An Account of Fear & Impunity

Preliminary Fact-Finding Report on Communally-Targeted Violence in North-East Delhi, February 2020

By Youth for Human Rights Documentation

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Key findings

- ***Violent consequences of communal propaganda -*** The violence in North-East Delhi is not a standalone incident. It is the result of a series of communal propaganda which has instigated attacks on the Muslim community. This propaganda has been spread through provocative speeches at local as well as national level. The role of mainstream media has been critical in manufacturing bigotry and hatred against muslims. While the violence was at its peak from 23 February until 26 February, 2020 incidents of individual attacks have also taken place even after this period.
- ***Organised and targeted violence against muslims -*** There is compelling evidence suggesting the intentional and pre-planned targeting of the persons, property and religious places of worship, belonging to the Muslim community residing in the violence-affected areas. Victims have been asked their religion before they were attacked. Testimonials and first-hand evidence points towards Muslim-owned businesses, shops and mosques being looted or burnt down in the violence while adjacent Hindu-owned shops and temples were not touched.
- ***Violent threat to Muslim religious identity -*** The testimonies of the victims highlight the acts of violence committed by the perpetrators that include religious and bigoted slurs, abuses, slogans, attacks on the religious symbols and places of worship. The affected community looks at this incident not only as an attack on their lives and property but also on their religious beliefs and dignity. Eye-witness accounts have testified to mob chanting "*Jai Shree Ram*" (glory to Lord Ram) and "*Jai Siya Ram*". On the other hand the victims/survivors shared that they had to hide their religious identity to save themselves.
- ***Hate Crimes -*** The acts of violence committed by the Hindu right wing mob, Delhi Police and even certain sections of the Indian media were clearly motivated by bias and hate towards the Muslim community and thereby constitute as hate crimes under multiple sections of the Indian Penal Code.
- ***Lack of accountability -*** The fact that this particular attack lasted for more than 4 days in the national capital raises questions of accountability. The delay in prompt action has led to loss of life and sizable destruction that could have been avoided. As per the latest figures published in media reports as on March 5, 2020, 53 people have died and many more have been injured as a direct result of this violence which has also led to the destruction of 122 houses, 322 shops, 301 vehicles and 3 schools. 16 Masjids of the area have been attacked by the mob who even placed a saffron flag on top of one of them.
- ***Affected areas -*** Primary areas in North East Delhi impacted by the violence include Shiv Vihar, Mustafabad (including Bhagirathi Vihar and Brijpuri), Chand Bagh, Maujpur, Gokulpuri, Kardampuri, Noor-e-Ilahi, Khajuri Khas and Bhajanpura. Out of these Shiv Vihar, Maujpur-Babarpur, Chand Bagh and Jaffrabad are mixed population areas, with lanes which are hindu dominated, that left muslims isolated and vulnerable. All these areas are marked by poor socio-economic indicators. The area also has a large population of migrant, daily wage workers from UP, Bihar & West Bengal.
- ***The 'Blood Drain', a perfect cover -*** An open drain that runs across most of the affected area has been used by the perpetrators to dump the bodies, and severed body

parts . While many bodies have already been retrieved from this drain, the community suspects many more will be retrieved when this drain is dredged.

- ***Impunity of the perpetrators -*** The perpetrators have carried out their actions with a significant amount of impunity and have continued to enjoy the same. The Fact finding team heard gruesome accounts of many people being shot by firearms, stabbed with knives & swords, body cut into pieces and dumped in the drain and people being burnt alive in the fire. Media reports have carried chilling confessions of self proclaimed 'rioters'. The community blames the lackadaisical attitude of the criminal justice system and indifference of the Indian society at large for such a situation.
- ***Uncertainty over disappearances -*** As bodies are still being recovered, many Muslims of the violence hit localities remain missing since 23rd February, including young children. Some families were only able to locate their relatives when searching through hospital wards and the morgue. Others have still received no news and have also faced difficulties in lodging a missing persons complaint due to fear and lack of cooperation from the police.
- ***Gendered violence -*** The Team heard many accounts of rape and sexual violence reported by the community. An eyewitness account of a mob tearing clothes of children and girls and later throwing them in the fire was also shared. Sexual violence has historically remained under reported in incidences of communal and mass violence.
- ***Partisan Role of the Delhi Police -*** The testimonies of multiple victims point towards the partisan role played by the Delhi Police during the violence. The allegations include *inter alia* omission in fulfilling their constitutional duties of maintaining law and order, facilitation and collusion with the Hindu right wing mob, active participation in assault, murder and arson and destruction of religious places of worship. The police has also been directly and indirectly threatening the families of those killed in the violence, the injured, eye-witnesses and members of civil society organisations through arbitrary arrests, shielding of actual perpetrators especially in Hindu dominated areas and making worst affected areas inaccessible to media, muslim community members and other civil society stakeholders, which points towards an attempt to destroy evidence.
- ***Arbitrary arrests & detentions -*** As per media reports published on 5 March, the police have claimed to have registered 654 cases related to the violence and 1820 people have been either arrested or detained. While it is difficult to verify this claim, people in the community state that the arbitrary arrests of their people has begun. There is a sense of fear in the community that the cases registered by the police will be used against the ones who have suffered. The community fears that the system is biased against them.
- ***Complicity of the Criminal Justice System -*** The impacted community has expressed shock and angst towards the unprecedented complicity of the criminal justice system specifically that of the police. The news of transfer of a 'good' High Court judge along with slowed down hearing and investigation processes have further contributed to intensifying the feeling of distrust in all systems of justice and grievance redressal mechanisms.
- ***Government inaction in relief & rescue work -*** In spite of extreme levels of despair and helplessness the community managed to spearhead relief and rescue work on their own without depending on government or civil society. The major part of rescue and relief work is still being managed by people from the community. Even though the Delhi Government has announced many relief measures; their impact is not visible on the ground yet. There is a sense of frustration in the affected community due to lack of prompt action from the state.

- **Role of Medical Institutions -** Violence affected individuals were largely brought to GTB,LNJP and Al-Hind hospital. Stories of neglect and bias have emerged along with inordinate delay in conducting post mortem and providing requisite documents to the family of the deceased. Victims/survivors have struggled with covering the cost of their medical expenses even after the Delhi Government had announced free medical treatment.
- ***Displacement & further ghettoisation of muslims -*** In the wake of communalized targeting of their homes and businesses, Muslims have begun leaving the violence struck localities leading to displacement and potential ghettoisation of violence inflicted community. Many Muslim families have been rendered homeless and have lost their personal belongings and furniture.
- ***Fear, angst and trauma*** - The Community has been largely relying on their own kin and acquaintances while being suspicious of any external help owing to their complete disillusionment with their neighbours and Hindu community at large. The Team encountered visible signs of shock, disbelief and trauma in the victim/survivor community members including incessant crying, blank demeanours and loss of appetite. Children were eyewitnesses to brutal violence and seem to have internalized the violence that they witnessed. The Team has had shocking encounters with children who showed them disturbing videos of the attack and also spoke in great detail about the violence.

1. Introduction

As the Union Government refused[1] to roll back the Citizenship Amendment Act 2019 (CAA) or their plans to implement the National Population Register (NPR)-National Register of Citizens (NRC) procedures, despite the large scale protests across the country, the spirit of peaceful resistance which was sparked in December 2019 continued with the new year. These protests have been questioning the constitutionality of the CAA that is claimed to provide citizenship based on religious identity and specifically endangers Muslims to be rendered stateless. The multiple incidences of police repression and mob violence against the protestors in New Delhi in the month of December did not deter the concerned citizens from expressing their fundamental freedom to protest, guaranteed in Part III of the Indian Constitution.

In the last week of February 2020 Delhi witnessed targeted and organised violence against Muslims, led by mobs of ultra nationalist Hindu mob,[2] who could be identified with their chants of "*Jai Shri Ram*" ("glory to Lord Rama") and "*Hinduon ka Hindustan*" (India for Hindus). The violence which engulfed the north eastern part of New Delhi led to the death of around 53 people[3], mostly Muslims and more than 200 people injured[4]. Many mosques were burnt and destroyed and Muslim houses and shops looted and gutted in fire. This targeted violence against the Muslim community, is being seen by many as a continuation of the trend seen in Delhi to suppress the voice of the Muslim community protesting against a discriminatory law.

