnt and male members of their family were killed by the mobs.

Moti Singh of B-Block has stated that on 1-11-84 at about 8.30 a.m. Shri Sajjan Kumar had told the mob which had gathered near B – Block to kill the “sons of snakes” and he would reward them because they had murdered their Prime Minister. Shri Sajjan Kumar had also told the mob that whosoever killed Roshan Singh or Bhag Singh would be given Rs.5000/- and those who kill other Sikhs would be given a reward of Rs.1000/- per head. Thereafter Nathu Pradhan and Congress(I) worker Bharti had stated that they would kill sardars. Station House Officer Shri Bhati who was already present there had thereafter told the Sikhs to go inside their houses. Sometime thereafter attacks on Sikhs started and large number of Sikhs were killed. He has also spoken about an incident, which happened on 2-11-84. At about 6 a.m. a mob came near his house but soon started going to some other place. So his son Roshan Singh thought of running away to a safe place. By the time Roshan Singh was two steps away from their house, Station House

Officer Bhati fired at him from his revolver and said that “Mera Hota Hooye Koi Sikh Bach Ke Nahi Ja Sakta”. This attack on the Moti Singh was also seen by his grand son. So, he went out to save Moti Singh. Thereupon Jai Chand fired a shot at Moti Singh’s grand son and killed him. Another grand son of Moti Singh then went to their rescue but he was also injured by a shot fired by Jai Chand. He has further stated that after about 15 minutes Brahmanand Gupta brought kerosene oil in a bucket and poured kerosene over their bodies and set them ablaze. Some time between 7 and 8 a.m. one Uddal had killed Virsha Singh, his wife and his son by firing shots at them. He has stated that he had seen Gupta, Telwara, Nathu Pradhan and other persons in that mob. Kalia, resident of this Block, has also filed an affidavit narrating the incident which took place at about 12.00 noon. He has named Manoj and Pradhan of Juggi as the persons who were leading that mob. Guddi Kaur has also spoken about the attack on their house and named Nathu Pradhan, Jai Bhagwan and some others as the persons who were in the mob. Joginder Singh has specifically stated that M.P. Sajjan Kumar brought a mob which was armed with weapons and had brought kerosene oil with them. Nathu Pradhan and some other persons were in the mob. Sajjan Kumar was telling them that they have 72 hours freedom to kill Sikhs and that they should see that no Sikh escaped. Station House Officer of Sultanpuri Police Station was there. He has stated that he had seen the Station House Officer firing from his revolver and killing three Sikhs. Jagdish Kaur, Inder Kaur have also spoken generally about the attacks on their houses and killing of their relatives.

In FIR No.250 incidents involving deaths of 137 Sikhs and 88 cases of looting of houses were investigated.

In FIR No.251 incidents involving of 24 Sikhs and 66 cases of looting or house burning were investigated.

In FIR No.252, 95 deaths of Sikhs and 71 cases of looting and damaging houses were investigated. In this case 32 persons were arrested and chargesheeted. 3 accused were convicted and 29 accused were acquitted.

In FIR No.268, 112 deaths of Sikhs and 436 cases of looting and damaging houses were investigated. In this FIR all the incidents for which complaints were received but were not included in FIR Nos. 250, 251 and 252 were included. This FIR was recorded on 19-12-84.

In the written submissions filed by the Delhi Sikh Gurudwara Management Committee (DSGMC) it is submitted that Station House Officer Bhati and Head Contable Jai Chand had forced the Sikhs to go inside their houses under a threat of using force against them. This was done with a view to prevent them from defending themselves collectively. After the Sikhs were thus separated the mobs were allowed to attack them. It is also their allegation that the Station House Officer of this Police Station was not only seen leading a mob but had killed Sikhs. It is also submitted on the basis of the affidavits of Prem Kumar, Moti Singh and Satyawati Kaur that Havaldar Jai Chand had fired at Jainal Singh and killed him. It is further submitted that from the affidavit of Penniya Singh and Gopi Kaur it is clear that Tota Singh was killed by Bhati. It is further submitted that inspite of large number of murder and incidents of looting and damaging houses only one FIR was recorded on 1-11-84 and one FIR was recorded on 3-11-84. Subsequently a third FIR was recorded on 13-11-84.

Large number of incidents of looting and arson had taken place on 1-11-84 in Blocks A, B, C, E, F & P of Sultanpuri. In most of these cases the police threatened and forced Sikhs to go inside their houses and then they were allowed to be attacked by mobs with full connivance of the police. Affidavits of Smt. Jatan Kaur, Guddi Kaur, Chal Kaur and Shri Moti Singh clearly show that this attitude of some policemen of this Police Station. Affidavit of Ramesh Kaur, Sangat Singh, Gopi Kaur, Prem Kaur, Smt. Gulbani Kaur and Smt. Guddi Kaur disclose that not only the Station House Officer was seen by them leading the mob but he had fired some shots and killed two or three Sikhs. While firing at Roshan Singh he is alleged to have said “ No Sikh can go from here alive while I am here.” Havaldar Jai Chand is also alleged to have fired on Jarnail Singh and killed him. Affidavits of Shri Moti Singh, Smt. Prem Kaur, Smt. Salavati Kaur, Sh. Piyana Singh and Smt. Gopi Kaur show that Tota Singh was shot by Station House Officer

Bhati. Some of the affidavits further show that police officers incharge of the Police Station refused to record complaints of the individuals. Affidavits of Shri Kaliya and Smt. Rajni Devi show that Sikhs were humiliated and asked to shave their hair at this Police Station. Some of the dead bodies of the victims were disposed of by the police after carrying them away in tempos. The material also indicates that to ensure that Sikhs were not able to escape and the killers were not identified, electric supply of this area was switched off. Some Sikhs who were considered to be influential or could subsequently create trouble were isolated and taken to Thana.

No preventive arrests were made between 31-10-84 and 2-11-84.

Police Station : Nangloi

This area was also very badly affected by the riots. Between 1-11-84 and 3-11-84, about 122 Sikhs were killed, 5 Gurudwaras and 34 vehicles belonging to Sikhs were burnt. Violent attacks by riotous mobs started from the morning of 1-11-84. At about 10 a.m., house of Gurubachan Singh Resident of Y Block, JJ Colony was attacked by a mob of 500 to 700 persons. He has stated in his affidavit that he had seen Shri Sajjan Kumar who was the Congress(I) M.P. of that area directing the mob to attack Sikhs. About 10 policemen were also present near that place and they were also encouraging the mob to kill Sikhs. The mob first pulled out of a house 4 Sikhs who had taken shelter there. He has also referred to the incident which happened in the afternoon. He has stated that at about 2.30 p.m., a train from Rohtak side came and stopped near the Gurudwara of that colony. His father, brother-in-law and one more person who had taken shelter in the house of a neighbour were first beaten and then burnt alive by pouring kerosene on them. This was done in the presence of Shri Prem Chand Jain, Shri Khal Marchent Tunda and Shri Sajjan Kumar. Later on when he went to the Police Station to register a complaint, Station House Officer Rana instead of registering his complaint scolded him and refused to write down names of the murderers. The Station House Officer also expressed his surprise as to how this witnesses and his 4 sons could escape from being killed.

At about the same time there was an attack on one Gurudwara situated in JJ Colony. Smt. Krishna, a resident of Y Block, Nangloi JJ Colony has described how the Gurudwara was attacked and burnt. She has stated that apprehending attacks on houses of Sikhs, the Granthi of the local Gurudwara had earlier advised the Sikh Community of their locality to gather in the Gurudwara and therefore most of the Sikhs were in the Gurudwara. They had prevented the mob from entering the Gurudwara. In the afternoon, a train from Rohtak side came and hundreds of persons got out of the train and attacked the Gurudwara. Many Sikhs who had taken shelter in the Gurudwara were killed. To the same affect is the affidavit of Gurubachan Kaur, another resident of JJ Colony.

One serious incident which happened in this area was killing of 9 sikhs who were hiding in a tube well. Smt. Gurdeep Kaur has given details about the attack. She has stated that they were informed by the neighbours that three truck load of persons have come from the neighbouring villages. They were advised to hide themselves. So their men folk concealed themselves in a tubewell of Shri Kartar. The mob came to know about it, went there and burnt them alive. Gurdeep Kaur has named about half a dozen persons as assailants. Kuldeep Kaur has named 15 persons as the persons who were in the mob. Surinder Kaur and Jasbir Kaur R/o Amar Colony have also filed affidavits regarding this incident. During this incident, Bawa Singh, husband of Gurdeep Kaur was burnt alive.

The grievance of these witnesses is that inspite of murder of Shri Bawa Singh no offence was registered by the Police. Both Gurdeep Kaur and Kuldeep Kaur had in their statements recorded by the Police specifically named one Rajinder Singh as the person who had taken part in the murder of Bawa Singh. The case diary of the papers clearly show that the Police had not maintained correct record with respect to that incident and even had tried to manipulate the same with the result that no charge was framed for the murder of Bawa Singh.

Rohtas Singh, who was Investigating Officer in this case, does not appear to have investigated the case honestly. The alterations made in the case diary lead to this

inference. In spite of the fact that Gurdeep Kaur and Kuldeep Kaur were the eye witnesses, no separate case for the murders of Bawa Singh, Kulwant Singh and Avtar Singh was registered and no evidence was collected and thus the murderers were not put up for trial.

It also appears from the affidavits of Darshan Kaur, Gurbachan Kaur, Joginder Kaur, Harvinder Kaur, Amrit Kaur and others that at about 11 a.m. on 1-11-1984, a big crowd had collected near their houses. All of them have stated that as the mob started burning their houses and beating them, out of fear, the womenfolk and the children ran away to Gurudwara Pashori Sahib and took shelter there.

Gurbachan Kaur, Manjit Kaur and others have stated in their affidavits that the rioters had got down from a train which had come from the Rohtak side and that many Sikhs were killed by them. Smt. Krishna has stated in her affidavit that on 1-11-84 she had seen 7 Sikhs being killed near her house. On 2-11-84 she alongwith other women of the locality had gone to the Police Station for help. The Police however, drove them out of the Police Station and did not record any complaint. She has also stated that when Sikhs were being killed on 1-11-84, she had seen a police jeep nearby wherein 6-7 policemen were present. She has also stated that she had seen dead bodies of about 100 Sikhs lying outside on the roads and in the galis near their house.

Similarly, Gurbachan Kaur has also complained in her affidavit that when she alongwith others had gone to the Police Station, the Police did not allow them to enter the Police Station, and on the contrary abused them by saying that 'go away go away you are Sikhs bitches.'

On 1-11-84 at about 2 p.m., a mob attacked the house of Swaran Singh Bhatia a resident of B-6, Paschim Vihar. He has stated that he fired a shot to save himself and his family members. As they were surrounded from all the sides and there was no other alternative he handed over his revolver to the leader of the mob believing that they would be spared. However, soon thereafter the leader of the mob told other persons to rush into

the house and kill the inmates. His house was thereafter looted and persons inside the house were beaten. His son was dragged out by the leader of the mob and others and was beaten. Then a police van came and his son and one other person were taken to Dr. Ram Manohar Lohia hospital. Police also took Swaran Singh with them to the hospital. By the time they reached the hospital, his son was dead. He has also stated that in respect of the death of his son, his brother in law had later on gone to Punjabi Bagh Police Station but the police refused to register the offence stating that the area where the incident happened was within the jurisdiction of Nangloi Police Station. Thereupon he and others had gone to Nangloi Police Station but they also did not take down any report and were asked to go to the Police post at Paschim Vihar as the house under attack came under the said Police post. They then went to Paschim Vihar Police post. Shri Arora, Officer Incharge of this Post, did not record any complaint, gave an excuse that he was busy as 2 persons were killed at B Block and others in that area were in great danger and left for that place. He was also told by him that it would be better for them to go and take shelter somewhere as they were also likely to be attacked by a mob. The grievance of Shri Bhatia is that the police thus avoided taking their complaint and made no investigation with respect to the murder of his son.

Manit Kaur a resident of Swaran Park, has stated in her affidavit that her house was attacked at about 10 a.m. on 1-11-84. On seeing the mob they ran away to the nearby house of a tailor and took shelter there. The mob thereafter looted articles from their house and burnt it. On 2-11-84 at about 6 a.m., her husband went to the Police Station to lodge a complaint. She was later informed that a mob which was near the Police Station burnt him alive.

Police Station : Janakpuri

The area falling within the jurisdiction of this Police Station was a part of sub Division of Tilak Nagar. Shri Jagmal Singh was the ACP of this Sub Division. Shri Sheo Dev Singh Yadav was the Station House Officer of the Police Station.

According to the affidavits filed by Satnam Singh S/O Sant Singh and Didar Singh, on 31-10-84, late in the night, local Congress (I) MP Sajjan Kumar held a meeting of Congress(I) workers of Matiala and Navada villages near Kiran Garden and instigated them to attack Sikhs, loot their properties, burn their houses and kill them. Shri Jagit Singh in his affidavit has stated that on 1-11-84 at about 8.30 a.m. he saw a mob led by Congress (I) MP Shri Sajjan Kumar, Kirparam Pradhan and Manohar coming towards the nursery of Amarjeet Singh of Matiala Village. While it came near the nursery Sajjan Kumar got iron rods distributed from a truck which was parked nearby. Thereafter the mob started attacking houses of Sikhs. It attacked the shop of Gurcharan Singh and killed Gurcharan Singh and his son. His shop was looted and set on fire. Thereafter Gurudwara Sant Mohan Singh was attacked and damaged. The mob thereafter looted various shops and houses and many Sikhs were burnt alive. Shri Satnam Singh has referred to the attacks on the shop of Gurcharan Singh and the Gurudwara. In his affidavit he has made a grievance that though the policemen were present, they did not try to prevent the mob from indulging in those acts. The version of Jagit Singh and Didar Singh is also similar to that of Shri Satnam Singh.

At about the same time i.e. at about 10 a.m. a mob first burnt S.S. Motha School and then the Gurudwara Singh Sabha situated in A - 2 Block. Some houses of Sikhs were also looted and burnt. This has been stated by Ms. Amrit Kaur in her affidavit. She has further stated that the rioters came in a DTC bus. The attack in their area continued for about 3 hours. Her house was also attacked. She has also complained that two policemen who were standing nearby did not try to stop the mob from committing such violent acts. She has stated they escaped from their house through the back door with the help of their neighbours. To the same effect is the affidavit of Shri Manmohan Singh. With respect to this incident FIR 371 was registered on 18-6-92 on the basis of the affidavit filed by Amrit Kaur. However, no person was arrested in this case and the case was filed as untraced on 4-12-93. The house of Ramaljit Singh was attacked at about 9.15 a.m. by a mob consisting of about 150 persons. His father was having a firearm and so he warned the mob not come near his house. The mob however raised anti Sikh slogans, threw petrol in his house and torched it. His father then fired some shots in self

defence yet the mob was able to break open the main gate and attack the inmates. He and his father were beaten and severely injured. His another brother was killed. By that time another mob of about 200 persons came there. They looted his house and also took away the licensed revolver of his father. His grievance is that when his wife alongwith his younger brother's wife had gone to the Police Station at about 1.30 p.m. to lodge a report, their complaint was not taken down and the lady Sub Inspector present in the Police Station had on the contrary told them to leave the police station at the earliest. Mrs. Inder Kaur has filed an affidavit describing the attack on her house at about 9.30 a.m. This incident was also made part of the FIR No.526 which was a general FIR for all the incidents which had taken place on 1-11-84. The attack on the house of Mohinder Singh and killing of his son Paramjit Singh has been described by Mohinder Singh in his affidavit. He has further stated that his second son was also injured by the mob and it was around 12 mid night that he could get out of his house and with the help of some army men remove his injured son to Safdarjung Hospital.

On 2-11-84 also attacks on Sikhs and their properties continued. House of Inder Pal Singh was looted and burnt and his father was killed. Inder Pal Singh in his affidavit has named Raj Pal alias Palu as the person who supplied kerosene oil to the mob. A mob of about 250 persons attacked the house of Amar Kaur and killed her husband and son. Other family members were also beaten. She has stated that she was also beaten, dragged and thrown near an electric pole, which was nearby. Her grievance is that regarding this incident no offence was registered by the police. On hat day at about noon an armed mob of 400 persons attacked the house of Dalip Singh when Dalip Singh and his son Joginder Singh were trying to escape. The rioters were able to catch Dalip Singh and kill him. One Surjeet Singh was also killed in front of their house. Swaran Kaur has described this incident in her affidavit. Maninder Singh has also in his affidavit referred to this incident and has further stated that Master Raj Singh, his brother Ramanand and one Prem, a washerman were leading the mob which killed Dalip Singh, Sampuram Singh and Karnel Singh. On the basis of Swaran Kaur's complaint FIR No.681 was recorded on 13-12-91 and three persons were arrested. They were put up for trial but were acquitted on 23-11-93.

On 3-11-84 in the morning at about 6 a.m., house of Lakhbir Singh was looted and Shri Paramjit Singh husband of Lakhbir Singh's sister was killed. Lakhbir Singh in his affidavit has named Gudu, Ramesh and one other person who were all Congress(I) workers as the members of the mob. On that day at about 9 a.m. an armed mob attacked Tirath Singh, Raghubir Singh and Joginder Singh and killed them. Two more persons residing in the neighbourhood were also killed. Smt. Amarjit Kaur in her affidavit has described this incident. It appears that on the basis of her affidavit subsequently FIR No.164 was registered on 15-3-91, the case was filed as untraced.

Shri Sheo Dev Singh Yadav (W-177) who was the Station House Officer of Janakpuri Police Station gave evidence before this Commission and stated that as the area under the jurisdiction of this Police Station was very large and there were many unauthorized colonies in this area and the sanctioned strength of the police was much less and was not sufficient for the normal functioning, the only thing that he could do was to deploy policemen at strategic points. He has further stated that the police resorted to firing on 1st, 2nd and 3rd November, 1984 and dispersed many unruly mobs. The police also arrested 75 persons for violation of curfew. During investigation of FIR 526 registered on 1-11-84, 69 persons were arrested. He admitted that on 1-11-84 there were more incidents in the area than those referred to in the FIR.

H. OTHER EVIDENCE

Patwant Singh (W-1), an eminent writer has filed an affidavit and stated therein that on 31-11-84, on coming to know about Smt. Indira Gandhi being shot by her bodyguards, he requested Lt. Gen. J.S. Arora (Retd.), S. Gurbachan Singh, Ex. Ambassador, Air Chief Marshall Arjan Singh and Brig. Sukhjit Singh (Retd) to meet him to discuss about the fall out of that event. They met at 3.30 p.m. at his house and issued a statement condemning the attack on Smt. Indira Gandhi. At about 6.30 p.m. Lt. Gen. J.S. Arora, Air Chief Marshall Arjan Singh, S. Gurbachan Singh and Brig. Sukhjit Singh (Retd.) left his house but returned within 15 minutes as they had noticed that rampaging

mobs were attacking Sikhs. Therefore, fearing that violence may spread, they agreed to call on Shri Giani Zail Singh, the President of India the next day. Accordingly they called on the President in the morning of 1-11-84. The President was apprised of what was going on in the city. When they told the President that it was his moral and constitutional duty to put an end to the violence he replied that “I did not have the power to intervene.” Thereupon he said “ Mr. President, you mean to tell us that if the nation is going up in flames and people are being butchered in the streets, you have no power to stop the anarchy and bloodshed.” The President remained silent. When they requested the President to speak forcefully to the Prime Minister, the President replied by saying that “ I will do so in three or four days time.” When he told to the President that “Blood is being spilt on the streets and you want three or four days to talk to the Prime Minister”, the President relented and stated that he would have word with him in the afternoon. He has further stated that they requested the President to go on the air and use radio and television and make a stirring plea for sanity and balance but he did not do so. He has also stated that when he and Lt. Gen. Arora inquired whether he would call the army to restore order, the President said that “ I am not in contact with Home Minister P.V. Narasimha Rao. I suggest you (Lt. Gen. Arora) talk to him.” They suggested to the President that he should speak forcefully to the State Chief Ministers who had arrived in Delhi. But according to him the President only listened and took no action. He has also stated that in the afternoon he alongwith Shri Arora and I.K. Gujral went to the house of the Home Minister Shri P.V. Narasimha Rao. He was surprised to see no activity there. The Home Minister looked impassive. When they asked Shri P.V. Narasimha Rao whether the army was being called, his reply was “it will be here in the evening and that the Area Commander will meet Lt. Governor for this purpose”. When they suggested to set up a joint Control Room the reply was that he will see when the army arrives. This witness found the approach of the Home Minister casual and the impression which he and others carried was that he was totally unconcerned. He has also stated that as a matter of fact the Home Minister did not make any plan and discuss the matter with the army chief for controlling the violence. They carried an impression that even if army arrives in the city it will not be made effective and that their fears turned out to be correct as the army was not made effective till 3-11-1984. He has further stated that on 6-11-1984 when he

and Brig. Sukhjit Singh went to the President to seek his intervention to bring the criminals to book and seek help for the victims, the approach of the Home Minister was very lukewarm and he merely stated that law will take its own course. He has stated that the law was not allowed to take its own course and it was deliberately scuttled at every stage at the instance of the people in power. The grievance that he has made is that inspite of the enormity of the tragedy and the constitutional and moral responsibility of these persons and authority they did nothing and thereby connived at the killing of thousands of innocent Sikhs. He has also stated that many of the party-men, ministerial colleagues and fellow parliamentarians actually instigated the mobs to kill Sikh men, women and children. While deposing before the Commission he has reiterated what he has stated in his affidavit. In his cross examination on behalf of the Central Government he stated that he had not filed any affidavit earlier. He did not write to the President and the Home Minister, as after his meeting with them, he had lost faith in them.

Smt. Jaya Jaitly (W-5) who was a political leader belonging to the Janata Party has filed an affidavit narrating what she saw and what she was told by others during her visits to various places between 31.10.84 and 4.11.84. Apart from what she had seen in the area falling within the Tughlak Road Police Station she has also spoken about her visit to Farsh Bazar Camp and everyone in that camp telling her that it was Shri H.K.L. Bhagat who was responsible for what had happened in Delhi. She had not personally seen any incident and what she has stated in the affidavit and while deposing before the Commission is on the basis of her interaction with persons in the camps which she had visited. Apart from Shri Bhagat she has named Shri Ram Pal Saroj also as the person who was instigating the mobs. She has also stated that she was told by the victims that they were attacked by groups led by Congress (I) leaders.

Shri Khuswant Singh (W-7), an eminent writer who had earlier filed an affidavit reiterated while giving evidence orally what he has stated in that affidavit. He has further stated that he had seen about 30 policemen standing near the place where the taxi stand was burnt. He had tried to contact President Giani Zail Singh for getting some help but he was told by the Secretary that it was not possible for the President to come on the line

and he was advised to go to a house of a Hindu. He carried a feeling that the violence, which had taken place during those 2 or 3 days, was quite organized and probably the Government of the day had a hand in it. He has reiterated in his evidence that some shops in Khan Market were burnt and that policemen who were posted there and who were standing only at a short distance had not done anything to prevent the mob from looting and burning those shops. He has also stated that same mob which on rampage in Khan Market had burnt the taxi stand near Sujan Singh Park. He had to leave his house and take refuge somewhere else.

Shri Madan Lal Khurana (W-8), in 1984, was the General Secretary of Delhi State Bhartiya Janata Party and was the Leader of Opposition in the Metropolitan Council of Delhi. He has stated in his affidavit that on 1-11-84 he had contacted Additional Commissioner of Police Shri H.C. Jatav on telephone and had requested him to take immediate steps for calling the army. At that time Shri Jatav informed him that “nothing much was happening; only some incidents of looting of property had happened. There was no killing.” When he said to Jatav that innocent Sikhs were killed and their properties were being targeted, Shri Jatav had told him that “when an important personality dies there is bound to be some reaction.” He has further stated that he had organized BJP workers to form committees in their areas to protect the Sikhs. He had also at the instance of Mrs. Vasant w/o Shri N.S. Vasant, then Chairman PSEB had gone to Patel Nagar Police Station and helped the family of Mr. Viridi by arranging for their presence at the time of cremation of Shri Viridi. He has stated that at the instance of Shri Atal Behari Vajpayee they had made a survey to find out how many Sikhs were killed and their survey showed that 2800 Sikhs were killed in Delhi. He has also complained in his affidavit that in spite of Jain Agarwal Committee’s recommendations, based upon affidavits of 21 persons, for registering criminal cases against Shri Sajjan Kumar and Shri H.K.L. Bhagat no action was taken by the Delhi Government and when he became the Chief Minister of Delhi, Home Ministry of the Central Government took over those affidavits to see that they were out of his reach. He has also stated that in spite of his repeated requests these affidavits were not returned by the Central Government. Only after he had threatened that he would approach the National Human Rights Commission

that the Central Government had returned those affidavits to the Delhi Government. Only after his vigorous efforts with the then Lt. Governor criminal cases were registered against Shri H.K.L. Bhagat.

Shri Ranjit Singh Narula, retired Chief Justice of the Punjab and Haryana High Court, in his affidavit has stated that he returned from Nepal to Delhi on 31-10-84 at about 20.15 hrs. As it was not possible for him to go to his house in the Defence Colony, he was taken to his daughter's house in the Northern Railway Colony at Sardar Patel Marg. On 3rd November, he rang up his friend Shri S. Manmohan Singh, Managing Director, Fric India Ltd., who used to live in Friends Colony, to inquire about his welfare. At that time Shri S. Manmohan Singh advised him not to step out at all till the next day as he was informed by his Congress friends that this programme was for three days. What he meant thereby was that the attacks on Sikh Community and the properties were to continue for three days. He has produced reports prepared by (1) the Citizens Commission, (2) People's Union for Democratic Rights and People's Union for Civil Liberties and (3) Citizens Democracy. He has also produced some affidavits filed before the Delhi High Court to show that the Government did not take interest in prosecuting and punishing the guilty adequately. He has also referred to the fact that hand written notes prepared by Mr. Ved Marwah during the inquiry against police officers were destroyed under instructions of higher authorities and thus a very crucial piece of evidence was destroyed. It would have indicated under whose instructions the police personnel had done objectionable acts of omission and commission.

Ms. Vrinda Grover in her affidavit has stated that as a part of her research work she had studied judgements rendered in 126 riot cases. The analysis of those judgements, according to her, clearly indicates that there were various defects in the investigations of riot cases and also in conducting cases before the Court and therefore most of the cases ended in acquittals. She has quoted some passages from the judgements of the Courts to show that the investigation was casual, there was no serious attempt to collect all the evidence, all the named persons were not challaned and eye witnesses were not cited and produced as witnesses. They all indicate that there was no desire on the part of the police

to properly investigate these cases and there was an attempt on their part to protect influential persons and political leaders.

Shri Ashok Jaitly (W-24), who at the relevant time, was serving as an IAS Officer in the Central Government, has stated that on coming to know about some trouble at Lodhi Road on 31-10-84 at about 6.30 p.m., he and his wife had gone to that area to see what was happening. What he saw has already been dealt with earlier while dealing with affidavit of Smt. Jaya Jaitly. He has further stated that at about 7.30 p.m. he had again gone towards Defence Colony to see what was happening there. He was really amazed to find that no police force was seen anywhere in that area. When he had taken two Sikhs to Tughlak Road Police Station in the evening at about 11.30 p.m. on that day he had found large number of policemen in the Police Station, whereas they should have been out on duty on the roads. He has also spoken about his visits to various places on 1-11-84, 2-11-84 and 3-11-84, what he saw during those visits and what was told to him when he had visited the relief camps. He has specifically stated that in the camps he was told the names of political workers who had encouraged and assisted the mobs in their attacks on the Sikh community.

Ms. Jaya Shrivastava, a social worker, has referred to the incident that happened on 1-11-84 in her presence. Even though a house of Sikh was burnt in front of them the policemen did nothing and when they were approached by her son they had pleaded helplessness. She has also described what she had seen while visiting various localities. She has stated that in one of the meetings of one peace committee one young man told her husband that “The idea was only to teach a lesson to the Sikhs and to do a bit , but anyway matters got a little out of hand.” Considering the pattern of incidents and on the basis of what was told to her by the affected persons she has stated that the violence was organized. She has also stated that she was informed by persons of her locality that the persons who were attacking Sikhs were members of the Congress Party and that the persons who were looting belonged to the lower strata of the society.

Swami Agniwesh (W-15) has stated that on 1-11-84, he had moved through Lajpat Nagar and other areas and had noticed that there was large scale destruction and killings. He did not see any police activity or fire brigades anywhere to control the mobs or fires raging over the city. Even on 2-11-84 “Fire Brigade and police were conspicuous by their absence”. He had toured very badly affected colonies like Trilok Puri on 3-11-84 and had noticed half burnt bodies still lying scattered on the streets. Some bodies were mutilated and some had smouldering tyres around their necks. What he has emphasized is that there was complete absence of police and other law enforcing agencies. He was told by the persons in Farsh Bazar camp and other victims that large groups of outsiders i.e. persons not residing in the locality had come to Trilok Puri and other areas with weapons and that all this was done by the Congress hoodlums and they suspected that the whole thing was done at the instance of the Congress party.

Brig. A. S. Brar (W-122) has stated in his affidavit that he was posted in Delhi as Commandant of Rajputana Rifles Regimental Center during the days of riots. He had reasons to believe that “killings of the Sikhs during the period was not abruptly due to the assassination of Prime Minister but it was under a well planned scheme”. He has stated that the pattern of killing Sikhs and burning of houses by pouring kerosene oil, absence of neighbors and presence of large number of outsiders in the mobs clearly indicated to him that the attacks on Sikhs were organized. He has also stated that after receiving many calls from friends and others for help, he rang up a senior Staff Officer Col. R. Kapoor in HQ Delhi Area and informed him about the situation and inquired if there was any order for him. He was informed that the situation was under control and as and when Army help is sought, he would be informed. On 1-11-84 also, he had tried to obtain orders from his superiors but did not get any. As he came to know through TV announcements that Army was called out, he went out on his own to see the situation in the city. He has stated that he had noticed a mob in Safdarjung Enclave and when he had told them to disperse, they had gone away. Same way he was able to drive away mobs from the Vasant Vihar, RK Puram, Sadar Bazar, Delhi Cantt, Narayana and Janakpuri colony. He has further stated that on 2-11-84 also he had tried to contact GOC, Delhi Area but he was surprised and disgusted “with mental and physical inertia of the authorities”. He has

stated that he was able to evacuate some families to a safer area. When Brig. D.D.Madura and Brig. Inder Luthra had walked into his office, after welcoming them he had asked them why the Army had taken so long to reach Delhi. They had replied “Do not ask us. Ask the authorities for not allowing us to enter Delhi yesterday.” He has complained that for the work, which he did, he was punished by unceremoniously posting him out. While deposing before the Commission, he has also stated that in October-November '84, the number of troops under him was 3000 including 1200 trainees. The persons who are under training, could be utilized during emergency for patrolling purposes, for showing strength and other minor purposes but they were not permitted to be used by us. At the relevant time he was directly working under GOC Delhi Area and use to take orders from him. He admitted that Rajputana Rifles Regimental Center is basically a training institution and does not have a regular strength.

Shri Gurbachan Singh (W-137) has said almost the same thing as Shri Patwant Singh. He has stated that ‘Citizens Commission’ was constituted by enlightened citizens and he had assisted that Commission. During the inquiry by that Commission, many persons had stated about the involvement of prominent leaders like Shri HKL Bhagat, Shri Sajjan Kumar, Shri Jagdish Tytler, Shri Lalit Makhan and local leaders of Congress party. He has also stated that after the inquiry was over, he had gone to the office of Vishwa Yuvak Kendra where hearings of the Commission were held for settling the dues at that time he had found that the Secretary of the Kendra was upset as he and others in the management were harassed by the higher authorities for having allowed the premises to be used by the ‘Citizens Commission’.

Shri J. S. Gahlaut, Ex-Commandant, CRPF has stated that on 1-11-84, he had saved some Sikhs by rescuing them and had also accommodated some Sikh families in the CRPF camp. Thereafter also he had visited various relief camps and rendered help to the Sikh families residing in those camps. He has denied that he had any conversation with Shri Raminder Singh, Ex-Sub Inspector, who has made an allegation against him about not giving him protection in the camp. He has referred to the incident in which a mob had made an attempt to attack Shri Raminder Singh and other persons while they

were being shifted from the camp and stated that he had to resort to firing to prevent the mob from attacking those persons. In his cross examination by Shri Phoolka, he has stated that at the relevant time he was serving as Assistant Commandant, CRPF. Shri SK Mahendroo was the Head of the Group Centre. The said Group Centre was mainly concerned with house-keeping that is looking after service records and other administrative work. He has further stated that whatever actions were taken by him were under the orders of Shri Mahendroo.

Shri Ram Jethmalani (W-3) an eminent lawyer has stated that on 31-10-84, he had returned to Delhi from USA. In the evening his friend Ms. Laila Fernandes came to his house and informed him about the terrible incidents that were happening in the city. After taking an appointment, he alongwith Ms. Kamini Jaiswal and others met the Home Minister Shri Narasimha Rao. He was with the Home Minister for about half an hour. In his presence no instructions were given by Shri Rao to any officer. He found him listless and unenthusiastic. He had experienced acute disappointment on that visit. He has further stated that an impression was formed that the Police force was totally inactive and therefore they had decided to collect a group of lawyers to visit various localities where violence was reported. During his visit to those places, he noticed that there was absence of Police force in those localities and the crowds were roaming freely even though curfew was imposed.

Ms. Kamini Jaiswal (W-161) in her evidence has stated that on 31-10-84, she had gone with Shri Ram Jethmalani to meet the Home Minister. She has stated that after they had told him to do something about the merciless killing of Sikhs, Shri Narasimha Rao did not react at all and responded by saying that “he would be looking into this matter”. On 1-11-84 and 2-11-84, she alongwith some lawyers had visited various areas like Laxmi Nagar, Vinod Nagar, Pandav Nagar, Kalyanpuri. She had asked one of the survivors as to how all this had happened and she was told by him that they were attacked by groups of people who were led by local leaders like Shri HKL Bhagat, Shri Tajdar Babbar etc. She has also referred to the incident of 3-11-84 when they were wrongly informed by the leader of a group that there was nothing wrong in the area and they should go back. They

were not prepared to believe him and therefore they had proceeded to the Gurudwara of that locality and found that some Sikh families had taken shelter there. While they were trying to rescue those persons, Shri Padam Sharma who was the DPCC(I) President and leader of the crowd almost attacked them and asked them to go back immediately.