1.1 The Protest

The new year saw the emergence of women led protest gatherings with peaceful displays of assertion for cultural plurality with intent to deepen the structures of democracy with demands for inclusive policies and repeal of controversial law and rollback of NPR Process[5]. The night of 15 January 2020 saw the commencement of a 24x7 sit-in protest by the women of Jaffrabad-Seelampur. Starting from 7pm in the evening, women of all ages sat on the Jaffrabad-Seelampur main road near Altaj Dawakhana with candles, placards and banners, while men stood on the sidelines in solidarity. There was a heavy presence of police throughout the evening until the next morning with attempts to disperse the protestors.[6] Earlier on 18 December 2020 a huge protest march held from Seelampur to Jaffrabad comprising around 10,000 people, had turned allegedly 'violent' resulting in clashes with the

[1] https://www.deccanherald.com/national/national-politics/come-what-may-no-rollback-of-caa-union-home-minister-amit-shah-796695.html

[2] Please refer to the Section on Methodology for the reasons behind using this term.

[3] https://www.ndtv.com/india-news/number-of-deaths-in-last-weeks-delhi-violence-rises-to-53-2190587

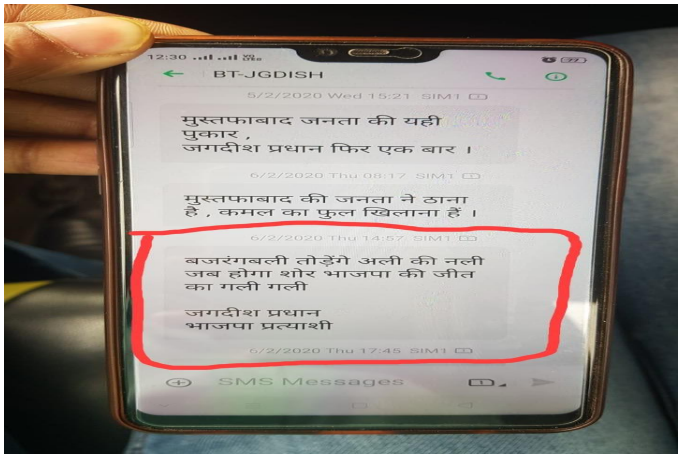
[4] This is a conservative estimate, some media reports claim the number of injured to be more than 500 people.

[5] Taking inspiration from the Shaheen Bagh and Jamia Milia 24x7 sit-in protests led by women, several areas in Delhi organised their own protest gatherings such as in Wazirabad, Khajuri Khas, Chandbagh, Old Mustafabad, Kardam Puri, Turkman Gate, Khureji, Jafrabad-Seelampur, Beri Wala Bagh, Lal Bagh (Ashok Vihar), Ghonda Chowk, Majboor Nagar and Sunder Nagri. These areas are part of North East Delhi and Shahdara districts of Delhi.# In addition, 24x7 sit-in protests are also being organised in Inderlok (North West Delhi district), Hauz Rani, Nizamuddin (South Delhi district) and Sadar Bazar (North Delhi district).

[6] https://www.news18.com/news/buzz/a-month-after-seelampur-jaffrabad-violence-women-claim-the-streets-to-protest-against-caa-2460039.html

police, which saw a police station in Jafrabad being burnt along with two buses. While mainstream television news channels, showed an outnumbered police using tear gas shells and lathi-charge to quell unruly protesters, other news reports carried eyewitness accounts as well as alleged videos of police officers using undue and indiscriminate force against locals.

1.2 Communal Politics in Delhi Assembly Election:



In the run up to the elections for the Delhi State Government, political parties gave the protests a communal color, through which an anti-minority sentiment was spread specially in the North Eastern part of Delhi where a number of sit-in protests had begun. Many provocative and inflammatory speeches were made by leaders of the Bharatiya Janta Party (BJP) – the ruling party in the central government. (See box below). This communal propaganda widely reported by TV news channels, reached its peak in the first week of February, 2020 just before the state elections which was scheduled for February 8, 2020. One such example of communal message spread in the community was shown to the Team by a resident of Mustafabad. (See picture). The Message sent on February 6, 2020 states - "*Bajrang Bali todenge Ali ki naali, Jab hoga shor bhajpa ki jeet ka gaali, gaali - Jagdish Pradhan, Bhajpa Pratyashi".* However, this is not a new phenomenon as the country in the past two decades has seen a rise of communal propoganda and violence during the run up to the central or state elections.

It is interesting to note that out of the seven seats that the BJP won in the Delhi election, five seats fall in the northeast region of the city – the epicentre of the present communal violence, across the Yamuna river. Many observers therefore feel that there is a direct correlation between the BJP's victory and the communal violence in the area. The map given below, published in *National Herald,* tries to establish this relation. The saffron points in the map of Delhi depict the seats the BJP won the election from and the black dots in the adjacent map show areas worst hit by the communal violence.[7]

[7] https://www.nationalheraldindia.com/india/the-map-shows-riots-broke-out-in-areas-where-bjp-won-in-delhi-assembly-elections

Source – National Herald

1.3 History of provocations by BJP leaders:[8]

Kapil Mishra:

BJP Leader Kapil Mishra is known for his hardline views against anti-CAA protests that he has often expressed through his tweets.

In December last year, he took out a march in Delhi in support of the Citizenship Amendment Act. A video of him from the march surfaced on social media in which he can be heard shouting the inflammatory slogan — "***desh ke gaddaro ko...***"

In the run up to Delhi assembly elections in January, Mishra posted a communal tweet. "***Pakistan has entered Shaheen Bagh. Mini-Pakistans are being created in the city. The law of the land is not being followed in Shaheen Bagh, Chand Bagh and Indralok. Pakistani rioters are occupying Delhi roads,***" Mishra wrote on Twitter.

In his most recent tweet, which was posted on 26 January 2020, Mishra shared a video saying, ***"Jaffrabad has been vacated, there won't be another Shaheen Bagh."***

Anurag Thakur:

On 21 January 2020, during the campaign for Delhi elections, Union Minister Anurag Thakur encouraged those at a BJP rally to say "***desh ke gaddaron ko, goli maaron saalon ko*** (shoot the *** traitors of the nation)". After Anurag Thakur's statement, at least three incidents of firing in Delhi were reported in the next four days near Jamia Millia Islamia and Shaheen Bagh. After his remarks, the Election Commission banned him from campaigning for 72 hours.

Parvesh Verma:

On 28 January 2020, in the run up to Delhi elections, BJP MP Parvesh Verma said that the protesters at Shaheen Bagh "will enter your homes and rape your daughters and sisters."

"***Lakhs of people gather there (Shaheen Bagh). People of Delhi will have to think and take a***

[8] Source: https://www.outlookindia.com/website/story/india-news-delhi-hc-orders-fir-against-3-bjp-leaders-for-hate-speeches-here-is-what-they-said/347904

decision. They'll enter your houses, rape your sisters and daughters, and kill them. There's time today, Modi ji and Amit Shah won't come to save you tomorrow..." he said.

"***If the BJP forms government on February 11, not a single person will be found at (the protest site) Shaheen Bagh***" he said.

Verma had also promised to demolish mosques that were built on government land in his constituency if the BJP came to power in Delhi.

DV Sadananda Gowda:

Union Minister of Chemicals and Fertilizers DV Sadananda Gowda on 23 February 2020 said that several "anti-national organisations" were misusing the platform of anti-CAA protests.

"**We have taken serious note of it and have started an investigation. Several anti-national organisations are misusing the platform of anti-CAA protests and many people are trying to take political advantage of this situation**."

1.4 Immediate trigger for the Violence

Late in the night of 22 February 2020, a sit-in protest began at Jaffrabad metro station and another at Kardampuri near Maujpur Chowk to protest against the CAA, NPR and NRC. While the Jaffrabad protest blocked Maujpur Road (road No. 66 which connects Seelampur to Maujpur and Yamuna Vihar), the Kardampuri protesters sat by a bridge running parallel to the road.

Kapil Mishra:

On 23 February 2020, BJP leader Kapil Mishra gave a call on social media to his supporters and subsequently took out a rally in Maujpur (less than a kilometer away from Jaffrabad). He warned of chaos if the Delhi Police failed to clear the road of protesters within three days from Jaffrabad and Chand Bagh (located within 5 km from Jaffrabad). Kapil Mishra is reported to have stated that, ***"They want to cut off 35 lakh people by blocking the roads. Is this the way to protest against anything? We will not allow the area to be turned into Shaheen Bagh."***

Thus, while Kardampuri and Jaffrabad on either side protested against the law, Maujpur Chowk in the middle was occupied by its supporters. Clashes erupted between the two sides as protestors started throwing stones at each other around 6pm in the evening near the Maujpur-Babarpur Metro Station, which is equidistant from the two sites of protest.

1.5 Organised and not spontaneous

Testimonies gathered during the fact-finding and media accounts of injured and eyewitnesses to the violence indicate planned mobilization of mobs geared to inflict violence and evidence of large number of arms, ammunitions and bricks used by the aggressors. These all point towards this episode of violence being a pre-planned, organised attack against the Muslim community.