Shri Tarlochan Singh(W-134) who was the Press Secretary to the President of India has stated that on 31-10-84 he was with the President of India in North Yeman. On receiving information regarding the attack on the Prime Minister Mrs. Indira Gandhi, they returned to India. They reached Delhi at about 4.30 PM. While he was going with the President to AIIMS, a crowd of about 20 persons carrying sticks and lighted torches and standing near Kamal Cinema crossing tried to attack their cars. The cars ahead of his car passed a way but his car was attacked and some damage was caused. He has further stated that the President of India had contacted the Lt.Governor of Delhi on telephone and had told him “to take all possible measures to prevent the riots”. As many more calls were received regarding the riots, the President had again contacted the Lt.Governor on the next day and told him “that inspite of his instruction the previous night, nothing has been done and therefore, he told him to take steps”. The President had also told him that “if the situation was so bad army assistance should be called”. He has further stated that the President had complained to the Prime Minister, Home Minister and other Cabinet Ministers about the situation in Delhi while he had met them at Teen Murti House. He has stated that some leading personalities like Shri Vijay Kumar Malhotra, Air Chief Marshal Arjan Singh, General Jagjit Singh Arora, Shri Patwant Singh and Ch.Charan Singh had come in different groups to inform the President about the situation prevailing in Delhi.

Shri Vijay Kumar Malhotra (W-140) has stated that on 1-11-84, he had gone to the Old Delhi Railway Station to receive his wife. He was told by his wife that a mob had stopped a train near Shahadara and killed some Sikhs traveling in the train. She had also told him that some of the persons in the mob carried Congress Flags and were shouting “Khoon Ka Badla Khoon Se Lenge”. He has further stated that he met the President of India on that day to apprise him about what was happening. At that time the

President had told him that he was helpless. He had visited various places and relief camps and had made arrangements through the Party and RSS Workers for helping the victims. He has also stated that they had collected information from various sources and found that about 2800 Sikhs were killed. Till then the Government was announcing that only about 300 to 350 Sikhs were killed during the riots. After Shri Vajpayee made a public statement regarding the correct number of deaths that had taken place in Delhi, the Congress leaders criticized them saying that they were anti national. He has further stated that right from the night of 31-10-84, he used to contact the Lt.Governor, Mr. Gavai and the Additional Police Commissioner Mr. H.C.Jatav and requested them “to take prompt steps to check violence” But they merely went on saying whatever was possible was being done by them. He has also stated that he had noticed that during those days the mobs were roaming freely inspite of the curfew imposed and the “Police had acted as spectators”.

Shri Sharad Yadav (W-141) who was one of the Secretaries of Lok Dal in 1984 has referred to two incidents that happened on 1-11-84 and further stated that he had gone alongwith Ch.Charan Singh and Shri Karpoori Thakur to meet the President of India. The President listened to them but most of the time had remained silent and they could see that he was feeling helpless. He has also stated that he had met the Home Minister twice on that day but it appeared to them that he was almost indifferent and he did not respond to any of the requests for taking prompt action. In his cross-examination he has stated that it was true that mobs “on 1-11-84 and 2-11-84 had formed spontaneously and there were waves of mobs”.

Shri I.K.Gujral (W-142), former Prime Minister of India, also appeared before the Commission and gave evidence. He has stated that on receiving a call from Gen.Arora, he had gone to the house of Shri Patwant Singh and thereafter they all met the President of India and “had returned disappointed by his response”. Thereafter, he had also gone to the Home Minister Shri Narasimha Rao. He has stated that on his way to the Home Minister’s house and return, he had seen various incidents of burning properties but there was “no attempt on the part of Police either to get hold of the people or to extinguish the

fire”. He has also stated that during his talk with the Home Minister, he could notice that the Home Minister did not know many details about what was happening and had told them that “since many VVIPs from foreign countries were likely to attend the funeral of Mrs. Indira Gandhi, he spent much of his time in receiving them and making arrangements for them”. He had also told them that he was aware that Police was not able to handle the situation and that he was taking steps to call the Army. He has further stated that in the morning of 1-11-84 he had contacted Lt.Governor Mr. Gavai and told him to call the Army whereupon the Lt.Governor had replied “that if the army is called, there would be panic”. He has also stated that he had visited various refugee camps and from what he had seen and heard from the persons in the refugee camps”it appeared to him that the riots were organized”. He has also referred to the attack on the house of Shri Jagmohan Singh Kochar and stated that he was informed by Shri Kochar that “ in the mob he could identify four persons who belonged to the Congress Party”.

Shri George Vergese (W-143) at that relevant time was the Editor of Indian Express. He has stated that from the information which he had gathered from his reporters, he had come to know that there was inertia on the part of the Government machinery in dealing with the riots. It was reported to him that the higher authorities were either not available or were unable to explain why so many incidents had taken place in the city. He has also referred to the statement stated to have been made by Shri Rajiv Gandhi that “when a big tree falls the earth shakes”. He has stated that this statement and other circumstances had created an impression among the section of the people that the public anger was allowed to run its course for a while.

Shri Govind Narain(W-150) was an ICS Officer and retired as Defence Secretary in 1975. He was appointed Governor of Karnataka in 1977. In his evidence before the Commission he has stated that he alongwith other enlightened persons had formed a Citizen’s Committee to probe into the riots. Mr. Justice Sikri was the Chairman of the Committee. Shri Rajeshwar Dayal, Shri Badruddin Tyabji, himself and Shri Srinivas Vardan were the members of that Committee. He has stated that on the basis of the evidence collected by them and the information gathered during their personal visits to

the sites and relief camps they had prepared a report. (He has produced that report - Exhibit 150/1). He has stated that what they had noticed was that the reaction of the people was sudden, there was no planning but there was sufficient indication that something like that would happen and therefore Government should have taken immediate action. He has also stated that there was lot of evidence before them that in trans the yamuna area Shri HKL Bhagat, a Congress leader had planned an organized massacre of Sikhs. He has also stated that there was evidence that Shri Sajjan Kumar and Jagdish Tytler had instigated mobs which had attacked the houses of Sikhs and had set them on fire.

Shri K.R. Malkani (W-148), a Journalist and ex-Member of Parliament has spoken about two rumours, which were circulating in Delhi on 1-11-84. One was that a train load of Hindu bodies had reached Delhi Railway Station from Punjab and the other was that the water supply in the City was poisoned. He has stated that both these rumors were reported to have been circulated by the police. He has also spoken about what late Shri Rajiv Gandhi is alleged to have said to a senior officer when he landed in Delhi on 31-10-84. As reported to him, Shri Rajiv Gandhi had whispered into the ears of that senior officer that “Yes, we must teach them a lesson”. The officer then whispered something into the ears of Shri Rajiv Gandhi and this time he was heard saying “please do not ask me that”. He has stated those senior officers had told Shri Shyam Khosla, a senior journalist and Shri Krishan Lal Maini, a former Minister about it conversation and that he had come to know about this from them.

Shri Pratap Singh (W-151), a retired DIG of BSF, has stated that in 1984 he was the Commandant of Signal Regiment of BSF. He was stationed at Delhi and his office was at North Block. Between January and May, 1984 during informal talk with Shri Mani Shankar Iyer, with whom he often use to go to his office, that he told him that “he was given an unpleasant job of portraying Sikhs as terrorists.” He has further stated that a few days after he was again told by Shri Mani Shankar Iyer that “against his wishes he had done that job.” He has also stated that after about 3 or 4 weeks Shri Mani Shankar Iyer had again told him that “we were told to make thousands of video cassettes for

screening abroad.” He has also deposed that on 1-11-84 and 2-11-84 the Sikh officers were advised to carry on their work from their homes and accordingly he had also done his office work sitting at home.

Major General J.S. Jamwal (Retd.) (W-193) has also assisted this Commission by giving evidence and allowing himself to be cross examined. In November, 1984 he was General Officer Commanding of Delhi Area. He has stated that on 31-10-84 he was asked to be ready and therefore he had deployed troops all around so that unruly elements did not enter Delhi. This was done by him as a precautionary measure. The army men were positioned at certain places near the border of Delhi so that they could receive orders and take action immediately. He has further stated that on that day he had tried to contact Commissioner of Police, Delhi in the evening but he was not available and could talk to him only at about 11.30 p.m. He was told by the Commissioner that the situation was very bad but under control. He has stated that on 1-11-84 at about 11.00 a.m. he received a message from the Chief of the Army Staff that he should be ready if any request is received for help from civil authorities. He, therefore, contacted the Lt. Governor of Delhi and told him that if there is any requirement of help from the army then he should be informed. The Lt. Governor had told him that the Commissioner of Police would remain in touch with him. Thereafter at about 12.30 p.m. he received a message from the office of the Lt. Governor that he should reach Raj Bhawan at 1.30 p.m. He told the Lt. Governor that he was prepared to take over two most difficult districts and that if they wanted to take out the police from those areas, the army would take full responsibility of those areas. Thereafter he was told to take over the districts of Central Delhi and South Delhi. At 2.02 p.m. he flashed this message to his troops and directed them to move to those two areas. He has also stated that on the basis of the directions of Army Headquarters more Brigades had come to Delhi by the evening of 2-11-84 and he had deployed them in all the districts so as to cover the entire area of Delhi. He had informed all the brigade Commanders that they were in aid of civil power and therefore they should ordinarily act according to the requests made to them by the local police. They were also told to take strict action if that became necessary. They were authorized to shoot in self-defence and to take proper action if any killing took place in

their presence. Though the army was deployed late in the evening of 2-11-84 it really became effective from 3-11-84 in some areas. He has stated that trainee troops of Rajputana Rifle Regimental Center were not assigned any duty in difficult areas and were deployed in peripheral areas as they were not trained to deal with such difficult situations. He disagreed with some of the information given to this Commission by Brig. A.S. Brar. He has stated that the control room was active on 31-10-84 and he had given briefings to his subordinate staff and the outside Brigadiers from that control room. He has stated that 72 Rifle Companies of the army and 36 other Companies were deployed throughout Delhi. He has also stated that to his knowledge Magistrates were not attached with the army on 1-11-84 and 2-11-84 but that had not affected the functioning of the army.

Shri Kuldeep Nayyar (W-155), a leading Journalist and Member of Parliament (Rajya Sabha), has stated that on 31-10-84 he was in Pakistan and on coming to know about the attack on Smt. Indira Gandhi he decided to return to India. He has stated that on the way from Airport to his house in Sunder Nagar he did not find any policemen. On 2-11-84, as a part of the Citizens Justice Committee (Nagrik Ekta Munch) he had visited Lajpat Nagar area. There he had met one Sikh Post Master who had told him that in spite of his efforts to contact authorities for help nobody had responded. He has stated that some days after the riots were over he met Lt. Gen. Jamwal and inquired from him as to why army had not come to the help of people in Delhi. Lt. Gen. Jamwal had told him that they were waiting for orders but they were purposely not called. He has also stated that as the bureaucrats and policemen do not act or commit an act of omission on their own and that they do it only at the behest of politicians this aspect of nexus between politicians and bureaucrats and policemen ought to have been examined. He has also stated that some days after the riots were over he had gone to meet President Giani Zail Singh. He was told by the President that no papers were sent to him nor he was informed about the riots and that whatever information he used to get was from friends and outsiders and that he was very unhappy about the things that had happened. Shri Nayyar has also stated that the President “would go in silence” and then used to say “I do not know how posterity would judge him in view of these two incidents”. He has further stated that the main grievance of the President was that the Government of the day was

not trusting him. After hearing from others what had happened and watching what he himself had seen, as a Journalist of long standing he has formed an opinion that “the Government of India had done a great harm to the polity of India by not taking prompt action to curb the riots and preventing large scale killing of Sikhs and thereafter by not punishing the guilty.” He had himself not personally witnessed any incident.

Shri V.P. Marwah (W-188), has stated that sometime after the riots, while he was posted as Additional Commissioner CID, he was assigned the additional work of inquiring into the role of the Delhi Police during the riots. He has stated that during the inquiry he had examined relevant documentary evidence, and had also examined witnesses, police officers and members of the public, but before he could examine senior police officers he had received an order to stop the inquiry. Whatever material was collected by him was then handed over to Justice Mishra Commission. He had also appeared before that Commission and given the evidence. During his cross-examination he stated that the order to stop the inquiry was given to him by the then Commission of Police, Delhi. As he had not completed the inquiry he had not reached any conclusions as regards the guilt of concerned police officers but he had only formed a general impression that there was failure of Delhi Police. On the basis of the material he had formed an impression that on many occasions police had not reached the places of incidents for about few hours even though they were approached for help. He was asked to hold the inquiry sometime towards the end of November or beginning of December, 1984 and he had stopped the inquiry by the end of March or beginning of April, 1985. He stated that if effective steps are taken by the police at one place it has good effects in other areas also and referred to the effective steps taken by the police at Chandni Chowk and Karol Bagh.

PART - IV
ASSESSMENT OF EVIDENCE
AND
RECOMMENDATIONS FOR ACTION

A. GENERAL

As the evidence consisting of affidavits and depositions of witnesses revealed involvement of some Congress(I) leaders and workers and also of some local persons, the Commission thought it proper to issue notices to such persons under Section 8B of the Commissions of Inquiry Act. On consideration of the evidence of witnesses and also other material consisting of police records, reports etc. it also appeared to the Commission that conduct of certain police officers and policemen was also required to be inquired into. Therefore, notices under Section 8B were given to them also. They were all given an opportunity of being heard and to produce evidence in their defence. To the extent it was possible, they were also supplied with copies of the evidence against them. They were also informed, as and when they appeared before the Commission, that they were permitted to inspect the record for preparing their defence.

B. NEW DELHI DISTRICT

On scrutiny of the evidence relating to the Gurudwara Rakab Ganj in New Delhi District it appeared to the Commission that though policemen were posted there, they did nothing to prevent an attack on the Gurudwara or to disperse the mobs which had gathered near the Gurudwara. The evidence of S/Shri Mukhtiar Singh, Ajit Singh, Satnam Singh and Monish Sanjay Suri disclosed that the policemen posted there had remained completely passive and had failed to perform their duty. Their statements show the presence of Sub Inspector Hoshiar Singh and range in charge Shri Gautam Kaul at the time of incident. Therefore, notices were issued to Sub Inspector Hoshiar Singh and Shri Gautam Kaul. As the evidence of those witnesses also disclosed presence of Shri Kamal Nath and Shri Vasant Sathe in the mob and some participation by them, notices were also issued to them.

Shri Vasant Sathe has denied his presence at the place of incident. Shri Monish Sanjay Suri, a Journalist and Shri Ajit Singh have not spoken about presence of Shri Vasant Sathe in the mob. He is involved by Shri Mukhtiar Singh for the first time after a lapse of about 16 years. Shri Vasant Sathe in his reply has stated that on 1-11-84 at around 11 a.m. he was present at Teen Murti Bhawan where the body of Smt. Indira Gandhi was kept. While he was there he was interviewed by T.V. crew of Delhi Doorshan in which he had appealed to the people to remain calm and not to indulge in any kind of anti social activities. He had also stated that the Sikh community is very patriotic and they have made a lot of sacrifices in attaining independence and in the freedom movement and for the mistake of two persons of the community the whole community should not be blamed or condemned. He has denied to have gone near Gurudwara Rakab Ganj on that day at any time. Shri Mukhtiar Singh's version is that Shri Vasant Sathe and Shri Kamal Nath were together when Shri Kamal Nath was instigating the mob. On consideration of the other material which does not support the version of Shri Mukhtiar Singh and the reply of Shri Sathe, it appears that Shri Mukhtiar Singh had a wrong impression about the presence of Shri Vasant Sathe.

Shri Kamal Nath, in his affidavit, has stated that in the afternoon of 1-11-84, on receiving information that some violence was taking place in and around Gurudwara Rakab Ganj Sahib, he as a senior and responsible leader of the Congress Party decided to go there. When he reached there, he found that lots of people were standing outside the Gurudwara and para military personnel were also present. He tried to find out from various persons in the mob as to why they had gathered there and why they were agitated. He was told that some Hindu men and women were kept inside the Gurudwara forcibly and that was the main reason why they were agitated. By that time the Commissioner of Police came there. He felt satisfied that police would be able to control the situation, so he left that place. He has further stated that while he was near the Gurudwara he had tried to persuade the crowd to disperse and not to take law into their hands. He had also told the crowd that since the police had arrived, it was their job to ensure safety of the Hindus, if any, inside the Gurudwara and that the police would be able to control the

situation. He has denied that he gave instructions to any one to resort to firing. He has also denied that he had either led that mob or had any control over the mob.

Reply filed by Shri Kamal Nath is vague. He has not clearly stated at what time he went there and how long he remained there. The situation at the Gurudwara had become very grave at about 11.30 a.m. and continued to remain grave till about 3.30 p.m. The evidence discloses that Shri Kamal Nath was seen in the mob at about 2 p.m. The Police Commissioner had reached that place at about 3.30 p.m. So he was there for quite a long time. He has not stated whether he went to the Gurudwara alone or with some other persons and how he went there. He has not stated that he looked for the police or tried to contact the policemen who were posted there for ensuring that the situation remained under control. He left that place after the Commissioner of Police arrived. He has not stated that he met him. He was a senior political leader and feeling concerned about the law and order situation went to the Gurudwara and therefore it appears little strange that he left that place abruptly without even contacting the police officers who had come there. At the same time it is also required to be considered that he was called upon to give an explanation after about 20 years and probably for that reason he was not able to give more details as regards when and how he went there and what he did. Shri Suri has said that Shri Kamal Nath had tried to persuade the mob to disperse and the mob had retreated for some time. Therefore, it would not be proper to come to the conclusion that Shri Kamal Nath had in any manner instigated the mob. Shri Mukhtiar Singh, Shri Ajit Singh were quite far away from the place where Shri Kamal Nath stood amongst the mob and they could not have heard anything that Shri Kamal Nath told to the persons in the mob. What Shri Mukhtiar Singh and Ajit Singh have stated about what Shri Kamal Nath did is by way of an inference drawn by them from the gestures that were made by Shri Kamal Nath while talking to the persons in the mob. In absence of better evidence it is not possible for the Commission to say that he had in any manner instigated the mob or that he was involved in the attack on the Gurudwara.

Shri Gautam Kaul, who was the Additional Commissioner of New Delhi Range, has stated in his explanation that on 1-11-84 he was assigned specifically the charge of

looking after law and order arrangements at Teen Murti House and to handle VIP visits. He had also to look after the security of newly appointed Prime Minister Shri Rajiv Gandhi. While he was in the premises of Teen Murti House, at about 12.30 p.m., a wireless message was picked up by his wireless operator informing that an agitated crowd was moving towards Gurudwara Rakab Ganj and there was a request for force. After some time another message was heard on wireless that the Commissioner of Police himself was going with an armed force to deal with the crowd. Till about 3.30 p.m. he was busy controlling the crowd at Teen Murti House. After making proper arrangements there he decided to move out for local tour. While driving past Gurudwara Rakab Ganj, he found a group of 40 persons still roaming on the main road. Seeing a police car a section of this group ran away but a small defiant group did not react to his presence. In spite of his telling them that prohibitory orders against assembling were in force they did not move away so he threatened them that he would return with armed party and deal with them in an appropriate manner and tried to create an impression that he was going with a view to come back with more police force. Thereupon that small group had also withdrawn from that place. He has further stated that at about 4 p.m. he had returned to Teen Murti House. He has further stated that he was near the Gurudwara for about 10 to 12 minutes and it is wrong to say that a mob had tried to enter the Gurudwara in his presence.

What he has stated is not consistent with the other evidence. The situation near the Gurudwara was very tense till about 3.30 p.m. i.e. till the Police Commissioner reached there with a big force. Even thereafter for some time the situation there was not normal. Therefore, it is difficult to believe that he went near the Gurudwara some time between 3.30 p.m. and 4 p.m. and at that time only a small crowd was near it. Shri Monish Sanjay Suri has spoken about presence of Shri Gautam Kaul while there was a big mob outside the Gurudwara and it was making an attempt to enter the Gurudwara. Though there does not appear to be any reason for Shri Monish Suri to falsely say something against Shri Kaul, in view of the discrepancy in his evidence as regards the time when he reached there, the Commission is not inclined to record a finding against

him that he failed to perform his duty as alleged against him. The evidence of Shri Mukhtiar Singh and Shri Suri is also not consistent on the point.

Shri Hoshiar Singh, in his reply, has stated that large number of persons returning from Teen Murti House had come near the Gurudwara as there was a bus stand nearby. As they were not able to get buses immediately, they remained near the Gurudwara. They were raising anti – Sikh slogans. Sewadars of the Gurudwara were roaming in the Gurudwara premises with open Kirpans and ‘Bhallas’. Some of them rebuked those persons who were raising anti-Sikh slogans. That had provoked the mob and the situation had become tense. So he had informed the Station House Officer Shri T.S. Bhalla about the situation. He alongwith other officers had gone inside the Gurudwara at about 9 a.m. and met Shri Gian Singh who was the Jathedar and advised the persons there to remain inside and to refrain from making provocative gestures. The police had then taken effective steps to disperse the mob and he himself had fired three rounds in the air from his revolver. He denied that two Sikhs were burnt in presence of the police. He has denied that he had given his revolver to a person in the mob and told him to fire at the Gurudwara. According to him what had happened was that someone in the mob had snatched the revolver of Shri Satpal Singh, a Member of Parliament. That was recovered and subsequently deposited in the Malkhana. According to him because of the effective steps taken by him and the other policemen, no person in the Gurudwara was injured. He has stated that right from the 7 O’ Clock on that day he was near the Gurudwara with 5 other policemen. At about 1 p.m., 12 home guards were made available to him.

Thus according to Sub Inspector Shri Hoshiar Singh he had effectively controlled the situation at the Gurudwara. If he is right then it is difficult to understand why the Police Commissioner was required to rush to that place with a big police force at about 3.30 p.m. A huge crowd had remained near the Gurudwara from about 11.30 a.m. to 3.30 p.m. Damage was caused to the Gurudwara and there was great tension. His explanation is not only vague but evasive also. He has nothing to say about how damage was caused to the Gurudwara without the mob going inside the Gurudwara and how the two Sikhs were burnt alive there and why there was firing from inside the Gurudwara. It appears to

the Commission that Hoshiar Singh and his men did not take effective steps to protect the Gurudwara and to disperse the mob which had gathered there. Not a single person from the mob which had entered the Gurudwara or was trying to enter the Gurudwara was apprehended by him or by his team. No force appears to have been used by them to check the riotous crowd. The fact that the mob was big cannot justify inaction on his part and the other policemen. It is a clear case of dereliction of duty on the part of Shri Hoshiar Singh and the policemen who were posted there and therefore the Commission recommends that the Government should initiate appropriate action against him and those policemen who were with him.

The evidence of Shri Ram Bilas Paswan (W-135) and the statement of Shri Inder Mohan clearly disclose involvement of Congress (I) workers in the incidents referred to by them. On the basis of the evidence of Shri Khushwant Singh (Witness-7), Ms. Jaya Jaitly (Witness-5), Shri Ashok Jaitly (Witness-24) and other witnesses, the Commission is also of the view that the policemen posted at some places in this area watched the violent incidents as spectators and did not perform their duty of preventing the mobs from doing so.

C. CENTRAL DISTRICT

From the material with respect to the incidents which happened in the Central District, it appeared to the Commission that Congress(I) Leaders S/Shri Dharam Dass Shastri, Tek Chand Sharma, Rajinder Sharma, Hem Chander and Shri Mahesh Yadav were the persons who instigated the mobs or took part in the violent attacks. It also appeared to the Commission that SI Om Prakash and ASI Rameshwar were negligent in performance of their duty when a riotous mob had attacked Marina Store. It also appeared to the Commission that DCP Shri Amodh Kanth and Station House Officer Shri S.S. Manan had not performed their duty properly during the incident which happened on 5-11-84 near the house of Shri Trilok Singh. Therefore, notices u/s 8B were issued to all those persons. Notices to Sub Inspector Om Prakash and Assistant Sub Inspector Rameshwar could not be issued as their addresses did not become available inspite of

efforts made in that behalf. Notices were served upon S/Shri Dharam Dass Shastri, Tek Chand Sharma, Rajinder Prasad Sharma, Hem Chander and Shri Mahesh Yadav. Shri Amod Kanth and Shri S.S. Manan were also served with the notices. Shri Tek Chand Sharma and Shri Rajinder Sharma did not file any reply but appeared through their advocate Shri Vinod Khanna who after perusing the record submitted that the allegations made against them are not true. S/Shri Dharam Dass Shastri, Mahesh Yadav and Hem Chander have replied to the notices. Shri Amod Kanth and Shri S.S. Manan have also filed their explanations.

There was an attack on the house of Shri Avtar Singh on 1-11-84. The affidavits of Shri Avtar Singh and Shri Chuni Lal and the evidence given by Shri Daljinder Singh indicate that at the instance of Shri Dharam Dass Shastri, who was a Congress (I) MP at the relevant time, Shri Tek Chand Sharma and Shri Rajinder Singh alongwith other persons attacked the house of Shri Avtar Singh. Shri Dharam Das Shastri, is stated to have gone to the house of Shri Tek Chand on the previous night and instigated him and others who were present there to kill Sikhs and that Shri Tek Chand and two or three other persons who were with Shri Dharam Das Shastri at the house of Shri Tek Chand were seen in the mob which had attacked the house of Shri Avtar Singh on the following morning. The attack had continued for quite a long time and as Shri Tek Chand and those two or three named persons were from the same locality, the witnesses were able to recognize them. Even though a written complaint was given on 1-11-84 to the police for this incident, no offence was registered till 28-11-84. In spite of the fact that these persons were named in the complaint and an offence was also registered, no further action was taken against them by the police. Shri Dharam Dass Shastri has in his reply denied the allegations made against him. But when a written complaint was made to the police with specific allegations against those persons it was the duty of the police to properly investigate that offence and file a chargesheet against the accused found to be involved. There is further evidence suggesting that Shri Dharam Dass Shastri was actively involved in the riots in this area. There is also evidence of Shri Bua Singh, Amrik Singh and Shri Harvinder Singh indicating involvement of Shri Dharam Das Shastri in the riots in this area. Bua Singh has stated that Shri Dharam Dass Shastri and

Shri Rajinder had come near his house and at that time Shri Dharam Shastri had told Shri Rajinder to get more persons and kill Sikhs. Shri Amrik Singh has stated that while his shop was looted, Shri Rajinder and Shri Dharam Dass Shastri were leading that mob. Shri Dharam Dass Shastri was also telling the mob to burn houses of Sikhs. Shri Harvinder Singh has also stated that Shri Dharam Dass Shastri was telling the persons in the mob to kill Sikhs and loot them. It has also come in evidence that on 5-11-84, he alongwith some Municipal Councilors and about 3000 persons had gone to the Karol Bagh Police Station as stated by witnesses S/Shri Pritipal Singh, Ranbir Singh and Monish Sanjay Suri.

Shri Dharam Das Shastri had requested for cross examination of the persons who have filed affidavits against him and also for permission to produce three police officers as defence witnesses. On his request Shri Amod Kanth who was the DCP at the relevant time was called for corss-examianton. Other request was not pursued. What has been taken out in the cross-examination of Shri Amod Kanth is that Shri H.C. Jatav had not used harsh words against him. Shri H.C. Jatav has, however, reiterated that there was disagreement between him and Shri H.C. Jatav. He admitted that he had issued a clarification in a newspaper and had denied therein that the Station House Officer was manhandled by the Memmer of Parliament or any other elected representative. The evidence of Shri Amod Kath and the report made by him to his superior officers on 7-11-84 support to some extent the evidence of these witnesses. The version of the witnesses and Shri Amod Kanth deserves to be believed in absence of a better explanation from Shri Dharam Das Shastri as to why he had gone to the Police Station. He had gone there with other local leaders for release of pesons who were arrested for looting or being in possession of looted goods. Shri Dharam Dass Shastri had condemned the police for arresting the rioters by stating that they could not have been treated as criminals. The report further shows that the police officers were threatened with dire consequences if they took any action against those persons for being in possession of looted property. The Commission, therefore, is of the view that there is credible evidence against Shri Dharam Das Shastri who was a Congress (I) leader of the locality, that he had instigated his men Shri Tek Chand Sharma and Shri Rajinder Singh to organize attack on Sikhs.

The Commission recommends to the Government that it should examine the relevant material and direct investigation or further investigation as may be found necessary with respect to the aforesaid allegations.

Two witnesses speak about the involvement of Shri Hem Chander and Shri Mahesh Yadav, both Congress(I) workers, in the incidents which happened in Inderpuri on 1-11-84. Gurcharan Singh has stated that a mob, which had looted his truck at about 11 a.m., was led by Shri Hem Chander and that Shri Mahesh Yadav had come near his house in a jeep and distributed petrol cans to the mob which had thereafter attacked his house and burnt his father alive. Shri Kripal Singh Chawla has also spoken about the role played by Shri Mahesh Yadav and Shri Hem Chander at about 10 a.m. when he was attacked and partly burnt. In their replies to the notices issued to them they have denied those allegations by stating that they had not committed such acts. Shri Hem Chander has also produced a copy of the judgement delivered in Sessions No.73 of 1995 to show that he was acquitted by the Court of Additional Sessions Judge, Delhi in that case. A perusal of that judgement shows that the allegations made against Shri Hem Chander and his son was in respect of burning Jagat Singh alive and also for causing damage to his house. In that case Gurcharan Singh was cited as an eyewitness but he could not be examined by the prosecution because he had gone to USA and died there on 20-01-2000. His brother Sukhbir Singh had given evidence regarding the attack and stated that he did not identify anyone from the crowd as he had hidden himself on the second floor of the house alongwith other family members. It was for that reason that the Court of the Additional Sessions Judge, Delhi had acquitted Shri Hem Chander and his son. Therefore, it cannot be concluded from the said judgement that what Shri Gurcharan has said in his affidavit is not true. What Shri Kripal Singh Chawla has said in his affidavit also remains unshaken. The evidence of these two witnesses establishes that Shri Hem Chander and Shri Mahesh Yadav, who were Congress(I) workers of Rajinder Nagar locality, had taken part in the attacks on Sikhs by instigating the mobs as alleged against them. However, in view of their acquittal by the Court, no further action is recommended against them.

Shri Trilok Singh has made serious allegations against the police, particularly, against DCP Amodh Kanth and Station House Officer Shri S.S. Manan. He alongwith his father and other family members were residing on the second floor of house No.2176 situated in Gali No.1, Chuna Mandi, Pahar Ganj. His uncle's family was occupying the first floor of the house. There were two shops on the ground floor. Their house was earlier attacked on 3-11-84 and therefore, their family and his uncle's family had taken shelter in the Pahar Ganj Police Station. On being told by the police on 5-11-84 that the situation in their area was peaceful, they returned to their homes. As stated by Shri Trilok Singh, at about 6.30 p.m. he and his father noticed a crowd near their house. His uncle who has a telephone at his house informed the police for help whereupon ASI Dev Raj with some constables came to their house. ASI Dev Raj left at about 7 p.m. telling them that he was posting some constables and homeguards outside their house and therefore they should not worry. After some time he went down to serve tea to the policemen but he found that they were not there. So his father went out of the house to find out if they were there or had gone away. Immediately thereafter he heard shouts "kill the Sikhs". The mob then started throwing stones at their house. His uncle opened fire to keep the mob away. As a result thereof the mob did retreat. Within a short time more policemen and army men arrived. So his uncle stopped firing. In spite of that there was firing from outside by the military and the police. The police and the army stopped firing after sometime and then made all their family members to come out of the house and sit on the road. One of them fired a shot at Narinder Singh who was his uncle's relative. The policemen beat them with lathis. Thereafter they were made to sit in a truck and taken to Daryaganj Police Station. They were kept in a lock up throughout the night. They were not given any food. They were all sent to jail on the next day at about 8 p.m. They remained in jail till 14-11-84. It is also the grievance of the witness that a false case was registered against them by the police for resorting to firing and killing Mangal and Kishan Bahadur Gurang, though as a matter of fact, they were killed in cross firing between police and the army. His further grievance is though Central Forensic Science Laboratory's (CFSL) report dated 26-2-85 was received by the police on 30-4-85 clearly indicating that Kishan Bahadur Gurang had not died as a result of any bullet fired from the weapons seized from their house, the Government continued to pursue the case

for three more years and that no action was taken against the policemen. While giving evidence before this Commission Trilok Singh has further stated that he had withdrawn his affidavit filed earlier because of threats given by the police. In his further affidavit and while giving evidence before this Commission he has repeated the allegations made against the police.

In his written explanation, Shri Amod Kanth has denied the allegations made against him and the other policemen. Shri S.S. Manan has also submitted written explanation and denied those allegations. Shri S.S. Manan was also examined as a witness (Witness No.-79). They have not stated why those allegations have been made against them but they have stated that the full version given by those witnesses is not correct. According to their version Shri S.S. Manan received information regarding firing by some Sikhs in Chuna Mandi area at about 8 p.m. while he was patrolling some other area. So he rushed to that place. He saw that some Sikhs were firing and throwing brick-bats from the roof top of house No.2176 and as a result thereof people were running here and there in the nearby lanes. One person was found lying dead on the road. Shri S.S. Manan, therefore, appealed to those Sikhs to stop firing and surrender. It did not have any effect and the Sikhs inside that house kept on firing indiscriminately. He, therefore, in self-defence fired some shots from his revolver. He also flashed a message for immediate help. Within a short time DCP Amodh Kanth alongwith some army jawans reached that place. They also told the Sikhs to stop firing and surrender. But the Sikhs continued to fire shots. Kishan Bahadur Gurang of the army was hit by a bullet fired by the Sikhs. Only after the inmates of house No.2176 were surrounded from all the sides that they surrendered before the police. As Narinder Singh had sustained a bullet injury, he was rushed to JPN Hospital. Thereafter a joint search party consisting of police and army searched that house and recovered 4 fire arms and three swords. They also recovered 198 cartridges / blank empties of different bores. They have further explained that the subsequent report of the CFSL dated 10-4-85 did suggest that the bullets which had caused death of Mangal Singh could have come from the case of .3006 bullet, shot-gun pallet or .32 revolver bullet. They have also explained that relying upon this subsequent report the District and Sessions Court had framed charges in that case and

therefore it is not correct to say that the criminal case against those Sikhs was continued unjustifiably for three years. The said case was withdrawn for some other reasons and in larger public interest and not because the CFSL report did not support the prosecution.