Pre-planned mobilisation of mob

As per media accounts on February 23,2020, false rumours of a 'Muslim uprising' spread across rightwing Hindu social media, alleging dozens of mosques in Delhi had announced over loudspeakers that they would throw all Hindus out of Delhi and that the police had arrested 32 imams. It prompted many outside Delhi to comment that they would come out to "teach our Muslim brothers a lesson". Soon after, residents in Mustafabad, an area right on the edge of Delhi badly affected during the violence, reported seeing Hindu youths armed with machetes, metal rods and wooden sticks coming in trucks from the neighbouring states of Uttar Pradesh and Haryana.

The Chairman of the Delhi Minority Commission, following a visit to the affected areas, has also alleged that nearly 1,500 to 2,000 outsiders were brought to north-east Delhi and lodged for nearly 24 hours in schools under a planned conspiracy to unleash violence in the neighbourhoods.[9]

One of the media houses, which claims to have spoken to a few people who admitted to their active participation in arson and vandalism, reported how the violence was engineered and executed with pre-planning behind it. These conversations have also suggested that the communal violence was not spontaneous and "once the violence began, the chain of events was organised, strategised, and soon support began pouring in, in terms of mobilisation of people, arms and ammunition and even brain washing those who had never participated in any such violence earlier. Local factors and dominance of a particular community and the political patronage they enjoyed also played an important role". An excerpt from the conversation is reproduced below[10]:

> "*Initially, we mobilised people ourselves, holding small meetings to persuade people to hit the streets. We explained how Muslims' reign of terror has ceased to be effective. Later, when the clashes began, we got help from several Hindu groups who came to our colonies, held several meetings and strategised everything. We also got help from their members. They stationed us at strategic locations to ensure maximum damage (mentally, emotionally, physically and economically) was inflicted upon Muslims. The same groups arranged arms and ammunition. Our work was made easier by local criminal gangs who settled scores with the rival Muslim criminal gangs. Some Gujjars living in and around the city also played an important role. In fact, they are the ones who were deployed to use fire-arms."*

Procurement of arms and ammunition for targeted violence

Another indicator of this violence being organised and pre-planned are the weapons used for inflicting violence and that the procurement of such materials could have happened only prior to the violence which points to the fact that the miscreants were plotting a strike for some time. Large numbers of people have been reported to be injured with gun shot wounds, indicative of the use of a large number of firearms. Newspaper reports have claimed that the police and the Rapid Action Force (RAF) found petrol bombs, acid pouches, improvised

9 https://thewire.in/communalism/delhi-riots-outsiders-minorities-chief
10 https://www.newsclick.in/Delhi-Riots-Spontaneous-Crudely-Designed

catapults - mobile as well as those fixed on rooftops - that were used to hit long distances exposing homes and shops in the neighbourhood. The other striking element about the violence is the large amount of bricks used, which the police also claimed cannot be around for a spontaneous 'riot', but must have been collected over a period of time. As per media reports, the stone pelting was so heavy in Shiv Vihar that the municipal corporation had to press into service several earthmovers to lift and remove the stones. A municipal worker said more than 20 truckloads of bricks, stones and other construction materials have been moved from the area.[11] The fact finding team is also in possession of videos which show large stones collected in a huge heap at a protest site where slogans in favor of PM Narendra Modi are being chanted. In one of the videos, a truck can be seen leaving the site of the protest, possibly after unloading the heap of stones visible in the video. The video, however, needs to be independently verified.

Evidence of religiously-targeted violence

There is compelling evidence suggesting the intentional and pre-planned targeting of the persons and property belonging to the Muslim community residing in the violence-affected areas. Victims have been asked their religion before they were attacked. Even journalists who appeared to be Hindu were asked by the mob to not cover the attacks because as Hindus they should be siding with the mob. Testimonials and first-hand evidence points towards Muslim-owned businesses and shops being looted or burnt down in the violence while adjacent Hindu-owned shops were not touched. Women from the muslim community who the fact finding team met, claimed that all Muslim shops in Dayalpur from Kartam Nagar to Sherpur Chowk have been looted. A welding shop had Rs 50 Lakh worth of raw material that had been stolen. A Muslim-owned jewelry shop was looted while the adjoining Hindu-owned shop was left untouched. Mosques were vandalized and destroyed whereas no temples were destroyed. Media houses have also published accounts of people who identified themselves as the perpetrators of this violence. Statements by the perpetrator, such as the one highlighted below, clearly indicate the intent of targeting muslims behind the attack.

> "*Yeh bahut zaroori tha, agar aisa nahin hota to musalman har sadak pe baith jaate* (it was extremely necessary; had it not happened, Muslims would have occupied all roads)," a self-proclaimed rioter in Maujpur told *Newsclick.*[12]

While Hindus, too, have been attacked and their houses burnt, this has led some to journalists and politicians portraying the events in Delhi as general lawlessness, and in some instances primarily as Muslim-initiated violence. The word 'riot' has been popularly used to describe the events that unfolded.[13] While in its original meaning, a riot describes violent public disorder involving a group or crowd, to the Indian ear, the words 'communal riot' tends to suggest a more or less spontaneous, and a more or less equally matched, clash between two groups. This term erases the role of the State in enabling such violence to occur, and the role of political groups in inciting the violence and manufacturing tension between

[11] https://www.indiatoday.in/india/story/were-delhi-riots-pre-planned-police-point-to-evidence-tumbling-now-1650914-2020-02-28

[12] https://www.newindianexpress.com/cities/delhi/2020/mar/03/delhi-riots-peace-panel-to-tackle-hate-speech-violence-rumours-in-city-2111351.html

[13] https://www.theguardian.com/commentisfree/2020/mar/01/violence-in-delhi-is-not-a-riot-it-is-targeted-anti-muslim-brutality

religious communities.[14] Perhaps, the term 'Pogrom' or 'mass violence' better signifies the extent and nature of violence that took place in Delhi. As the full picture of the events that took place on those fateful days still emerges, an unbiased and independent investigation is required to ascertain the full impact of the violence.

Definition of a Pogrom:
A pogrom[15] on the other hand refers to large-scale destruction of a particular minority as state authorities look on, if not encourage it. Ashutosh Varshney, Professor of Political Science, Brown University and author of the highly-acclaimed book '*Ethnic Conflict and Civic Life: Hindus and Muslims in India*', explains that pogroms require:

1. the state looking on while the target group is attacked
2. the state ideologically condoning violence.

It is defined as "a mob attack, either approved or condoned by authorities, against the persons and property of a religious, racial, or national minority". These acts are not spontaneous and state authorities look on as they are committed, if not actively encourage them. Perpetrators also usually harbour bloodthirst and vengeance. The goal is to not only destroy the target group but their material values too.[16]

Further, what is being presented in the media, as the Muslims in Delhi also responding with violence, the Muslim community describes as actions done in self-defence. Private defence in the Indian Criminal Law is enumerated in Sections 96 to 106 of the Indian Penal Code, with certain limitations such as infliction of proportional and necessary harm. The Apex Court of India has through its judgments explained that the right to private defence arises only if there is no time to have recourse to the protection of the public authorities, and death can be caused only if the person exercising the right of self-defence is under "reasonable apprehension of death, or grievous hurt, to himself or to those whom he is protecting". The Apex court has also observed that the right of private defence extends not only to "the defence of one's own body against any offence affecting the human body but also to defend the body of any other person. The right also embraces the protection of property, whether one's own or another person's, against certain specified offences, namely, theft, robbery, mischief and criminal trespass".[17]

2. Methodology

In the face of ongoing violence, the fact-finding team (henceforth referred to as the "*Team*") comprising human rights professionals and lawyers decided to collect facts and evidence from the ground as well as other resources so as to assess the situation in the violence affected areas.

[14] On Their Watch, Mass violence and State apathy in India - Examining the record, Three Essays Collective.
[15] The word pogrom comes from the early 20th century Russian word 'gromit', that literally translates as 'devastation'.
[16] https://theprint.in/theprint-essential/pogrom-genocide-ethnic-cleansing-what-these-mean-and-how-they-differ-from-each-other/372680/
[17] https://www.thehindu.com/news/national/right-to-self-defence-extends-to-protection-of-another-persons-life-and-property-says-supreme-court/article26581910.ece

2.1 Location

The fact-finding commenced on 26th February, when the Team visited the GTB hospital where many of the injured and the dead from the violence affected regions were brought. The Team then visited the violence-affected area of Mustafabad and met victims/survivors from Shiv Vihar and Mustafabad area.