What emerges from this and other documentary evidence on record is that the policemen who were posted near their house disappeared after some time. On seeing a big crowd pelting stones towards their house, they got frightened and started indiscriminate firing at the crowd. When ASI Dev Raj reached there he found one person lying on the road and that would suggest that he had died as a result of firing from within that house as there was no firing by any one else by that time. The version of Shri Trilok Singh and Avtar Singh that Kishan Bahadur Gurang had died as a result of cross firing between the police and the army does not appear to be correct. There was no reason for the police and the army to indulge in such cross firing. If the situation had become quiet by the time Shri Amodh Kanth and the army reached there, there was no necessity for them to resort to firing. The facts and the circumstances relating to this incident do show that firing had continued from that house and to neutralize it the police and the army had to fire towards that house. What Shri Amod Kanth has stated in this behalf appears to be more probable as the second CFSL report dated 10-04-85 does not rule out the possibility of the bullet which hit Kishan Bahadur Gurang having come from one of the fire arms ceased from that house. Large number of empties found from that house also indicate that firing from within that house was quite intensive. For all these reasons the allegations made against Shri Amod Kanth that he did not take effective steps to disperse the rioting mob but was strict with the persons who were defending themselves does not appear to be correct. The material on record further shows that Shri Amod Kanth had even opposed his superior officer Shri H.C. Jatav when the latter wanted to treat the persons who had looted articles belonging to Sikhs to be released and treated liberally. The Commission does not find any reliable material on the basis of which it can be said that DCP Shri Amod Kanth and Inspector S.S. Manan had either failed to perform their duties properly or that they had anti-Sikh attitude and therefore misused their position in treating the families of Shri Trilok Singh and his uncle.

The incidents of attack on the house of Captain Manmohan Singh and the shop of Sahni Paints do disclose that no immediate help was given by the police to those who needed it. Shri Manmohan Singh, Shri Sohan Singh, Shri Kripal Singh Chawala and Shri Trilok Singh's evidence disclose that they were required to use their fire arms to defend themselves as no protection was made available to them in time by the police against the attacks on them by violent mobs.

D. NORTH DISTRICT

On the basis of the evidence relating to the incidents which happened in this District it appeared to the Commission that the ACP Shri R.S. Malik, SI Ram Singh, ASI Amar Nath, ASI Mange Ram, ASI Raja Ram, Police Inspector Jai Bhagwan Malik, Police Inspector Durga Prasad and SI Sat Parkash had not performed their duty properly. Accordingly, notices u/s 8B of Commissions of Inquiry Act, 1952 were issued to them. Out of them ASI Raja Ram could not be served with the notice as he had already expired earlier. Others were served and they have filed their replies. It also appeared to the Commission that S/Shri Jagdish Tytler, Ram Lal, Kaka Bali, Ram Chander Nagoria and Tarvinder Singh Bedi, who were all Congress(I) Leaders or workers, were in some way involved in the attacks on Sikhs or their properties in this area. Notice issued to Shri Tarvinder Singh could not be served as it was reported that he has died. Notice was not issued to Kaka Bali also as he had expired earlier. S/Shri Jagdish Tytler, Ram Chander Nagoria and Ram Lal have sent their replies.

Shri Surinder Singh (Witness No.147), who was the Head Granthy of Gurudwara Pulbangash, situated near Azad Market while describing the attack on the Gurudwara on 1-11-84 at about 9 a.m., has stated that the mob which attacked the Gurudwara was led by Shri Jagdish Tytler who was then Congress(I) MP of the area. He has stated that Shri Jagdish Tytler had incited the mob to burn the Gurudwara and kill the Sikhs. According to his evidence the mob had thereafter attacked the Gurudwara and burnt it. One Badal Singh was also burnt alive. He has also stated that he was contacted by Shri Jagdish Tytler on 10-11-84 and asked to sign on two sheets of paper. In reply to this allegation

Shri Jagdish Tytler has referred to the subsequent affidavit dated 5-8-2002 filed by this witness, wherein he has stated that he does not know what was written in his earlier statement as he cannot read or write English. He has further stated therein that he had not seen Shri Jagdish Tytler in the mob that had attacked the Gurudwara. Shri Jagdish Tytler has also stated that at the relevant time on 1.11.84 he was present at 1 Safdarjung Road where the body of Late Smt. Indira Gandhi was lying in state and that at no point of time on that day he had gone near that Gurudwara. Witness Shri Surinder Singh, during his cross examination, admitted that he had not filed any affidavit earlier either before Justice Mishra Commission or any other authority regarding what he had stated now. It would appear that by itself cannot be a good ground for not believing him. He has given evidence before this Commission and therefore what he has stated in his subsequent affidavit referred to by Shri Jagdish Tytler is not of much value. What appears from all this is that the subsequent affidavit was probably obtained by persuasion or under pressure. If this witness had really not seen Shri Jagdish Tytler in the mob or if he was not approached by Shri Tytler then he would not have come before the Commission to give evidence or would have told the Commission that the attack did not take place in that manner. For speaking the truth it was not necessary for him to wait till 5-2-2002 and file an additional affidavit. He was not called for cross - examination by Shri Tytler.

One more witness, namely, Jasbir Singh has stated that on 03-11-84 while he was passing by the TB Hospital gate after taking dinner at the house of Sucha Singh situated at Outram Lane he had seen Shri Jagdish Tytler coming there in a car. He rebuked the persons who were standing there that his instructions were not faithfully carried out and therefore his position was greatly compromised and lowered in the eyes of the central leaders. He has alleged to have further stated that there was only nominal killing in his constituency compared to East Delhi, Outer Delhi, Cant. etc. and it would be difficult for him to stake claim in future as he has promised large scale killing of Sikhs. He had complained to those persons that they had betrayed him and let him down. No such allegation was made by this witness earlier either before Justice Mishra Commission or before any other authority. No request was made to call this witness also for cross - examination.

As stated by Shri Gurbachan Singh (Witness -137) involvement of Shri Jagdish Tytler was also disclosed by the affected persons to the 'Citizens Commission' during the inquiry which it had made within a short time after the riots. That inquiry was made by eminent persons of unquestionable integrity. Shri Govind Narain (Witness-150) who had assisted the Citizens Committee, whose Chairman was Mr. Justice Sikri, has also stated that witnesses had told the Committee about participation by S/Shri H.K.L. Bhagat, Sajjan Kumar and Jagdish Tytler in the anti-Sikh riots. Relying upon all this material, the Commission considers it safe to record a finding that there is credible evidence against Shri Jagdish Tytler to the effect that very probably he had a hand in organizing attacks on Sikhs. The Commission, therefore, recommends to the Government to look into this aspect and take further action as may be found necessary.

On 1-11-84 at about 2.45 p.m. 20 taxis were burnt and two persons were killed at the Inter State Bus Terminus (ISBT). Shri Smitu Kothari, who had witnessed that incident, has stated that six constables were present near that place when the incident had happened but they merely kept on watching it and did not prevent the mob from committing such acts or make any attempt to apprehend anyone from that mob. The record establishes that SI Ram Singh and ASI Amar Nath were present at the ISBT. If what Shri Kothari has stated is correct then obviously a finding deserves to be recorded against those policemen that they had failed to perform their duty. SI Ram Singh, in his reply affidavit, has pointed out that he and ASI Amar Nath were posted in the departure block of I.S.B.T. and the taxi stand where the incident took place was at some distance from the departure block. Their attention was drawn to the incident because of the noise after the taxi stand was put on fire. What he has stated appears to be true because by the time he reached that place with some constables he received a copy of DD No.20 through police constable Kahaniya Lal with respect to this incident. That would go to show that he was not present when the mob had set the taxi stand and taxis on fire. The documentary evidence on record thus supports the version of Ram Singh. Ram Singh has also pointed out that in the departmental inquiry against him and ASI Amar Nath Sardar Laxman Singh, President of the ISBT Taxi Stand Union and Sardar Jhanda Singh one of

the taxi drivers whose taxi was burnt had given evidence to the effect that a mob of about 2000 persons had suddenly come near the taxi stand and started burning taxis. After some time Ram Singh and ASI Amar Nath alongwith the staff had come to that place, resorted to lathi charge and dispersed the mob. SI Ram Singh then removed the injured persons to Bara Hindu Rao Hospital and also rescued about 50 to 60 Sikhs residing there and sent them to the police post for their safety. On the basis of this material he was exonerated in the departmental inquiry. In view of the fact that Shri Ram Singh's version is supported by the contemporary documentary the version given by Shri Smitu Kothari does not appear to be correct.

Three persons, namely, S/Shri Inder Singh, Maan Singh and Mahesh Sharma have spoken about the looting and burning of houses of Sikhs in Nimri Colony on 1-11-84 at about 9 a.m. Their allegation is that Sub Inspector Mange Ram and his assistant were present when the attacks took place but they did not stop the mob from committing such acts even though they were armed.

Shri Mange Ram in his reply to the notice has stated that on the basis of this allegation he was tried in the court of Additional and District Sessions Judge, New Delhi in Sessions No.32 of 2001 and was acquitted in that case. It appears from that judgement that these witnesses had stated before the court that they were not able to identify any person in that mob. They had not identified Mange Ram. However, in view of the statements of these witnesses, departmental inquiry ought to have been initiated against him to find out whether there was any dereliction of duty on his part. The Commission, therefore, recommends that the Government should direct a inquiry to be held against him.

These three witnesses have also stated in their affidavits that the said mob was led by S/Shri Kaka Bali, Ram Chander Nagoria (Vice President of Youth Congress), Om Prakash alias Omi, (brother-in-law of Deep Chand Bandhu, a Municipal Councillor belonging to Congress(I)), son of Deep Chand Bandhu, Lovely and Ram Lal. On the basis of their statements an offence was registered and the police after investigation filed

a chargesheet against Shri Ram Chander Nagoria, Lovely and others. No chargesheet was filed against Shri Om Prakash or the son of Shri Deep Chand Bandhu. In his reply Shri Nagoria has stated that in the trial before the Court of the Additional Sessions Judge, New Delhi these three witnesses had stated that they were not able to identify any person in the mob, and so all of them were acquitted.

It is not difficult to understand why these witnesses had gone back upon their statements made before Justice Mishra Commission and or before the police during investigation. Though in view of their acquittal for the reasons stated in the judgement in their case the Commission does not recommend initiation of any action against them now, it considers it proper to record a finding that these Congress leaders / workers did participate in the anti – Sikh riots.

Ten Sikhs were killed in Kabir Basti area falling within the Sabzi Mandi Police Station. It has been alleged by Smt. Pritam Kaur, Smt. Inderjit Kaur, Smt. Jasvinder Kaur and Smt. Lajwanti Kaur that this incident happened in the presence of ACP Shri R.S. Malik and Station House Officer Shri J.B. Malik. They had also alleged that those two officers were telling the mob not to spare any Sikh and not to leave any evidence. Both these witnesses have responded to the notice and produced all the relevant material relating to that incident and also copies of the record of the departmental inquiry held against them. During the departmental inquiry all these witnesses had stated that their affidavits were obtained by Advocate Bajrang Singh, who had represented to them that they were prepared by him for claiming compensation. They have further stated that the allegations made therein are not correct. None of those witnesses has again reiterated before this Commission the allegations made by them in their affidavits. On an overall consideration of the evidence, the allegations against these officers do not appear to be correct and therefore no action is recommended against them.

Shri N.S. Bawa, an Advocate and a Teacher has stated in his affidavit that during the night between 31-10-84 and 1-11-84 he and his neighbours had apprehended 6 persons out of the mob that was looting nearby shops. He has also stated when Shri H.C.

Jatav, who was the Additional Commissioner of Police, came there he had handed over those 6 persons to him. Shri H.C. Jatav allowed them to run away after some time.

Police Inspector Durga Prasad and SI Sat Parkash, according to the affidavit of Piara Singh, had instigated the mob which attacked his factory situated at Mori Gate. He has also stated that Inspector Durga Prasad did not help him in recovering the goods looted from his house even though he had informed Police Inspector Durga Prasad that they were lying in the nearby jhuggis. Shri Durga Prasad in his written explanation has stated that on the basis of these allegations a departmental inquiry was held against him and by an order dated 4-1-2002 he has been reduced in rank by way of punishment. He has further stated that his challenge before the Central Administrative Tribunal has failed but he has filed a writ petition in the Delhi High Court against that order and the same is still pending for final disposal. He has further pointed out that soon after the riots he was able to recover the properties worth Rs.6 Lacs. He has also stated that Piara Singh on coming to know that a departmental inquiry was initiated against him voluntarily made a further affidavit stating that the allegations made in the earlier affidavits were not correct. It appears to the Commission that the subsequent affidavit of witness Piara Singh was obtained by Durga Prasad to save himself. Piara Singh's allegation deserves to be believed as he had no reason to make any false allegation against Durga Prasad, particularly, when Durga Prasad himself has stated in his reply that he has good relations with Piara Singh. Departmental inquiry was thus rightly held against him and he appears to have been adequately punished. So far as SI Sat Parkash is concerned departmental inquiry was held against him also. In view of the weak nature of evidence against him he was exonerated. Shri Sat Parkash has produced all that material alongwith his reply. In view of the affidavit of Shri Piara Singh a separate offence ought to have been registered and the role played by these two policemen ought to have been investigated by an independent investigating officer. But in view of the result of the departmental inquiry against them the Commission does not recommend any further action now.

In this area also at some places like Chandni Chowk, Sarai Rohilla and Adarsh Nagar, the policemen posted there had remained passive and failed to perform their duty

of protecting innocent citizens. Further, violent attacks in Chandi Chowk were prevented by timely action taken by ACP Shri Parera and Station House Officer Shri Tiwari. Thus if timely action was taken by the police against the persons indulging in riots probably many lives could have been saved.

E. SOUTH DISTRICT

On the basis of the material on record with respect to the incidents which happened in this District, it appeared to the Commission that Dr. Chander Prakash who was the DCP of the Area, Shri O.P. Yadav, Station House Officer of Police Station Srinivaspuri, Shri Rohtash Singh, Station House Officer of Police Station Delhi Cantt., Shri Ram Phal, Station House Officer of Police Station Hazrat Nizamuddin, SI Ved Prakash of Police Station Srinivaspuri, SI Ishwar Singh of Police Station Srinivaspuri, Head Constable Shakti Singh of Jangpura Plice Post and Head Constable Mahinder Singh of Police Station Srinivaspuri had not performed their duties properly and therefore, notices under Section 8B were issued to them. As involvement of S/Shri Hari Chand Saini, Vijay Chaudhary, Himmat Rai, Vijay Kumar Anand, Ajay Satsangi, Yogesh Sharma, Naesh Jain, Suresh Jain, Kalu Ram, Balwan Khokar, Pratap Singh, Sajjan Kumar, Maha Singh and Mohinder Singh was also disclosed, notices under Section 8B were issued to them also. Notices were not issued to S/Shri Naresh Sharma, V.P. Rana, Dinesh Tiwari, Jagdish Mittar and Dharam Vir Solanki as they had expired earlier. Out of these persons, Shri Vijay Kumar Anand and Shri Maha Singh have not filed any reply.

In reply to the notice issued to him, Dr. Chander Prakash has stated that this Commission has no jurisdiction to record any finding against him as in a full-fledged inquiry held against him he has been exonerated by the Inquiry Officer. Against disagreement of the Government with the findings recorded by the Inquiry Officer he has filed Civil Writ Petition No.641/1998 in the High Court of Delhi and the same is pending. The Commission is of the view that pendency of the Writ Petition in the Delhi High Court is no bar for this Commission to inquire about his conduct during the riots and in making an appropriate recommendation against him to the Government. Similarly, Shri

O.P. Yadav, who was Station House Officer of Police Station Srinivaspuri, has submitted that holding of an inquiry by the Commission against him would be an utter violation of his fundamental right as he has been exonerated in the departmental inquiry held against him. The contentions raised by both these officers are without any substance. The object nature and scope of inquiry under the Commissions of Inquiry Act is quite different. It has a much wider scope than a departmental inquiry or a criminal trial. The bar or violation which they have spoken about may arise at a stage when any action is taken against them on the basis of any recommendation made by the Commission. The Commission is, therefore, of the view that it can look into their conduct also while making the inquiry which has been entrusted to it. SI Ved Prakash has also stated that he has also been exonerated in the departmental inquiry held against him. Sub Inspector Ishwar Singh has also filed a similar reply. Head Constable Mohinder Singh has stated that during his trial before the Court no witness had made any allegation against him. Sikhs were killed and their properties were looted and destroyed on a very large scale in the areas under them. Except pleading inadequacy of the police force, no better explanation is given by any one of them as to why they were not able to prevent such a colossal loss. If all the relevant material is taken into consideration there can be no doubt in the mind of any reasonable person that they and other police officers and policemen in charge of areas where these incidents had happened were negligent in performance of their duties. The Commission recommends that the Government should consider even now if any action can be taken against them. As regards the positive acts of involvement alleged against them, criminal cases as recommended by the Committees appointed earlier by the Government were registered and they were tried by the Courts. Therefore, no further action against them is recommended by the Commission with respect to those allegations.