2.2 Sources of Data

The Team gathered first hand testimonies of violence struck individuals as well as other stakeholders including relief volunteers, members of civil society organizations, legal representatives, health rights activists, media and the local politicians and leaders. Such testimonies in the report are based on community narratives, eye witness accounts and survivor testimonies which the team wishes to highlight.. The Report that comprises both primary and secondary data is an attempt to provide a holistic picture of pre- and post-violence scenarios of the Delhi violence while highlighting the role of various stakeholders in abetting or stopping the same. The team particularly sought the help of young individuals from the community who have been involved in the relief and rescue work in order to meet the affected families without being intrusive in such traumatic times. Through them, the videos and pictures circulated among the community related to the recent violence have also been accessed. Names of the testimony providers have been consciously omitted or changed so as to protect their identities.

The facts of the Report require a robust, foolproof investigation by a high-level Inquiry Team which can then be used by the community without the fear of reprisal. The purpose of the report is to serve as a preliminary report that can pave the way for more detailed inquiries.

3. Intensity of the problem - A *'small aberration'*?

The number of deaths in situations of communal violence have often been used to ascertain the magnitude of violence, but in this particular episode of carnage, it is nearly impossible to know the exact number of deaths. Muslim ghettos mourn every day in shock and despair with more dead bodies being recovered from drains every day. It was therefore shocking when on 26 February 2020 the National Human Rights Commission chairman called the violence that shook the heart of the country and killed more than 53 people, a 'small aberration'. He stated:

> "*See, this is an aberration… you can't call it a movement where people hate each other… some small aberrations will be there in a democratic country, there will be dissent. There will be pro- there will be those anti-, but for that violence is not the answer. People should sit together and peacefully sort out their problems. Now if the commission comes to know that there are any violations of human rights, either by police or by state, then we will take precautionary measures and also seek appropriate enquiry."*[18]

Two days later the Commission changed its stand and found it a "*conducive*" and "*right time*"

[18] https://www.news18.com/news/india/after-21-deaths-human-rights-panel-chief-says-delhi-violence-an-aberration-not-communal-2516417.html

to intervene and ordered a fact-finding inquiry.[19]

While mainstream media narratives have construed the episodes of violence as a spontaneous communal riot with equal participation of both the communities, the evidence reveals a completely different picture. The magnitude and horrendous brutality of violence evident from just cursory glances make this one of the most brutal episodes of violence that the country has witnessed since 2002. The facts make it evident that this was a well-planned and organised attack on the minority religious community by non-state supremacist nationalist political actors in collusion with state actors in general and law enforcement agencies in particular.

The full scale of violence is difficult to assess due to various factors of time, resources, access and high deployment of forces. Moreover, the magnitude of violence in itself is so immense that it would be a nightmare for anyone to comprehensively or tangibly measure the damage and destruction it has caused to the lives of individuals and communities, to their religious freedom, properties, religious places of worship, shops, livelihoods, mental and physical health, and most unfortunately, their trust in the majority community and in state institutions for security, justice and grievance redressal. This part of the report makes an attempt to understand the intensity and magnitude of violence.

The first part of this section will look at some of the worst affected regions which will give an idea of the magnitude of violence and intensity of the brutality inflicted on religious minority communities. The second part will look at the nature of violence and its consequences, evident through a glance at the number of deaths, injuries, destruction of property etc.

Part A – Worst Affected Regions: A Glimpse into Horror!

The fact-finding team made an assessment of some of the worst affected areas based on testimonies of eyewitnesses, the remains of the destruction observed by various relief team volunteers, and reports available in the media.

a) Shiv Vihar - A ‘Ghost Town’

In the media narrative Shiv Vihar is reported to have been worse affected by the violence. It has also been reported as a ‘Ghost-Town’.

[19] https://www.business-standard.com/article/pti-stories/nhrc-deputs-fact-finding-teams-to-probe-violence-in-northeast-delhi-120030100007_1.html

Ghost Town

"What used to be the bustling colony of northeast Delhi's Shiv Vihar is now virtually a ghost town," reads the opening statement by a media report (http://bit.ly/NDTVGhostTown) on the violence inflicted on Muslim residents of Shiv Vihar. While this neighbourhood has mostly remained cordoned off since the attacks took place, the individual stories being told to community activists, lawyers and media personnel, recount horror and destitution. It is being estimated that the Muslim inhabitants of Shiv Vihar have endured the worst impact of the violence meted out by the Hindu mobs. Burnt shops, homes, destroyed livelihood opportunities are visible signs of the destruction caused. There are several people who still remain missing and the number of dead are still in counting.

b) Brijpuri Pulia and the 'Blood Drain'

The fact-finding team heard some of the most horrific narratives of violence from Brijpuri Pulia, a small bridge over a huge drain from which the largest number of dead corpses have been recovered. This drain has been referred to in the media as the 'Blood Drain'.

Blood Drain

The Gopalpur drain stretching across the violence-affected neighbourhoods including Shiv Vihar is anxiously being reckoned as the 'Blood Drain' storing dead bodies or chopped up body parts of those murdered by the frenzied mob. Murdered bodies have surfaced in blackened drain water which have caused further dread in the communities living around (http://bit.ly/BloodDrainDelhi). Unsurprisingly, the government's response to this has been an inefficient and sluggish interest in recovering the bodies and providing assurance to the people. However, the scale of violence has terrified the people in these communities, especially Muslims who have been at the receiving end.

c) Terrified Ghettos

Maujpur-Babarpur, chand bagh, Jaffrabad are mixed population areas, with lanes which are hindu dominated. Noor-e-Ilahi and Mustafabad are Muslim ghettos where stories of horror and violence continue to echo even after a week of the violence unfolding along with continuing rumours of a second round of attacks.

Most of the violence-affected destruction can be seen in regions dominated by houses, businesses, residences, and places of worship all belonging to Muslims which clearly reveals the aggressors were from the majority community who made targeted attacks on the life, property, and religious institutions of the Muslim community.

A. The following are some of the areas which show evidence of the maximum amount of destruction caused by violence

S.No	**Regions with evidence of maximum violence**	**Destroyed remains**
1	Brijpuri Pulia to Chand Bagh Gali no.2	Mosques and religious places, few houses of Muslims

2	Brijpuri Pulia to Old Mustafabad Gali no.1	Shops of Muslims
3	Jaffrabad to Noor-e-Ilahi Approach Road	Shops of Muslims
4	Noor-e-Ilahi Gali no.15-18	Shops and religious places of Muslims
5	Approach Road	Shops, Madrasa and schools of Muslims
6	Kardampuri Pulia	Shops of Muslims
7	Shiv Vihar	Houses, Mosques and religious place of worship of Muslims
8	Lal Bagh	Unexplored, under curfew until 2nd March

d) The unexplored territory

If testimonies of the community are to be trusted, the regions which are still under curfew and experiencing tensions are the areas which have seen maximum violence. Muslim community members as well as journalists who have tried entering some of these areas suspect it is not co-incidental that tension and violence continue in spite of massive deployment of law enforcement agencies. The community also suspects that the reason for high deployment of forces is not for controlling violence but to ensure that the truth does not come out until the cover up process is complete. Reports from the media also suggest that journalists, lawyers, and other concerned citizens have made several attempts to enter the worst affected pockets of Shiv Vihar and have been discouraged by law enforcement agencies, and attacked by Hindu miscreants of the locality in order to cover up the issues and ensure the intensity of violence doesn't come out in public discourse.

Testimonies from the worst affected regions

Name of victim: Razia **Date of incident: 26 February** **Place: Shiv Vihar**
Razia has been a resident of Shiv Vihar since 1988. She was sitting with the other women in a tent at the EEidgah when we met her on 1st March. During the attack, she was hiding in her house with her family members while the mob wreaked havoc in her locality. "We had to crawl even to go to the toilet" she cried. The mob started torching houses late Tuesday night and none of her Hindu neighbours came to her rescue. She was saved by the army eventually. She had not been able to eat for the last 4 days because of the horrific sights she had witnessed. "*Bohut ladkiyon ke sath badtamizi hote hue dekhi maine*", she said referring to the sexual violence that she had witnessed. She saw the mob tearing the clothes of a girl

and then throwing her into the fire.

Her husband has been mentally unstable since they have been rescued.

She recalls that a survey was done in Shiv Vihar around a month ago and their house numbers were painted at that time. She suspects that it had something to do with the attack on only Muslim houses.

Name of victim: Sultana
Date of incident: 25 February
Place: Shiv Vihar

Sultana's house was at the junction where violence in Shiv Vihar began. She requested the police with folded hands to intervene and save the locality but the police did not pay heed to her requests and were instead waving at the rioters. "The mob destroyed our Masjids, disrespected our Quran and our dignity." She claimed that 3 cylinders are still in the Masjid (mosque) that was burnt by the mob.