Narinder Singh, Balbir Singh and Kishan Singh have stated in their affidavits that Yogesh Sharma, Naresh Sharma, Naresh Jain and Suresh Jain had instigated mobs in looting and burning shops of Sikhs. On the basis of their statements they were chargesheeted by the police and were tried by the Court of Additional Sessions Judge, Delhi and were acquitted. An appeal filed against their acquittal has also been dismissed

by the High Court of Delhi. In view of the nature of evidence against them and their acquittal the Commission does not recommend any further action against them. So also the evidence against Shri Hari Chand Saini and Vijay Chaudhary is not sufficient and reliable enough to persuade the Commission to record any finding against them.

Shri Ajay Satsangi, in his reply, has stated that he was not a Yough Congress (I) leader. He was not even a member of any political party. He has been falsely implicated by Shri Mukhinder Singh. If he was a leader of the locality other witnesses would not have failed to name him. Mukhinder Singh's complaint was recorded and investigated. Therefore, no action is recommended against Shri Satsangi.

Shri Himmat Rai has stated in his reply that on the basis of the complaint filed by Shri Gurcharan Singh he was tried by the Court alongwith Shri Vijay Kumar Anand and three others and was acquitted. Nobody had deposed in the Court that he was a member of the unruly mob which had caused damage to the Gurudwara. From the copy of the judgement produced by him it appears that all the eye witnesses were declared hostile as they had resiled from their police statements. Shri Himmat Rai was a Congress (I) leader of Lajpat Nagar locality. There is material on record to show that influential political leaders had obtained large number of affidavits from affected and other witnesses declaring that they were not so involved. Therefore, it is not difficult to understand why the witnesses in that case had resiled from their police statements. Though no legal action can now be recommended against him, the Commission does come to the conclusion that he had participated in the attack on the Gurudwara.

Many witnesses have stated about the involvement of S/Shri Sajjan Kumar, Balwan Khokhar, Pratap Singh, Maha Singh and Mohinder Singh. Jagdish Kaur, Sudershan Singh and many persons from Raj Nagar, Palam Colony have spoken about the participation of S/Shri Sajjan Kumar and Balwan Khokhar in the riots in their area. They have stated that the mobs indulging in riots were led by Shri Balwan Khokhar and other Congress leaders. Sudershan Singh has specifically stated that Shri Sajjan Kumar was giving directions to Shri Balwan Khokhar during such attacks. Amarjit Kaur of

Chand Nagar has specifically stated that Shri Sajjan Kumar had led the mob which killed her husband Capt. Nazar Singh Mangat. Surjit Kaur of Tilak Vihar has stated that Shri Sajjan Kumar had brought a truck load of hooligans who had attacked her house. Jagdish Kaur of Raj Nagar has stated that she had heard Shri Sajjan Kumar telling the persons who had gathered near Mandir Mangla Puri “SARDAR SALA KOI NAHI BACHNA CHAHIDA”. Jasbir Singh of Raj Nagar has also spoken about the involvement of Shri Sajjan Kumar and Shri Balwan Khokhar and further stated that even though he had gone with a written complaint naming the assailants the police did not take down its complaint and Shri Sajjan Kumar was not put up for trial. Shri Kishandev Singh has also stated that he had seen Shri Sajjan Kumar in the mob which had attacked his house. He has also stated that he had named four persons but only two of them were prosecuted. Similarly, large number of witnesses including some of the above named witnesses have stated that Shri Balwan Khokhar had led the mobs which killed large number of Sikhs. Joginder Singh of Raj Nagar, Sampuran Kaur, Jagdish Kaur r/o RZI-129, Raj Nagar-I and Jagdish Kaur r/o WA-58 Raj Nagar have also specifically named him as the leader of the mob which had attacked their houses. Other Congress leaders named by the witnesses are Balram, a Yough Congress(I) worker, Mann Singh Chand, Capt. Bgah Mal, Mohinder Singh and Pratap Singh, who was the Pradhan of their colony as stated by Sardar Prab Charan Singh of Sangroor. Baljinder Singh of Sadh Nagar has stated that Harkesh Vats, Radhey Shyam and other local Congress(I) leaders had attacked the houses and shops in their locality and also killed some Sikhs. Other local persons who have been named by the witnesses as the persons who had taken a leading part in the attacks on Sikhs are Rohtas, Ram Kumar and Ved Prakash. Gajinder Singh, Jagdish Kaur and Smt. Nirmal Kaur of Sagarpur have stated that their complaints were not recorded by the police. Gajidner Singh’s complaint was recorded only with respect to the loss caused to him. The complaints which Jagdish Kaur and Nirmal Kaur wanted to give were not recorded by the police.

In reply to the notice issued to him Shri Sajjan Kumar has filed a detailed affidavit and produced copies of judgements delivered in 8 cases. He has stated that the persons who had given affidavits before Justice Mishra Commission were examined by

the police or courts where either they had not named him or they were disbelieved. He has further stated that in all the criminal cases filed against him he has been acquitted by the Court of Additional Sessions Judge, Delhi. He has also stated that Shri Balwan Khokhar was tried with him and he also has been acquitted by the Court in all the cases. He has pointed out that witnesses Kher Singh, Raj Kumar and Sudershan Singh had not named him while deposing before the Court and therefore he was acquitted. In those cases they were cited as witnesses. With respect to six witnesses, copies of whose statements were supplied to him alongwith Section 8B notice, he has stated that Jasbir Singh had not stated anything against him in the Court. With respect to Santokh Singh (Witness – 133) he has stated that before the Court the witness had only stated that Shri Sajjan Kumar had come in a white jeep in the locality. As regards Jagdish Kaur (Witness – 136) he has stated that she had not named him in her statement recorded with the police during the investigation in FIR No.416/84. As regards Kishandev (Witness – 144) he has stated while giving evidence before the court in the case arising out of FIR No.414/84 this witness had not named him. There is ample material to show that no proper investigation was done by the police even in those cases which were registered by them. In fact the complaint of many witnesses is that their complaints or statements were not taken by the police and on the basis of thereof separate offences were not registered against the assailants whom they had named. Even while taking their statements the police had told them not to mention names of the assailants and only speak about losses caused to them. There is also material to show that the police did not note down the names of some of the assailants who were influential persons. One witness has specifically stated that he had named Shri Sajjan Kumar as one of the assailants yet his name was not noted in his statement by the police. In view of these facts and circumstances and considering the fact that Shri Sajjan Kumar and Shri Balwan Khokhar were influential persons in this area, their acquittal in criminal cases cannot be given much importance and certainly it cannot come in the way of the Commission in recording a finding on the basis of the material placed before the Commission. They were the leaders of the locality and therefore, there is no question of their mistaken identity. Why so many persons had named him and attributed acts like addressing meetings and inciting people to kill Sikhs and to loot and destroy their properties remains unexplained by Shri

Sajjan Kumar. A technical defence taken by him that these witnesses had not named him before the police or in the Courts is not a good explanation for disbelieving those witnesses. Other local leaders to whom notices were given have also not given any better explanation. As stated earlier Shri Maha Singh and Mohinder Singh Yadav have not filed any reply. So far as Shri Sajjan Kumar is concerned, there is also evidence of Shri Gurbachan Singh (Witness – 137) and Shri Govind Narain (Witness – 150) who have stated that in the inquiry which were conducted within a short time after the riots, affected persons had named him as one of the persons who had instigated attacks on Sikhs. Shri Sajjan Kumar's involvement is also disclosed by the witnesses who have spoken about the incidents in Mangolpuri and Sultanpuri areas also. The Commission is, therefore, inclined to take the view that there is credible material against Shri Sajjan Kumar and Shri Balwan Khokhar for recording a finding that he and Shri Balwan Khokhar were probably involved as alleged by the witnesses. The DSGPC and CJC have also drawn the attention of the Commission to some cases where Shri Sajjan Kumar though named was not chargesheeted or they were closed as untraced. No useful purpose can now be served by directing registration of those cases where the witnesses complaining about the same were examined before the courts and yet the other accused were acquitted by the Courts. The Commission therefore recommends to the Government to examine only those cases where the witnesses have accused Shri Sajjan Kumar specifically and yet no chargesheets were filed against him and the cases were terminated as untraced and if there is justification for the same take further action as is permitted by law. Those cases which were closed as untraced and which still deserve to be re-examined are those which would arise from FIR Nos. 250/84, 307/94 and 347/91 of police station Sultanpuri, FIR Nos. 325/93, 178/84 of police station Mangolpuri and FIR No. 416/94 of police station Delhi Cantt. They deserve to be re-examined in view of the evidence of (1) Smt.Prem Kaur who has spoken about the incident of 1-11-84 near B-2 Park, (2) Anek Kaur who has spoken what happened on 1-11-84 near E-6 Block when she had approached Shri Sajjan Kumar, (3) Jatan Kaur who has spoken about the incident of 1-11-84 near B-2 Park and (4) Joginder Kaur who had stated about the incident of 1-11-84 and on the basis of whose complaint FIR No. 347 was registered on 13-12-91. These are all incidents which had happened in the area of police station Sultanpuri. FIR

329/93 of Mangolpuri was registered on the basis of statement of Shri Jagjit Singh and that incident also deserves to be re-examined. Didar Singh has spoken about Shri Sajjan Kumar having called a meeting of Congress(I) workers belonging to Patiala and Nawada villages. This incident was covered by FIR 325/93 of police station Mangolpuri. No chargesheet was filed against Shri Sajjan Kumar. Shri Satnam Singh has also referred to this incident. Jasbir Singh was examined as a witness by this Commission and he has stated that even though he had given a statement implicating Shri Sajjan Kumar and Shri Balwan Khokhar during the investigation of FIR 416/84, no chargesheet was filed against Shri Sajjan Kumar. Similarly, Jagdish Kaur has filed an affidavit and also given evidence stating that Shri Sajjan Kumar had incited a mob on 2-11-84. She had also given statement to the police and FIR 416 was registered on that basis. Yet her grievance is that no chargesheet was filed against Shri Sajjan Kumar.

There is enough evidence to show that the policemen posted in some of the localities of Delhi Cantt., R.K. Puram, Naraina, Hauz Khas, Mehrauli, Lajpat Nagar, Srinivaspuri, Lodhi Colony and Nizamuddin had either remained passive and watched the incidents as spectators or that they had actively instigated or helped the mobs in attacking Sikhs. There is also sufficient evidence to show that the policemen of Delhi Cantt., Srinivaspuri and Nizamuddin had compelled Sikhs who were collectively defending themselves to go back to their houses and their Kirpans and means of defence were taken away so as to render themselves helpless against the attacks. There is also evidence to show that some police officers had remained with the mobs while they were attacking Sikhs. Jagdish Kaur of Delhi Cantt. has stated that she had heard Station House Officer of the Delhi Cantt. Police Station inquiring from the mob as to how many 'MURGAS' (Sikhs) were killed. Malkiat Singh, Secretary to Shri Guru Singh Sabha situated in Naraina Vihar has stated that when he had gone to the police to report about the attack on Gurudwara he was told by the police that, "Theek Hi To Ho Raha Hai. Intejar Kariye, Apko Bhi Dia Jalaya Jayega" (right thing is happening, wait you also be burnt). In the Delhi Cantt. area alone, as found by Ahuja Committee, 341 Sikhs were killed. 385 houses were damaged or burnt. 110 shops were looted or burnt. About 150 complaints were filed with respect to those incidents later on by the persons affected. No separate cases were

registered on the basis of those complaints. Only five FIRs were recorded by the police. The police had not resorted to firing either on 1-11-84 or on 2-11-84 on which days most of the incidents had taken place. Sub Inspect Shri Ramesh Singh Rana who was in charge of Badarpur area has stated that even when he had reported that the situation in his area was grave and was out of control, he was told by Shri Chander Prakash, DCP of the area, to keep restraint and not to use fire arms. When he had asked for additional staff to control the situation he was told that he was a Jat and that he was more than enough in the area. He has stated that he had also reported 77 deaths in Sagarpur Division alone but he was told by his superior officer not to disclose such a high number of deaths and was also threatened that he would have to face dire consequences if he did so. He has also stated that even though the DCP had wrongly reported to the Headquarters that there were only 20 deaths, later on he was suspended on the ground that he had reported less number of deaths. On consideration of the entire material, the Commission is of the view that these aforesaid police officers did not perform their duties properly. Action by way of Departmental Inquiry was initiated against each of them. It would now be futile to initiate any criminal action against them as the other persons accused of having committed the actual acts of killing or looting have already been tried and acquitted in most of the cases.

F. EAST DISTRICT

The material in respect of incidents which had happened in this District disclose that some Congress leaders and workers had directly or indirectly taken part in those incidents. The leaders / workers who have been prominently and repeatedly named are S/Shri H.K.L. Bhagat, Shyam Singh Tyagi, Bhoop Singh Tyagi, Virender Sharma, Dr. Ashok, Smt. Jamna Devi and her sons, Rampal Saroj, Kanak Singh, Duli Chand, Sukhan Lal and Dr. P.D. Verma. Notices were not given to Sukhan Lal, Dr.P.D. Verma, Jamana Devi, Prabhu S/o Jamna Devi and Ram Pal Saroj as they had already expired. Notices were issued to others. In this District large number of local persons had also participated in the attacks on Sikhs. Notices were, therefore, issued to some of those persons who were specifically named by the witnesses including Shri Kishori and Haroo Singh were

prominent amongst them. As it appeared that many police officers and the policemen had either failed to perform their duty by remaining indifferent or had helped the mobs in their violent activities, notices were given to all of them including DCP Shri Sewa Dass, ACP Shri R.D. Malhotra, Station House Officer Bhaskar and Shri Shoorvir Singh Tyagi. As police officers Tuli Dass, Mani Ram, Jagdish Prasad and Giri Raj had died earlier, notices were not issued to them. Notice sent to Shri R.C. Thakur who was then the Station House Officer of Police Station Seema Puri could not be served as he was not available at his known address and in spite of efforts made by the police his new address could not be ascertained. Many of the local persons to whom the notices were sent could not be served as they could not be found. Shri H.K.L. Bhagat did not file any reply as he is not in a position to do so. His son appeared before the Commission and submitted medical reports which show that Shri Bhagat is completely bed ridden and he is seriously affected by the brain disease known as 'dementia' and it is at an advanced stage.

Shri Sardul Singh has stated some known local persons including Virender Singh, Ashok and Jagdish were in the mob which had attacked his house and killed 7 members of his family. He has further stated that when he had gone to the Police Station for giving his complaint Sub Inspector Tulsi Dass instead of registering it had called the assailants named by him. Virender Singh had come with a revolver and in his presence SI Tulsi Dass had forced him to write that he had no grievance against Virender Singh and others who were named by him. Shri Kishori, Rohtas and others who actually took part in killing Sikhs were prosecuted and so far as Kishori is concerned he has been convicted in some cases and is facing death sentence. The material placed before the Commission does not clearly show how many of the local persons to whom notices were given were tried in criminal cases and what happened in those cases. Except in respect of few of them, witnesses had not given full description or other particulars on the basis of which they could have been identified. Some of those persons have been convicted and most of them have been acquitted. In view of long lapse of time, it would be difficult to locate them now. Under the circumstances, the Commission does not recommend any further action against those persons to whom the notices were given and also against other persons who have been named by the witnesses, as the assailants.