Name of victim: Rihana
Date of incident: 25 February
Place: Shiv Vihar

"We were cooking when the mob chanting "*Jai Siya Ram* and *Har Har Mahadev*" entered my lane. I had to jump from the terrace to save myself. My house was the only Muslim house in the entire lane and could have been saved by the neighbours had they wished to help." She had a shop of summer sewer equipment that has been looted.

"The mob forced us to chant "*Jai Shree Ram*". One of her daughters has been running a fever since they were rescued, so she asked her other daughter who was about 5 years old to narrate the incidents of violence that she had witnessed. The child did not manage to narrate anything, but her brother, about 14 years old, exclaimed that the mob broke the door of their house with a big iron rod that has left a giant hole. He further stated that he saw the mob carry hammers, swords and drills. The women interjected that the crowd had come well prepared.

She is worried about her son who has missed his class 9 examinations because of the violence. While escaping he even broke the only pair of spectacles he had and now is unable to see clearly. She asked if the government will help him pass his exams.

Name of victim: Tarannum
Date of incident: 25 February
Place: Shiv Vihar

Tarannum only escaped because she had run away from her house before the mob reached it. She heard the mob chanting "*Shiv Vihar jayenge, burqe wali layenge*". 9

motorbikes that stood near her house were burnt by the mob.

She described, ”Before the violence started, I prayed for my children’s admission in Shiv Vihar so they can go to a nearby school. Yesterday, I found out that they have been admitted. But I cannot send them there now!” Her children had been given admission in a private school of Shiv Vihar under the EWS category, but now she was more than apprehensive about sending them there, hoping that they would be transferred to another school in Mustafabad.

Name of victim: Alia
Date of incident: 26 February
Place: Shiv Vihar

Alia had already started working again and met us at her place of work. She said, “Our Hindu neighbours hid us in their house when the mob entered our lane. They helped us escape to Chand Bagh. My brother is still hiding on the terrace of our house to ensure that our house is not looted.” When we asked her if she was worried about her brother, she said that he insists on staying and no one except their trusted neighbours know that he is there. Her brother had met her on 2nd March to give her the scooter and found petrol bombs on his terrace when he returned back to the house.

Part B – The Nature of the Violence

3.1 Deaths

Although the official number of reported deaths is 53 as on March 5, it's too early to make an estimate. The rescue operation is very slow and still ongoing.[20]

> *“The number of deaths is not less than 100. There are so many families still looking for their missing relatives, there are so many bodies yet to be recovered from the drain and there are areas in Shiv Vihar where much more devastation will be uncovered. It’s likely that you might not find all the bodies as some of it might decompose in drain and you know many bodies have been cut into pieces... Also people have not been able to report in police, media or authority because of fear, shock, distrust and disillusionment” said Zaheer* (name changed), a community volunteer working tirelessly in rescue work. A similar narrative was re-iterated by almost all respondents when questions regarding the number of deaths were asked.

At the time of writing this report, newspapers have reported 53 deaths in total and 49 confirmed deaths where the families of the victims have been able to identify the bodies of the kin. These deaths include Ankit Sharma, an Intelligence Bureau Officer and Ratan Lal, a constable in the Delhi Police.[21] *Firstpost* a media outlet has published a list of 49 people,

[20] https://www.ndtv.com/india-news/number-of-deaths-in-last-weeks-delhi-violence-rises-to-53-2190587
[21] https://www.firstpost.com/india/high-cost-of-riots-in-northeast-delhi-list-of-49-people-who-died-during-three-days-of-violence-8108751.html

with their names, gender and age, who have lost their lives in the violence.[22] This list has been reproduced in ***Annexure I***.

An analysis of the list shows that out of the 49 people killed in the violence, 47 are men. Of the 2 women killed, one has been identified as Akbari (85 years) and an unidentified body of a 70 year old female. Out of the 48 bodies that have been identified by families, there were 34 Muslims and 14 Hindus killed in the violence. Most of the people killed are young men between the ages of 20-40 years. There are also 3 minors who have been killed - Nitin Pasawan (15 years), Amaan (17 years) and Hashim (17 years), and 3 senior citizens, above the age of 60 years - Akbari (85 years), Ayub Shabbir (60 years) and the unidentified body of the 70 year old woman.

Ongoing retrieval of dead bodies

It is further reported that four decomposed, unidentified bodies as well as a limb and a head remain in the hospitals, with officials looking at next steps to help establish their identities. Of these, four were taken out of drains on 1st March 2020 — three from Gokulpuri and one from Karawal Nagar. A fifth body was found in a drain in Gokulpuri on 2nd March 2020. While the bodies have been taken to the mortuary at Ram Manohar Lohia hospital, Guru Teg Bahadur (GTB) hospital has sent the body parts for DNA testing. Reports further stated that the family of Anwar Qassar (58 years) is awaiting the result of a DNA test to ascertain that a left leg, the only unburnt part of a body, belongs to him.[23]

Large number of deaths due to gunshot injuries

As on 29 February 2020, the Delhi Police have claimed that out of 35 persons who have succumbed to the injuries inflicted on them during the violence, 13 persons have died due to gunshot injuries and 22 persons have died due to severe injuries. **One out of every three deaths have been reported to be from gunshot injury.** The actual numbers might be higher and it's again too early to know the details with regard to gunshot injuries.

None of the families have received post-mortem reports. Only after the family members have access to postmortem reports can one ascertain whether the gunshots were fired by state or non-state actors.

Those who died due to gunshot injury were Amaan (18), Dinesh (35), Head Constable Ratan Lal (42), Istayak (24), Mohammad Mubarak Hussain (28), Mohammad Mudassar (30), Pravesh (48), Rahul Solanki (26), Shahid, Vir Bhan (50), Mohammad Furkan (30), Shad Mohammad (35).[24] The number of people killed due to gunshot injuries has increased since 29 February, but the exact numbers are not available.

Deaths due to physical assault

Those who died of physical assault or stone-pelting were Alok Tiwari (32 - died due to physical assault), Mohseen (25 - physical assault), Salman (24 - stone-pelting), Intelligence Bureau staffer Ankit Sharma (26 - physical assault), Asfaq Hussain (physical assault), Dilbar Singh Negi (21 - physical assault), Mahroof Ali (32 - physical assault), Mehtab (22 - physical

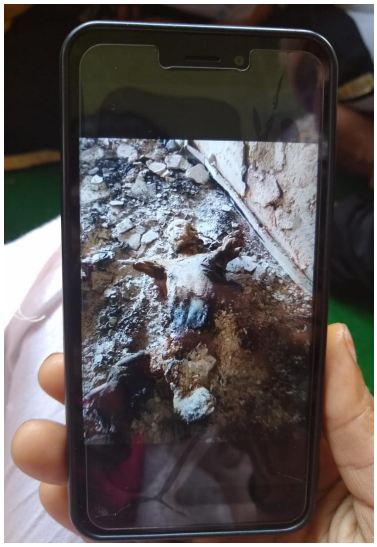
[22] There is one exception to this list – an unidentified 70 year old woman listed in the Guru Tej Bahadur Hospital list.

[23] https://indianexpress.com/article/cities/delhi/northeast-delhi-violence-he-wanted-to-be-a-doctor-say-kin-of-21-yr-old-found-in-drain-6296276/

[24] https://www.indiatoday.in/india/story/delhi-police-identify-26-of-35-victims-of-north-east-district-violence-13-died-of-gunshot-injuries-1651020-2020-02-29

assault), Zakir (24 - physical assault) and Deepak Kumar (34 - stabbing).

However, ground reports indicate that the extent of deaths is far more severe with many people missing or unaccounted for. There have been unjustifiable delays in conducting the



post-mortem of the bodies resulting in many families waiting for up to two days outside hospital premises.[25]

Gruesome violence

One of the women at the EEidgah showed us a picture of a charred and cut body with only the upper portion intact. Similar narratives could be heard from different stakeholders in the community although the fact-finding team couldn't confirm each one of these.

Testimony of family who have lost both their sons
Names of victims: 3. **Mohd. Amir** S/o Babu Khan, aged about 30 years R/O Mustafabad 4. **Hashim** S/o Babu Khan, aged about 19 years R/O Mustafabad **Attacked by: Unknown** **Suspected place of attack:** Brijpuri Puliya **Date and time of incident:** 26th February 2020, 8.30pm

[25] https://www.newindianexpress.com/cities/delhi/2020/feb/29/delhi-riots-outside-gtb-hospital-grief-turns-to-frustration-as-families-wait-for-information-2110191.html; https://scroll.in/article/954361/20-killed-in-delhi-violence-families-say-the-bodies-have-still-not-been-handed-over

Amir and Hashim were brothers, son of Babu Khan resident of Old Mustafabad. Amir, who used to work as a driver, was the primary bread earner for his family and is survived by his five month pregnant wife and two minor daughters aged four years and two years. Hashim, his younger brother, used to work in a jeans shop.

On the evening of 26th February 2020, Amir and Hashim had set out on their motorcycle from Ghaziabad to meet their family in the violence-hit Mustafabad area of North East Delhi. The last the family heard from the two brothers was around 8.30 pm when they called saying that they had reached Gokulpuri *neher* (drain) and would reach home in 5-10 minutes. When the two brothers did not reach home, the family made calls to Aamir's mobile number, but it was not reachable. Worried about his sons, Babu Khan went to Dayalpur Police Station at around 2 am on the morning of 27th February 2020 and filed a missing complaint.

At Gokulpuri Police Station, a woman officer said she had seen the bodies of both the brothers at GTB Hospital. The family rushed to hospital and identified their bodies that had been pulled out of a drain between Ganga Vihar and Gokalpuri. According to Babu Khan, the bodies of both his sons were not recognisable. He furthers says that their motorcycle and mobile phones are still missing. The post mortem of both brothers was completed and the body was handed over to the family on the evening of 29th February 2020.

When the fact-finding team met the bereaved family members, they weren't sure if an FIR had been filed by the police for the murder of their sons. Later media stories reported that the bodies had cuts all over them - face, shoulders, back, chest. Even their hands looked like they had been stamped upon. The police also found the burnt number plate of their motorcycle near where the bodies were recovered.[26]

3.2 Disappearances

Many Muslims of the violence hit localities have been missing since 23rd February, including young children.[27] Some families were only able to locate their relatives when searching through hospital wards and the morgue.[28] Others have still received no news and have also faced difficulties in lodging a missing persons complaint due to curfews or lack of cooperation from the police.[29] A media report quoted a police officer who said that between 23rd and 25th February, a total of 44 people were reported missing from the violence-affected areas of north-east Delhi. Of them, five are still untraceable while the rest have either returned home or are reported among the injured or killed in the violence. As per media reports four out of the five missing persons are Aftab (20 years) missing from Karawal Nagar, Dinesh, a resident of Bhajanpura, Hamza (19 years) and Aayub, both residents of Mustafabad. While the family of Aftab, have filed a missing complaint at the local police station and also checked all hospitals for him, Hamza's family members reported that the

[26] https://thewire.in/communalism/delhi-riots-drain-muslim-bodies

[27] https://www.ndtv.com/delhi-news/delhi-violence-over-caa-protest-class-8-student-who-went-to-take-exam-missing-after-monday-violence-2186337; https://www.news18.com/news/india/delhi-riots-at-least-four-children-missing-from-madrasa-since-tuesday-2520579.html

[28] https://www.indiatoday.in/india/story/delhi-violence-family-finds-missing-man-at-gtb-hospital-morgue-1651054-2020-02-29; https://www.deccanherald.com/national/north-and-central/anxious-family-members-visit-mortuary-in-desperate-search-for-those-missing-since-delhi-riots-809580.html

[29] https://timesofindia.indiatimes.com/city/delhi/on-a-wing-a-prayer-people-run-from-pillar-to-post-to-trace-missing-relatives/articleshow/74409139.cms

policemen misbehaved with them and asked them to leave when they went to file a missing persons complaint.[30]

Uncertainty about disappearances

The researchers also heard multiple accounts of people described as missing from the affected community members. These were however all through word of mouth and none of them could be independently verified. Two women who had escaped the violence in Shiv Vihar told the researchers the following:

> *"On 24th February 2020, the men from our (muslim) community were coming back from a religious festival in Bus No. 212, which was stopped by the mob in connivance with the driver and the men were killed and their bodies thrown in the drain."*

While the researchers could not verify this information, it needs to be immediately investigated by the agencies. A doctor that the researchers spoke to also reported that the family of a missing person named Deepak had come to his clinic, however he was not aware if the said person was found later.

The researchers were also made aware of a boy named Huzaifa (18 years) resident of Mustafabad, who has been missing since 22 February 2020. The family members have filed a missing persons complaint with the police. A close aid of the local MLA Haji Yunus also told the researchers that about ten individuals are still missing. While he said his legal team is looking into the disappearances, another young man of the community told us that not enough is being done by the MLA's team in terms of dealing with the disappearances. The team also heard of a family who is currently stationed in Chand Bagh and has not been able to locate their two children. However the same could not be independently verified.

A social activist involved in relief work made an interesting observation about disappearances based upon the demography of Shiv Vihar:

> *"Shiv Vihar is home to many daily wage earners who live in small tenements without their families. Most don't have mobile phones, so their families back in Bihar, UP, West Bengal might not even be aware that they are missing."*

He was able to provide relief material to 60-70 such families of daily wage workers who had escaped to Chaman Park after the violence that took place in Shiv Vihar.

3.3 Gendered violence

There have been reports of sexual harassment, assault and gendered abuse against Muslim women living in Mustafabad, Shiv Vihar and Chand Bagh. Women recount being beaten up, clothes being torn, molested and abused during the violence.[31] Many women had to flee their homes in Shiv Vihar as aggressors were attacking and burning down houses in their locality.[32] A few women from Shiv Vihar reported that the Hindu nationalist mob was chanting the following slogan: "*Shiv Vihar jayenge, burqe wali layenge.*"

[30] https://www.thehindu.com/news/cities/Delhi/four-more-bodies-pulled-out-from-drains-in-north-east-delhi/article30959297.ece
[31] https://www.news18.com/news/india/beaten-molested-and-homeless-hindu-or-muslim-women-became-the-undocumented-victims-of-delhi-riots-2520457.html
[32] https://www.bbc.com/news/amp/world-asia-india-51670096

Two women from Karawal Nagar were compelled to jump from the first floor of their home to escape from a mob that had barged in and was molesting them.[33] One of the most shocking accounts was that of Shabana from Karawal Nagar's Mahalaxmi Vihar who was pregnant and beaten up by a mob and kicked on her stomach despite her pleading.[34]

The Delhi Commission for Women (DCW) chief Swati Maliwal visited violence-affected areas along with members of the commission on 27th February and interacted with hundreds of women, including a woman who was assaulted despite being nine months pregnant. The team, during its ground visit, saw several women being brought in to a local hospital in Mustafabad after having been injured in the violence. Following this, the DCW has announced an inquiry into the sexual crimes against women which might have taken place during the violence in Delhi's North East district.[35]

3.4 Arrests and Detentions

As per latest media reports the Delhi Police claims that **654 FIRs have been registered and 1,820 persons have been arrested or detained** in connection with the northeast Delhi violence.[36] However, journalists, the families of victims, those arrested/detained and their lawyers claim that the police has been withholding important information and documents in the name of 'investigation'.

On 1st March, a group of civil society members addressed a letter to the Commissioner of Police, Delhi complaining about the non-compliance of Section 41-C of the Code of Criminal Procedure (CrPC), by the Shahadra and North East District Police Stations, which mandates the establishment of Police Control Rooms in each district and that the names and addresses of people arrested should be displayed on a notice board outside the control room. The letter sent to the Commissioner of Police is in ***Annexure – II***. In the past as well, lawyers representing detainees have had to get orders issued from the jurisdictional Duty Metropolitan Magistrates, late at night, to allow lawyers to meet detainees inside the police station, a right explicitly guaranteed in the Criminal Procedure Code.

Lawyers and families of those killed, injured or arrested do not have access to the majority of FIRs registered by the Delhi Police. The fact-finding team was able to access 6 FIRs filed between 24 – 27 February 2020 in police stations in Dayalpur, Jyoti Nagar, Jagatpuri and Gokulpuri. Even though 6 FIRs are a small sample to draw any conclusive trends, a criminal lawyer who looked at these FIRs had the following observations to make:

> *"The FIRs for the first few days that is 24th to 25th narrate the violence being clashes between Anti CAA and Pro CAA protestors. In this the police attempts to calm the people but no one listens and violence erupts. These FIRs however are vague and do not name any perpetrators and do not even have descriptors such as the number of protestors, the slogans that were being chanted etc.*

[33] https://www.news18.com/news/india/my-daughters-i-were-molested-mob-tore-our-clothes-victims-at-al-hind-hospital-recall-delhis-communal-violence-2518409.html
[34] https://indianexpress.com/article/cities/delhi/northeast-delhi-violence-pregnant-woman-assault-6290330/lite/?__twitter_impression=true
[35] https://www.indiatoday.in/india/story/delhi-violence-dcw-seeks-police-report-on-sexual-crimes-reported-during-riots-1650971-2020-02-28
[36] https://www.ndtv.com/india-news/number-of-deaths-in-last-weeks-delhi-violence-rises-to-53-2190587

The two FIRs registered post 26th are named and both name Muslims. The first FIR which names Ishrat Jahan, Khalid and Sabu Ansari and 10 others as accused. The FIR states that despite being informed of the imposition of Section 144 the assembly did not disperse and opened fire and stone pelted the police. One constable got injured. The second FIR mentions police reaching the scene and finding a suspicious person who tried to flee from the police. He was arrested with a loaded desi katta (country made gun). He was Muslim.