Shri Sajjan Singh r/o Trilokpuri has stated that Shri H.K.L. Bhagat was present when 15 persons had come along with him and had killed Sikhs near his house. Shri Inder Singh has stated that in the month of November, 1984 Shri Bhagat had called him at his residence. He was taken there by Shri Gulati, a Councilor of the area. Five other Sikhs from Farsh Bazar were also there. Shri Bhagat had told them that he was making efforts for providing houses to the residents of Block-32 of Trilokpuri and no one should name him. Shri Bhagat had also sought their affidavits to the effect that he was not involved in the riots. He has stated that again on 27-8-85 Shri Gulati had called him at his residence. At that time Shri Makhan Singh, a Congress worker and President of Congress unit was also there. They had demanded affidavits of Sikhs for producing them in Courts to show that no Congress worker had participated in the anti – Sikh riots. Ms. Kamlesh has stated that on 31-10-84 she had seen Shri Bhagat addressing a crowd of persons and inciting it to kill Sikhs and as a result thereof on the next day her house and other houses in the locality were attacked by a riotous mob. Shri Bhagat has also been named by Shri Nanki Devi. Smt. Balbir Kaur has stated that on 31-10-84 she had seen Shri Bhagat inciting a mob of about 5000 persons. Some witnesses have stated that they had seen persons who were close to Shri Bhagat leading mobs in their localities. Large number of witnesses have also stated about involvement of Shri Rampal Saroj and Dr. Ashok. Parsa Singh has stated that in the middle of August, 1985 he was called at Kalyanpuri Police Station by Station House Officer Shri Tyagi. He was told by Shri Tyagi that whatever had happened was done at the instance of S/Shri H.C. Jatav, H.K.L. Bhagat and Dr. Ashok and that he should not blame him. A couple of days later he was again called at the Police Station. At that time Shri Shoba Singh, Sahib Singh, Lachman Singh and Anoop Singh were present there. At that time also former Station House Officer Tyagi was present and he had told him to help him by not implicating him. They have also been described as right-hand persons of Shri Bhagat. From the evidence of these witnesses it appears that S/Shri Bhagat, Rampal Saroj and Dr. Ashok, who were local Congress(I) leaders, had taken active part in this anti-Sikh riots in this area. All other Congress(I) leaders and workers have denied the allegations made against them. Dr. Ashok has stated in his reply that he was prosecuted in cases arising out of FIR No.426/84 of Police Station Kalyanpuri and

was acquitted by the Court in all those cases. Dr. Ashok and Ram Pal Saroj were acquitted because the witnesses did not involve them while deposing before the Court. The reply given by Shri Shyam Singh Tyagi is vague. Shri Bhoop Singh, Duli Chand and Kanak Singh have stated that they have been acquitted in the criminal cases filed against them. On an overall consideration of the material the Commission is of the view that there is credible material against these Congress leaders and workers on the basis of which it can be said that very probably they were also involved in the anti-Sikh riots as alleged against them; but, as they have been acquitted in the criminal cases filed against them, the Commission does not recommend any further action against them, including Mr. Bhagat in view of his physical and mental condition.

So far as the police officers of this area are concerned, many witnesses have stated that DCP Shri Sewa Dass, Station House Officer Shri Tyagi and SI Kapoor had even encouraged the mobs while they were attacking Sikhs. Shri Sewa Dass, in his reply has stated that an inquiry was held against him and he has been completely exonerated in the departmental inquiry. He has also stated that there was no personal lapse on his part. He has stated that most of the persons who have filed affidavits against him were called for giving evidence in the departmental inquiry but they did not turn up and those who gave evidence did not say anything against him. As departmental inquiry was held against him and he has been exonerated, the Commission does not recommend any action against him. Station House Officer Shri Bhaskar, in his reply, has stated that he has filed a Civil Writ Petition No.5241/2004 and 6854/2004 in the High Court of Delhi challenging the inquiry which is being made by the Commission after issuing notice under Section 8B. He has also obtained stay of the operation of the notice. As the matter is sub judice, the Commission does not record any finding as regards his involvement. Station House Officer Shri Tyagi has stated that he was falsely implicated by his seniors and in both the criminal cases that were filed against him he has been discharged. The revision petitions filed against the orders of discharge have been dismissed by the Delhi High Court. In view of his acquittal now, no action is recommended against him. There is scanty evidence against ACP Shri R.D. Malhotra and therefore the Commission does not recommend any action against him also.

G. WEST DISTRICT

The evidence relating to the incidents which happened in this District disclosed that Shri Sajjan Kumar and Shri Brahmanand Gupta, the two Congress(I) leaders and Nathu Pradhan had taken part in some of those incidents. Therefore, Section 8B notices were issued to Shri Sajjan Kumar and Shri Brahmanand Gutpa. Notice was not issued to Nathu Pradhan as he had died earlier. As the witnesses have made allegations against DCP Shri U.K. Katna, Station House Officer R.S. Dhayia, Station House Officer Rampal Singh Rana, Station House Officer Sheodeen Singh, Station House Officer Shri H.R. Bhatti, SI Iqbal Singh and Head Constable Jai Chand, notices were issued to these police officers also.

Shri Sajjan Kumar has denied the allegations made against him by Shri Kehar Singh. This witness has stated that on 1-11-84 when he was going to his shop in the morning and when he was near D-Block of Mangolpuri he had seen Shri Sajjan Kumar addressing a crowd near the Congress(I) Office and heard him telling them that Sikhs had killed their Maata and therefore no Sikh of the area should be spared. At that time Shri Ishwar Singh and Hardwari Lal were present. Pursuant to this incitement a crowd had then attacked the Gurudwara in the locality and three persons, namely, Dr. Iqbal Singh Chadha, Shri Resham Singh and Shri Ajit Singh were burnt alive. He has further stated that when he had gone to the Police Station and told the police that he had seen the murders of those three persons, he was told by the police that no case was registered in respect thereof it was not possible to record his statement. It appears that in respect of death of Iqbal Singh Chadha FIR No.178/84 and the case was then filed as untraced. Kehar Singh had specifically stated that he was the eye witness to the murder of Dr. Iqbal Singh Chadha yet his statement was not recorded with result that he was not even cited as a witness. Thus even though eye witness was available, the police did not investigated the case properly and closed it as untraced. The Commission therefore does not recommend any further action against him pursuant to the evidence of this witness. Shri Sajjan Kumar has denied his involvement and stated that Kehar Singh was examined as a

witness in the Court of Additional Sessions Judge, Delhi. The witness had not said anything against him and other accused were acquitted by the Court. So far as the police officers are concerned, departmental inquiries were held against them except Shri Bhati and they have been exonerated. Therefore no further action is recommended against them. Shri Bhati's explanation that the area under his charge was very large and the force was highly inadequate is not a good explanation but in view of long lapse of time and weak evidence against him, no action is recommended against him also.

H. HIGHER UPS

The Commission had issued notice to Shri S.C. Tandon who was the Commissioner of Police Delhi during the relevant period. In reply thereto he has produced a copy of the statement submitted by him before Justice Mishra Commission with a request to treat the said statement as his deposition before this Commission. In his statement he has explained that as and when he came to know about worsening of the situation in Delhi he gave necessary instructions to his subordinate officers and issued orders for proper maintenance of law and order. He has stated that the police force in the city was highly inadequate and on 30-11-84 itself he had requested the Ministry of Home Affairs to provide him para military force. He had also requested the Government to get as much police force from outside as possible. He also pointed out that on receiving messages regarding some serious events he had personally gone to those places to see that proper steps were taken for maintenance of law and order. He has also explained how he had remained busy for the purpose of making arrangements at Teen Murti Bhawan where the dead body of Smt. Indira Gandhi was kept and where large number of VIPs and other persons were likely to go to pay their homage. He had also to make arrangements for the cremation of Smt. Indira Gandhi. He was able to get 17 companies of Central Police Force on 30-11-84. He has further stated that the strength of outside force increased to 51 companies by the morning of 01-11-84. He distributed the force in different areas in accordance with their immediate demands. He met the Lt. Governor on 1-11-84 and informed him about the necessity of requisitioning services of the Army. He also passed orders for imposing of curfew in the areas where the situation of law and

order had become serious. He has further stated that there was a meeting between the Lt.Governor himself and Major Gen. Jamwal, GOC Delhi area, in the afternoon. Maj. Gen. Jamwal had informed him that he did not have enough units and he would be able to cover only two contiguous districts i.e. districts adjacent to his Headquarter Delhi Cant. On his suggestion Mr. Jamwal agreed to deploy one in Central District and one in South District. He has also referred to the attack on Gurudwara Rakabganj and his having gone there. He has stated that when he reached there firing from inside the Gurudwara was continuing so he had jumped into Gurudwara ground and prevailed upon the Granthi to request the persons on the terrace of the Gurudwara not to fire any more. He has also stated that he had brought out from the Gurudwara three Hindu servants with their wives and this had the desired effect of satisfying the mob outside that no harm was done to them. He has also referred to the presence of Shri Kamal Nath and stated that he was helping the police in persuading the crowds to disperse. He has stated that at that time Additional CP/Range New Delhi had also arrived there and he alongwith the DCP of the area had kept the crowd under check. He has referred to his various meetings with Lt. Governor and a meeting with the Home Minister in the evening of 1-11-84.

He has stated that on 2-11-84 he had taken a tour of the East District. The army had moved in to cover all the Districts by late afternoon on that day. He had come to know about the massacre in Trilokpuri at about 6 p.m. and had directed Addl.CP/Range Delhi to proceed to that place and make necessary arrangements. He has stated that as the Station House Officer of that Police Station was found negligent in protecting the Sikhs he was arrested and suspended immediately. He had thereafter personally gone to Trilokpuri and given necessary instructions for protection of the remaining persons and their safety. He has stated that the situation had eased considerably from 4-11-84 onwards. According to him he had not received any instruction from the Home Minister either on 31-10-84 or till the evening of 1-11-84. He has stated that on 31-10-84 he had not received any intelligence report regarding any plan to attack the Sikh community or their properties. Nothing unusual was brought to his notice by the Addl.CP, CID on 31-10-84 or on 1-11-84. Till then he had not received any report about the serious violence that was going on in East District and West District. He has categorically stated that he

was not informed about what had happened in Palam in South District and in Sultanpuri, Mangolpuri and Trilokpuri on 1-11-84. He has stated that he came to know about these incidents in Sultanpuri, Mangolpuri and Trilokpuri on 2-11-84. As many incidents had taken place inspite of his orders he believed that there was some lapse on the part of some individuals to take effective steps and to feed information to the higher officers.

Shri P.G. Gavai was the Lt. Governor of Delhi till 2-11-84. In his explanation Shri Gavai has stated that at about 9.30 a.m. on 31-10-84 he got a cryptic message that there was firing at the Prime Minister's house. He met Shri Fotedar and Shri Tripathi and then they went to the Prime Minister's house. Dr. P.C. Alexander was in Bombay and therefore he sent a message to him to come back to Delhi urgently. He had also sent a similar message to Shri Krishnaswamy Raosaheb who was the Cabinet Secretary. The Prime Minister's death was officially announced at 5.00 p.m. So he went to All India Institute of Medical Sciences and from there went to Prime Minister's house. At about 9.00 p.m. he met Shri Rajiv Gandhi. After making necessary arrangements for the body of Smt. Indira Gandhi he left at about 10.00 p.m. At about 11.00 p.m. he received a message that that there was arson in South Extension area. He personally went to that place and arranged for fire fighters. After the things became quiet he went back to his home at about 2.00 a.m.

On 1-11-84 at about 7.30 a.m., he went to the Prime Minister's house. There he met the Commissioner of Police and told him that army will have to be called. The Police Commissioner confirmed that he took that suggestion as the order of the Lt. Governor to call the army. While he was till in the compound of Prime Minister's house a mob of about 40 persons was seen coming towards the Prime Minister's house. It was shouting slogans like "Khoon Ka badla Khoon". He, therefore, told the Commissioner that trouble had already started and that it was likely to ignite in a major way and that he should immediately take action in deploying the police in sufficient number at apprehended trouble spots. He went back at about 10.00 a.m. Thereafter he contacted the Cabinet Secretary and the Home Secretary and discussed with them the urgent need of deployment of more police on a high alert basis and to get the police force augmented

as the Delhi Police force was not adequate. He also told those two officers that army should be called. They also agreed with him. At 11 O'clock he went to the office of Dr. P.C. Alexander to attend an urgent meeting. Dr. P.C. Alexander presided over the meeting. Besides himself, it was attended by the Home Minister Shri Rao, Home Secretary, General Vaidya and some other officers. In that meeting also he said that the Delhi Police force was understaffed and it was required to be reinforced by urgent augmentation and also about the need for calling the army without waiting even for a moment. Everyone present in the meeting agreed with him. Dr. P. Alexander suggested that the Police Commissioner and the Army authorities should meet in the Police Commissioner's Office at 5.00 p.m. He returned home at about 12.30 p.m. By about 2.00 p.m. he received a call from Maj. Gen. Jamwal saying that he wanted to see him immediately. He had told him that he should start acting rather than wasting precious time by driving to his house. Maj. Gen. Jamwal insisted that the matter was very urgent and he wanted to meet him. Shri Jamwal informed him that he would not like to meet the Police Commissioner. He also said that he did not have sufficient force but could arrange a flag march only in the adjacent area of Connaught Place. When he told Mr. Jamwal that the flag march must take place in troubled areas he went away little dejected. He attended the meeting with the Prime Minister at 6 p.m. Shri Rajiv Gandhi, Mr. Tandon, and Mr. Fotedar were present. The meeting was in respect of malfunctioning of Telephone No.100. Shri Rajiv Gandhi was very disturbed. The Director of Telephone was, therefore, instructed to attend to Telephone No.100 at once. During the night he had received a call from the Home Minister for some urgent help to someone in distress. He had taken necessary action.

On 2-11-84 he issued a peace appeal in the morning and then went on a tour of the affected areas, like Trilokpuri, Nandnagri, Mangolpuri and Shahadara. He was accompanied by Shri H.K.L. Bhagat. He toured the affected areas for about two and a half hours and gave certain spot instructions. He also spoke to Gen. Vaidya about some sluggishness of the armed forces in getting out of their vehicles. While he was still in the midst of his tour, he got a message to reach the Prime Minister's house. There, besides the Prime Minister, Shri Jagdish Tytler and Shri Dharam Das Shastri were present. On

his suggestion, the Prime Minister requested the others to go out and then he had a talk with the Prime Minister for about 20 minutes. He was given hint that he was no more required to function as Lt. Governor. In spite of that after returning home he arranged a meeting of the political parties. While the meeting was going on he received a telephone call from Dr. P.C. Alexander asking him to go on leave. He was also told that he would be offered the post of Chairman of the Union Public Service Commission, on resumption. He told Dr. Alexander that a Lt. Governor in this situation would not go on leave “either he functions or he resigns.” On 3-11-84 he left Delhi.

He has denied that he had failed to anticipate violence and delayed calling the Army. He has also denied that there was delay in issuing shoot at sight orders and that he was a party to the grand design to teach a lesson to Sikhs. He has also stated that he had told Justice Mishra Commission all that he has stated in his explanation. He has also stated that he has been quoted out of the context or misquoted in the report of the Justice Mishra Commission and a number of items of information given by him like the important meeting with Dr. Alexander are not even referred to in the report. He has denied that he had told Justice Mishra Commission that he had asked for Prime Minister’s interview and that he had said something to justify violence. He has further stated that he resigned owning moral responsibility.

In reply to the queries raised by the Commission, Dr. P.C. Alexander has sent a note on the explanation given by Shri P.G. Gavai. Therein he has stated that he had not called any meeting in his office on 31-10-84. He had not received any proposal from the Lt. Governor about calling in the Army. If the Lt. Governor wished to call the army to assist the police, he did not have to take the Prime Minister’s permission or to seek his intervention. The Lt. Governor could have himself taken action and if there was any problem he could have taken up the matter with the Home Ministry. He has also stated that it would have been against the norms and convention of protocol to call the Home Minister to attend a meeting in his office and for him to preside over such a meeting. He has also denied that he had ruled that the Police Commissioner and the Army authorities should meet in Police Commissioner’s Office at 5.00 p.m. He has stated that on 1-11-84

right from 8 O' Clock in the morning till about 1.30 p.m. he was at Teen Murti house. For a short time at about 1.30 p.m., he had gone to the Prime Minister's house alongwith Cabinet Secreary Shri Krishnaswamy Rao Sahib to recommend to him that army should be called. He has said that at that time they had informed Shri Rajiv Gandhi about the tense situation within the premises of Teen Murti House because of the frenzy of huge crowds which had gathered there. They had also informed him that the Delhi Administration was very ineffective in handling the riots and therefore army should be called. Shri Rajiv Gandhi had agreed with their recommendation. As regards removal of Shri P.G. Gavai he has stated that the said decision was of the Prime Minister himself. He has stated that he does not recall telephoning Shri Gavai to proceed on leave or assuring him that he would be offered the post of Chairman, Union Public Service Commission. He has stated that the Prime Minister Shri Rajiv Gandhi was very unhappy at the way the Delhi Administration was handling the situation of violence and the riots in the city. In reply to the questions raised by the Commission, he has stated that the Prime Minister took the decision of calling in the army at 1.30 p.m. on 1-11-84. However, the Army Chief was already alerted both by the Prime Minster and the Cabinet Secretary to keep the army contingents in readiness so that they could move in quickly. The direction to call in the army was given to himself and the Cabinet Secretary at 1.30 p.m. on 1-11-84. The army contingent which was assigned the task of dealing with law and order situation at the Teen Murti premises reached there at about 3.00 p.m. on 1-11-84. He had no knowledge about the exact time when other contingents reached the affected areas in East and West Delhi. He has stated that probably they had reached there more or less at the same time.

Shri Nikhil Kumar was the Additional Commissioner of Police till 8-10-84. He was on joining time - cum - leave to join his duties at Mizoram. He had come to Delhi from Patna to pay homage to the late Prime Minister. The Commissioner of Police on coming to know about his presence in Delhi had requested him to assist him in attending to the telephones in the office of the Commissioner of Police. He had attended to the work from the afternoon of 2-11-84. He was not posted with the Delhi Police at that time.