It is pertinent to note (however the sample is too small for any conclusions) that the vague FIRs filed on February 24 - 25 by the police raises the apprehension of the ***Delhi Police making arbitrary arrests from the Muslim community, as has been seen in previous instances of communal violence in the country*****."**

Multiple stakeholders from the Muslim community told the fact-finding team that they are wary that the Delhi Police might make illegal and arbitrary arrests from their areas, based on the large number of FIRs that have been registered. Since the FIRs are vague and registered against unknown accused persons, the fear of such large scale arrests are not unfounded. Further, it is not clear how many people are currently under arrest for participating in the violence. The only available information about arrests that the fact-finding team could find is a list of 27 people arrested during the 'riots' issued by PS Dayalpur. As per the list, these people were arrested between 27 February and 1 March 2020. It is not surprising to note that out of the 27 arrested, only 3 are Hindu, all the remaining 24 people are Muslims.

Some of the community activists are claiming that there have been hundreds of arbitrary arrests and a high majority of these are from the Muslim community. This was corroborated in narratives of various survivor family members and community volunteers who said that many arbitrary summons and notices are being issued against different people.

3.5 Injuries

The extent and number of injuries inflicted on Muslims cannot possibly be amassed at this point, in this environment of complete chaos, panic, apprehension and fear. At present more than 200 people have been injured in the violence. This report tries to recount and highlight the gruesome nature of injuries inflicted and the communal nature of the attacks. The mobs and individuals have been reported to be armed with guns, iron rods, crowbars, lathis, metal pipes, knives, swords, chains and stones.

On 24th February, Mohammed Zubair, a 37-year-old, was attacked by a group of Hindu right-wing men on his way home back from an EEidgah in old Delhi, while carrying fruits and food for his family. The photograph of this attack went viral on social media and was a foreboding for the violence to ensue.[37] On the same day, at least 50 people, including policemen and paramilitary forces, were injured.[38]

By 25th February, Al-Hind hospital, Mustafabad saw more than 500 victims of violence who sought medical attention for gunshot wounds, stabbings, acid burns and mutilated genitalia.

[37] https://caravanmagazine.in/conflict/behind-the-picture-symbol-carnage-northeast-delhi

[38] https://scroll.in/latest/954185/delhi-constable-killed-during-clashes-over-citizenship-act-ahead-of-trumps-visit

Police were apparently not allowing ambulances into Mustafabad to rescue the wounded, and hundreds of patients lay on the floor. Amongst those wounded was the imam of Shiv Vihar mosque, whose face had been badly disfigured by acid thrown by a mob.[39]

By the evening of the 25th, the number of emergency patients at Guru Teg Bahadur Hospital, Yamuna Nagar reached over 200 with many patients coming in with bullet wounds. In the midst of this overwhelming violence, families were desperately searching for their relatives.[40]

On 25th February, a video clip on social media showed five men lying injured on a street and other men in police gear telling the injured to sing the national anthem and *Vande Mataram*. One of the grievously injured, Faizan (23 years old) succumbed to his injuries in police custody.[41]

Journalists covering the violence were also not spared, and at least four were injured by the mobs on 25th February, confronted while reporting on or recording the violence.[42] Some journalists were even asked to prove their religious identity by the mobs of Hindu men.[43]

While talking to the affected community members, the fact-finding team heard that a woman who had acid thrown on her has been admitted to hospital. Many women met by the team harboured burn wounds. Some had their feet cut by glass shards as they escaped their houses bare-footed so as to not make any noise.

3.6 Destruction

In North East localities such as Maujpur, Shiv Vihar, Karawal Nagar, Chand Bagh and Mustafabad, there have been targeted attacks on homes, shops, businesses and cars belonging to or run by Muslims.[44] They were burnt down using gas cylinders, Molotov cocktails,[45] and broken using sticks, accompanied with looting of personal possessions such as jewellery, and even burning of Qurans.[46] As per the report of North East Delhi District Administration, at least 122 houses, 322 shops and 301 vehicles were devastated or completely damaged during the violence last week.[47]

Maujpur, Khajuri Khas, and Bhajanpura saw arson from 23rd to 26th February with roads being strewn with burnt vehicles, and shops and buildings being burnt down by mobs.[48] In

[39] https://www.theguardian.com/world/2020/mar/01/india-delhi-after-hindu-mob-riot-religious-hatred-nationalists

[40] https://www.hindustantimes.com/delhi-news/bodies-charred-limbs-gunshot-wounds-gtb-hospital-saw-the-worst-of-delhi-riots/story-v5NSCfmuelcAEzdMqCmnjO.html

[41] https://www.ndtv.com/delhi-news/delhi-violence-man-lying-on-delhi-road-forced-to-sing-national-anthem-on-video-dies-2187591

[42] https://scroll.in/latest/954291/delhi-violence-four-journalists-injured-in-mob-attacks-forced-to-delete-videos-from-their-phones

[43] https://thewire.in/media/north-east-delhi-violence-journalists

[44] https://scroll.in/article/954560/divided-city-how-delhi-violence-occurred-on-frontiers-between-hindu-and-muslim-neighbourhoods; https://thewire.in/communalism/delhi-riots-chand-bagh-arson-mazaar

[45] https://www.bbc.com/news/amp/world-asia-india-51670096

[46] https://www.siasat.com/delhi-riots-85-yr-old-woman-burnt-death-her-home-1840203/

[47] https://www.hindustantimes.com/delhi-news/delhi-riots-122-homes-301-vehicles-damaged-in-mayhem/story-yUqXEVoYZ9Ekm0HpZ1SkbL.html

[48] https://www.firstpost.com/india/third-day-of-delhi-violence-journalists-beaten-shot-at-as-delhi-police-centre-state-govt-scramble-to-quell-protests-ib-ministry-issues-advisory-against-anti-national-content-8085991.html; https://thewire.in/communalism/delhi-violence-violence-continues-in-khajuri-khas-biryani-shop-

Chand Bagh a car showroom owned by a Muslim in partnership with a Hindu was torched.[49] On 24th February, a tyre market was set on fire in Gokulpuri.[50] On the same day, a petrol pump in Bhajanpura, near Chand Bagh, was burnt to the ground by 'rioters'.[51] By the evening, a mazaar (shrine) in Chand Bagh was set on fire as well, of which only the charred ruins remain.[52] On the 25th, Brijpuri saw similar violence with Arun Modern Senior Secondary School destroyed by fire and attacks on the adjacent Farukhi Jama Masjid.[53] In addition, Meena mosque in Mustafabad was torched as per eyewitness accounts.[54] Following this Masjid Maula Baksh mosque in Ashok Nagar was vandalised and a saffron flag was hoisted on top of it.[55] The Chand mosque in Ashok Nagar was attacked as well.[56] Shiv Vihar's DRP Convent Public School and Rajdhani Public School and Brijpuri's Arun Model were torched, fans twisted, books thrown outside and computers broken.[57] In Khajuri Khas, the house of Mohd. Anees, a BSF officer, was burnt down with a gas cylinder and vehicles outside the property were destroyed.[58]

Testimonies reveal that such destruction was not a result of randomized attacks of mobs but a concerted attempt to intimidate Muslims. Many of these attacks were reportedly accompanied with chants of 'Jai Shree Ram' and communal slogans and abuses.[59] The onslaught has also been referred to by a CAA supporter as the 'Hindu awakening'.[60]

Amidst all of this violence and chaos, on 26th February multiple videos circulated of Delhi police officers inexplicably destroying CCTV cameras at the Khureji Khas petrol pump, where a sit-in against CAA had been conducted for the past 30 days.[61]

We spoke to a local individual who runs his own business near the *puliya* (small bridge) very close to the border that separates the Hindu shops from the Muslim ones. He had given an advance payment to rent a shop across the border as the Hindu shops were located in a relatively more affluent part. He was supposed to shift his office but could not do so because of the violence. He is sure that his office would have been destroyed had he shifted and now even though he would lose his deposit, he has decided to stay in the Muslim part of the area.

targeted

[49] https://indianexpress.com/article/cities/delhi/delhi-yamuna-vihar-chand-bagh-violence-6288401/

[50] https://theprint.in/india/four-dead-in-clashes-over-caa-mob-sets-tyre-market-on-fire-in-gokulpuri-area/370397/

[51] https://www.indiatoday.in/india/story/bhajanpura-petrol-pump-fire-1649533-2020-02-24