Shri P.V.Narasimha Rao has stated that on 31-10-1984 he was at Hanamkonda in Andhra Pradesh. After receiving the message that Prime Minister Smt. Indira Gandhi has been shot, he returned to Delhi at about 4.40 p.m. He went to All India Institute of Medical Sciences hospital and had a discussion with other leaders. A decision was taken to swear Rajiv Gandhi as Prime Minister emerged. Then he went to the place where the Congress Parliamentary Board was meeting and completed the necessary formalities for making Rajiv Gandhi as Prime Minister. From that place he proceeded to Rashtrapati Bhawan where swearing in took place. Thereafter, the first meeting of the new Cabinet was held. At that meeting the Cabinet Secretary, Dr. Alexander, the Home Secretary, Lt.Governor of Delhi, Commissioner of Police and one Army Officer were present. There was discussion regarding the date of the funeral and keeping the body at Teen Murti in state and possible happenings in the wake of assassination of Smt. Indira Gandhi. Cabinet gave general clearance to the steps that would need to be taken including imposition of curfew, deployment of police personnel and also using army units in whatever manner it was required. On 1-11-84, he had issued a public appeal to maintain peace. On that day he remained in touch with the Home Secretary, Lt.Governor and Commissioner of Police. As regards the steps to be taken urgently, suggestions received from the delegations were accepted and sent to the Commissioner of Police and Lt.Governor. Whenever suggestions were received from the delegation, they were duly sent to the Commissioner with the necessary instructions. Shri Rajiv Gandhi had taken a round of the affected areas on the night of 1-11-84. He had also visited relief camps where the affected persons were taken. He had given on the spot instructions for providing various facilities in the camp. He has denied that at any point of time he was indifferent or that there was any callousness on his part. He has stated that he had remained in touch with the authorities continuously. He has further stated that Minister of External Affairs was absent and therefore he had to help in receiving foreign dignitaries at Teen Murti House.

In his further reply dated 27-8-2004 he has stated that the allegations made against him in the written submissions of Delhi Sikh Gurudwara Management Committee

are baseless and there is no iota of truth therein. He has denied the allegations that he was spending much of his time in making arrangements for foreign dignitaries rather than ensuring the maintenance of law and order. He has stated that whenever some suggestions were received he had immediately given necessary instructions to the Home Secretary and the other persons in authority. He has stated that Shri Patwant Singh and others had met him. As regards the allegation that Shri Patwant Singh and others did not find any hustle and bustle in his residence, he has stated that the entire staff was busy in tackling maintenance of law and order and that he did not want the officers to waste their time at his residence. He had told Shri Patwant Singh and his delegation that he was well informed about the happenings in Delhi and that army was to be deployed by that evening. He denied that he was not aware of the details that he had spent much time in receiving foreign dignitaries. He has described Shri Ram Jethmalani's impression that he was indifferent to all the suggestions made by him as wrong. He has stated that as he was concerned with the law and order situation he had spent time with them and listened to them. Shri Ram Jethmalani had not noticed any officer there because they were busy in their own work entrusted by him for maintenance of law and order. He says that he was feeling concerned about what was happening. He had told Shri Ram Jethmalani that he would take adequate steps. He has further stated that at that stage there was no time to while away in making tall talks and exhibiting his reactions. When he was contacted by Shri Atal Bihar Vajpayee and Shri L.K Advani, he had told them that he was looking into the matter. He denied that the Chief of the Army Staff on his own took the initiative to keep the troops available and called brigades from Meerut and the Home Ministry did not make any effort at all or make any arrangements to protect the life of the citizens. He has further stated that the Home Minister was not competent to call the troops. From where the troops should be called is a decision within the exclusive domain of the Chief of the Army Staff under the Ministry of Defence. He has denied the allegation that he did not take any steps either to apprehend the culprits or to talk to the President of India and that the inaction on the part of Home Ministry to nab the culprits was a part of the conspiracy and was done with a view to convey a clear message to the desperados and the Congress workers and criminals that the Government will not take any action if the Sikhs are assassinated and stated that is false and frivolous. He has further stated that unless it is

urgently required, the Commissioner of Police does not receive instructions directly from the Home Minister. There are several other persons to take instructions and convey the same to the Commissioner of Police. He has denied the allegation that he was totally not concerned about the killing of innocent citizens and stated that it is false. Dealing what Shri Ramvilas Paswan has said he has stated that he was in fact busy in an important meeting and to say that he was avoiding meeting Shri Paswan is not correct.

He has also stated that as the incident took place in the year 1984, it was impossible for him in 2004 to give specific time date and other materials in support of what he has said. He had visited relief camps and that was more important than visiting the places where untoward incidents had taken place. He has also stated that nobody had earlier made any grievance as regards the role played by him and the allegations which are now made after 20 years are really by way of an after thought and made ulterior reasons. As regards the suggestions made by Shri Ram Jethmalani, he has stated that they were required to be considered carefully and only those found to be in public interest were required to be carried. He had not thought it fit to give instructions immediately for the purpose of showing or exhibiting his concern. He has stated that he believes in work and not in hustle and bustle and meetings which are non-productive and do not yield any result. He has denied the allegation that his approach was casual and it was not only gross negligence on his part but a connivance with perpetrators of this heinous crime and stated that it is false. He has also denied the allegation that the law was not allowed to take its own course. He has also denied that he had told that Shri Gujral and Shri Patwant Singh that he was required to spend much time in receiving foreign dignitaries and making arrangements for them. He has stated that in presence of Shri Gujral and Shri Madhu Dandavate he had given instructions to carry relief measures to the victims. He has denied that he had avoided meeting Shri Paswan. He has denied the allegations made by Major J.S.Jamwal(Retd). He has stated that he was fully concerned with the situation and he had taken all positive steps to curb the violence, restore peace and to help the victims affected due to riots. He further stated that if Shri Aurora's statement is true then he would not have remained silent till the year 2002. In his last reply dated 23-11-2004, he has stated that he had remained in constant touch with all persons in charge of law and

order and given instructions to them as and when that had become necessary. He has stated that he had given instructions to deploy police force and to deploy army to curb any kind of violence.

On consideration of their explanations, the Commission is of the view that there was no delay or indifference at the level of the Home Minister. Though some prominent members who had met him during those days carried an impression that the Home Minister was not that much responsive and sensitive as demanded by the situation, it appears that they carried that impression because of the style of functioning of the Home Minister. He appears to have kept himself informed about the developments in Delhi and had taken appropriate decisions and given necessary instructions in time. So far as the Lt. Governor Shri P.G. Gavai is concerned, it has to be stated that the explanation given by him is not satisfactory and does not convince the Commission in recording the finding that there was no lapse at his level. Though he does not appear to have delayed taking of required actions, it does appear to the Commission that he did not give as much importance to the law and order situation in Delhi as the situation demanded. He was the person responsible for maintenance of law and order in Delhi and therefore, he cannot escape the responsibility for its failure. Mr. S.C. Tandon was the Commissioner of Police and was directly responsible for the maintenance of law and order in Delhi. It is no explanation to say that he was not properly informed by his subordinates. It was his duty and responsibility to remain aware of what was going on in Delhi during those days and to take prompt and effective steps. He should have known that the policemen on the spot were ineffective and inspite of curfew mobs indulging in violence were moving freely and were committing acts of looting and killing also freely. He ought to have taken strict action against the defaulting officers immediately and ought to have given directions to be more strict with the crowds. There was a colossal failure of maintenance of law and order and as the head of the Police Force, he has to be held responsible for the failure. The course of events do disclose that the attitude of the police force was callous and that he did not remain properly informed about what was happening in the city.

I. OVERALL CONSIDERATION

The events leading to the assassination of Smt. Indira Gandhi show that it was not an unconnected event. There was progressive deterioration in the situation in Punjab since 1981. Violent activities of the extremists elements in Punjab had increased. Many Hindus were killed by Sikh extremists. Manoeuvrings by the political parties during this period to gain political advantages and exploitation of the tension had led to a smouldering resentment against the Sikh community. Probably, there was a desire on the part of some persons to teach a lesson to the Sikhs. The assassination of Smt. Indira Gandhi by her two Sikh security guards appears to have triggered the massive onslaught on the lives and properties of Sikhs in Delhi.

Smt. Indira Gandhi was a popular leader. She was the Prime Minister of India. It was, therefore, not unusual that on coming to know about her assassination by her Sikh security men, the people reacted angrily. The first sign of such public resentment resulting in an angry outburst in Delhi was at about 2-30 p.m. on 31-10-84 when the public suspected that Smt.Indira Gandhi had succumbed to her injuries and started assaulting passersby Sikhs. It was again noticed at about 5 p.m., when the cars in the entourage of President Giani Zail Singh was stoned near AIIMS. Soon after the death of Smt.Indira Gandhi was announced on the All India Radio, crowds had gathered in several parts of Delhi and become violent. The Sikhs were beaten and their vehicles were burnt. Till then the attacks were made by persons who had collected on the roads to know what had happened and what was happening. They were stray incidents and the attacks were not at all organized. The mobs till then were not armed with weapons or inflammable materials. With whatever that became handy, they manhandled Sikhs and burnt their vehicles. There were stray incidents of damaging houses or shops of Sikhs. From the morning of 1-11-84 the nature and intensity of the attacks changed. After about 10 a.m. on that day slogans like “Khoon-Ka-Badla-Khoon Se Lenge” were raised by the mobs. Rumours were circulated which had the effect of inciting people against the Sikhs and prompt them to take revenge. There is evidence to show that at some places the mobs indulging in violent attacks had come in DTC buses or vehicles. They either came armed

with weapons and inflammable materials like kerosene, petrol and some white powder or were supplied with such materials soon after they were taken to the localities where the Sikhs were to be attacked. There is also evidence on record to show that on 31-10-84 either meetings were held or the persons who could organize attacks were contacted and were given instructions to kill Sikhs and loot their houses and shops. The attacks were made in a systematic manner and without much fear of the police; almost suggesting that they were assured that they would not be harmed while committing those acts and even thereafter. Male members of the Sikh community were taken out of their houses. They were beaten first and then burnt alive in a systematic manner. In some cases tyres were put around their necks and then they were set on fire by pouring kerosene or petrol over them. In some cases white inflammable powder was thrown on them which immediately caught fire thereafter. This was a common pattern which was followed by the big mobs which had played havoc in certain areas. The shops were identified, looted and then burnt. Thus what had initially started, as an angry outburst became an organized carnage. The cause for the events which had happened on 31-10-84 can be stated to be the spontaneous reaction and anger of the public because their popular leader and the Prime Minister of the Country was killed. The cause for the attacks on Sikhs from 1-11-84 had not remained the same. Taking advantage of the anger of the public, other forces had moved in to exploit the situation. Large number of affidavits indicate that local Congress(I) leaders and workers had either incited or helped the mobs in attacking the Sikhs. But for the backing and help of influential and resourceful persons, killing of Sikhs so swiftly and in large numbers could not have happened. In many places the riotous mobs consisted of outsiders, though there is evidence to show that in certain areas like, Sultanpuri, Yamunapuri where there are large clusters of jhuggis and jhopris, local persons were also seen in the mobs. Outsiders in large numbers could not have been brought by ordinary persons from the public. Bringing them from outside required an organized effort. Supplying them with weapons and inflammable material also required an organized effort. There is evidence to show that outsiders were shown the houses of the Sikhs. Obviously it would have been difficult for them to find out the houses and shops of Sikhs so quickly and easily. There is also evidence to show that in a systematic manner the Sikhs who were found to have collected either at Gurudwara or at some place

in their localities for collectively defending themselves were either persuaded or forced to go inside of their houses. There is enough material on record to show that at many places the Police had taken away their arms or other articles with which they could have defended themselves against the attacks by mobs. After they were persuaded to go inside their houses on assurances that they would be well protected, attacks on them had started. All this could not have happened if it was merely a spontaneous reaction of the angry public. The systematic manner in which the Sikhs were thus killed indicate that the attacks on them were organized. It appears that from 1-11-84 another 'cause of exploitation of the situation' had joined the initial 'cause of anger'. The exploitation of the situation was by the anti social elements. The poorer sections of society who are deprived of enjoyment of better things in life saw an opportunity of looting such things without the fear of being punished for the same. The criminals got an opportunity to show their might and increase their hold. The exploitation of the situation was also by the local political leaders for their political and personal gains like increasing the clout by showing their importance, popularity and hold over the masses. Lack of the fear of the Police force was also one of the causes for the happening of so many incidents within those 3 or 4 days. If the police had taken prompt and affective steps, very probably so many lives would not have been lost and so many properties would not have been looted, destroyed or burnt.

As the attacks on Sikhs appear to the Commission as organized, an attempt was made to see who were responsible for organizing the same. Some of the affidavits filed before the Commission generally state that the Congress leaders/workers were behind these riots. In Part III of this report, the Commission has referred to some of the incidents wherein some named Congress(I) leaders/workers had taken part. No other person or organization apart from anti social elements to some extent, is alleged to have taken part in those incidents. Smt. Indira Gandhi was a Congress(I) leader. The slogans which were raised during the riots also indicate that some of the persons who constituted the mobs were Congress(I) workers or sympathizers. It was suggested that Shri Rajiv Gandhi had told one of his officials that Sikhs should be taught a lesson. The Commission finds no substance in that allegation. The evidence in this behalf is very

vague. It is also not believable that Shri Rajiv Gandhi would have stated so to an official assuming that some conversation took place between him and that official. It does not become clear that in respect of which subject the conversation had taken place and in which context Shri Rajiv Gandhi is stated to have said “Yes we must teach them a lesson”. The evidence on the other hand suggest that Shri Rajiv Gandhi had showed much concern about what was happening in Delhi. He had issued an appeal for remaining calm and maintaining communal harmony. In view of the complaints received by him that people were not able to contact the police on telephone No. 100, he had immediately called some police officers and told them to take immediate action so that anyone who wanted to contact the police could do so. He had even visited the affected areas on the night of 1-11-84. There is absolutely no evidence suggesting that Shri Rajiv Gandhi or any other high ranking Congress(I) leader had suggested or organized attacks on Sikhs. Whatever acts were done, were done by the local Congress(I) leaders and workers, and they appear to have done so for their personal political reasons. They do not appear to have done so purely for personal reasons. If they were the acts of individuals only then the killing of Sikhs and looting of properties of Sikhs would not have been on such a large scale. Therefore, what those local leaders appear to have done is to take the help of their followers and supporters in inciting or committing those acts. However, for the reasons already stated earlier, the Commission is not in a position to recommend any action against them except to the extent indicated earlier while assessing the evidence against them.

As regards the role of police officers, the Commission examined voluminous evidence consisting of registers maintained at the Police Stations, movement charts of the Station House Officers and other policemen during the days of riots, the daily diaries and the First Information Reports. This exercise has consumed much time of the Commission. However, with the help of the parties and lawyers appearing before the Commission it was possible to examine this record closely. After close scrutiny of all these material, the Commission agrees with the findings recorded earlier by Justice Mishra Commission and by the Committees which had looked into their conduct. The Commission has nothing further to add and therefore, does not think it necessary to

burden this report by referring to the evidence and instances which go to show that either they were negligent in performance of their duties or that they had directly or indirectly helped the mobs in their violent attacks on the Sikhs. As appropriate actions were initiated against them, the Commission has thought it fit not to recommend any further action against them. However, the Commission would like to emphasise that as a result of not recording separate FIRs, not recording statements of witnesses as stated by them and not investigating the cases properly, it has now become difficult for the Commission to make any recommendation against many of the persons who have been named by the witnesses as the persons who had indulged in violent acts against them or their family members or had facilitated the same.

The Commission also agrees with the findings recorded by Justice Mishra Commission as regards the delay in calling the army. Therefore, in this respect also the Commission is not inclined to refer to all the evidence and record its own findings so as not to burden this report unnecessarily. The Commission also agrees with the recommendations made by Justice Mishra Commission for preventing happening of such events again. The Commission would however, like to recommend that such riots are kept under check and control and there should be an independent police force which is free from the political influence and which is well equipped to take immediate and effective action. It is also necessary and therefore, the Commission recommends that if riots takes place on a big scale and if the police is not able to register every offence separately at the time when they are reported, the Government should thereafter at the earliest take steps to see that all complaints are properly recorded and that they are investigated by independent Investigating Officers. Only if such an action is taken by the Government, people would feel that law is allowed to take its own course and the guilty would be punished properly. The Commission also recommends that the Government of India and the state Governments should see that all the affected persons throughout the country are paid adequate compensation on an uniform basis. It appears that in some states the High Courts have directed payment of higher compensation of Rs. 3,50,000/- for the loss of life to the dependents of persons killed and those states have paid the compensation accordingly. But in some states smaller amounts have been paid. It has

also been brought to the notice of the Commission that as a result thereof the dependents have been required to file writ petitions individually in High Courts to get such relief and those petitions have remained pending for a long time. The Commission therefore, recommends that the Government of India should take steps to see that all of them are paid compensation uniformly at an early date. The Commission also recommends by way of rehabilitation of badly affected families, that the Government should consider providing employment to one member of that family if that family has lost all its earning male members and it has no other sufficient means of livelihood.

In the end the Commission records its appreciation for the assistance rendered by Shri K.K.Sud, Additional Solicitor General, S/Shri H.S.Phoolka and S.S.Gandhi, Senior Advocates, to the Commission in conducting this inquiry. The Commission also records its appreciation for the assistance rendered by the staff.

(G. T. NANAVATI)
CHAIRMAN
JUSTICE NANAVATI COMMISSION OF INQUIRY
1984 ANTI-SIKH RIOTS

New Delhi
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