[52] https://caravanmagazine.in/conflict/delhi-violence-cops-shouted-jai-shri-ram-with-armed-hindu-mob-charged-at-muslims

[53] https://www.newindianexpress.com/cities/delhi/2020/feb/27/delhi-riots-30-year-old-school-and-mosque-bear-the-brunt-of-mob-rage-at-brijpuri-2109166.html; https://thewire.in/communalism/in-photos-masjid-set-on-fire-in-mustafabad-during-delhi-riots

[54] https://theprint.in/india/never-felt-unsafe-now-im-scared-northeast-delhi-residents-pack-bags-for-safer-places/371820/

[55] https://www.thehindu.com/news/cities/Delhi/friday-prayers-not-conducted-at-ashok-nagar-mosque-after-40-years/article30946876.ece

[56] https://www.thequint.com/news/india/delhi-violence-not-one-but-two-mosques-vandalised-in-ashok-nagar-chand-masjid

[57] https://www.hindustantimes.com/delhi-news/in-north-east-delhi-schools-burnt-books-broken-benches-tell-story-of-the-riot/story-OWCNEGjJ6E4qXuoH8jfKDK.html

[58] https://www.news18.com/amp/news/india/bsf-jawans-house-burned-down-in-khajuri-khas-by-rioters-shouting-come-here-pakistani-get-your-citizenship-2518989.html?__twitter_impression=true

[59] https://scroll.in/article/954560/divided-city-how-delhi-violence-occurred-on-frontiers-between-hindu-and-muslim-neighbourhoods; https://caravanmagazine.in/conflict/delhi-violence-gokalpuri-mosque-fire

[60] https://www.newslaundry.com/2020/02/25/this-is-hindu-awakening-what-exactly-happened-in-north-east-delhi-over-the-past-two-days

[61] https://scroll.in/video/954410/watch-delhi-police-break-cctv-camera-manhandle-protestors-at-khureji-khas-anti-caa-protest-site

A building consisting of 4 floors that served as the residence and business outlet of one of the affluent men of the Muslim community was burnt on 25th evening. All the raw material from the building was stolen before it was set on fire. Only broken shards of glass and cement remain in the building while the owner sits on a khat. He exclaimed that he has lost everything and now will not be able to afford his daughter's education who he was going to send abroad. She will not be able to continue her coaching classes anymore. He claimed that he has not been able to come out of the shock yet and has not filed any FIR or filled the reimbursement form.

Many of the victims had been preparing for upcoming weddings in their families and had stored cash and jewellery in their houses that had been looted by the mob. One family even cancelled their son's wedding and has in turn suffered a huge loss as none of their advance payments have been returned.

Destruction of religious institutions and attacks on religious symbols

As per accounts shared by over a dozen narratives, religious institutions and mosques have specifically been targeted not just by Hindu nationalist mobs but also by law enforcement agencies. In fact there are viral videos which show law enforcement agencies appearing to be conspiring in the burning of mosques. The community members on being asked whether they would depose these videos for investigation said,

> *" This is not our country, these people will never do justice to our cause. If we give these for investigation we will be further targeted by law enforcement agencies who can file any kind of fabricated case against us. We want peace to resurface and have no hope from any investigating and justice delivery mechanisms. Don't you know what role law enforcement agencies played in all of this? Do you think we can go back to the same people who burnt our mosque who ruined everything we had?"*

16 mosques targeted as per community estimates

The community volunteers are making their own estimate of the number of mosques that were targeted. According to community estimates there are as many as **16 mosques that were targeted.** They are in the process of verification of the same and facing multiple challenges because of massive security deployment. This needs an in depth and an impartial investigation.

Attack on Imam and other religious clerics

There were many instances of attacks on Imams and other religious clerics associated with the Islamic faith. Community members mourned while recounting how a young boy gave *shahadat (sacrifice)* to save an old Imam. As per eyewitnesses he took bullets on himself to save the Imam. In another incident acid was thrown on the Imam of another mosque. One member of the community said:

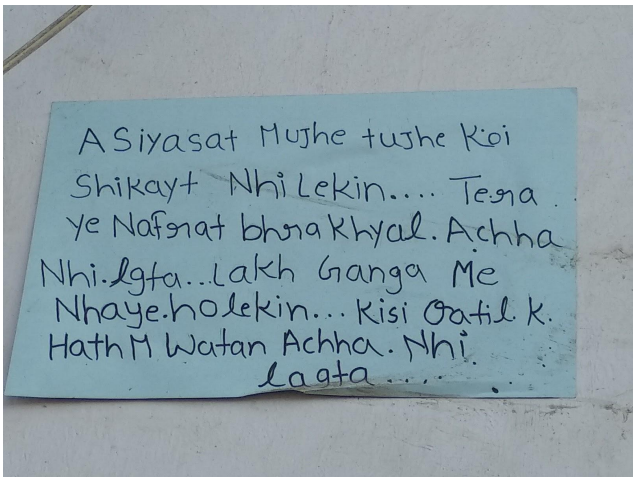
> *"They hate us. They hate us so much. Why do they hate us so much. What wrong has Allah done to them which made them treat us like this. There will be no justice here but one day everyone has to answer. We will wait for that day…"*

Many of them had gone back to Shiv Vihar to see that everything from their houses had

been either stolen or destroyed. Many of them found their Qurans destroyed.

Assessment at Farooqui Masjid

The fact-finding team visited Farooqui Masjid on 2nd March. 130 children were stuck inside the Masjid. It was burnt. A video of the injured Imam of the Masjid has been accessed where he claims to have been beaten up by the police. In another video that is in circulation, policemen can be seen exiting the masjid at the same time that smoke starts rising from the building.



The above poster was seen outside Farooqui Masjid on 2nd March 2020. The message loosely translates as: 'O Political Leaders, we have no complaints against you. Just that we do not like the hatred ingrained in your mindset. No matter how many times you have clean your sins in the Ganges, it doesn't feel good to see the nation in the hands of such murderers.'

The community members claimed that in contrast to so many Mosques being attacked, not a single Hindu temple was burnt or vandalised. They further shared their anger with the fact-finding team with respect to their religious symbols specifically being targeted.

Fariha, a middle age survivor recollects her trauma of going back to her destroyed house to assess damage and collect valuables.

"Everything had been looted, and the house totally destroyed. But what caused the maximum hurt was the way they had treated our religious belongings. They didn't even spare the holy Quran. I saw the Quran thrown with other belongings. I picked up the Quran, held it to my chest and cried to Allah. Now I have it with me and I know Allah will fix everything."

Similarly Zubeida recollects in anger,

"When the mobs came to attack, we prayed for them to take everything but spare the trunk with religious belongings. When I went back to check, we saw that they didn't even spare the trunk. It was fully destroyed. They are not criminals but monsters. Allah won't forgive them."

There were also stories of rescue operations when a women had to remove her Burqa to

disguise as a Hindu woman after her husband was killed by the mob.

3.7 Migration and trauma

In the wake of communalized targeting of their homes and community, Muslims have begun leaving the violence struck localities. Photographs of a steady stream of people carrying suitcases and luggage as they left Chand Bagh have circulated,[62] serving as a grave reminder of the displacement and potential ghettoisation of violence inflicted communities. Many Muslim families have expressed their preference of settling in ghettos. Many have been rendered homeless and have lost their personal belongings and furniture.

Families have moved out of neighborhoods, like Maujpur, Mustafabad, Jaffrabad and Shiv Vihar, where schools, masjids, shops and buildings were destroyed. Many of them have been contemplating not going back to the same locality. “How can we ever feel safe there?” contemplated a woman who had narrowly escaped a mob near her house in Shiv Vihar.

3.8 Impunity of the Perpetrators

The perpetrators of violence have been exercising a large amount of impunity in inflicting violence. Harrowing and chilling accounts of individuals who have admitted to their involvement in the killings have made rounds in some media reports. The Team strongly urges the investigation and prosecution bodies to probe further.

[62] https://amp.scroll.in/article/954668/this-young-muslim-woman-took-us-around-a-riot-hit-delhi-locality-the-view-was-revealing?__twitter_impression=true

Delhi Riots: Not Spontaneous, But Crudely Designed[63]

Excerpts from newsclick.in's report

Asked how they managed to orchestrate violence on such a large scale, he said: "*Bahri koi aadmi nahin tha, hum logon ne Maujpur se shuruaat ki, Ghonda chowk pe morcha sambhala, Noor-e-Ilahi men mara, Chand Bagh men hamare bhaiyon ne morcha sambhal hi rakha tha* (there was no outsider involved in it, we started from Maujpur and then moved to Gonda chowk, thrashed people in Noor-e-Ilahi and our brothers were already holding fort in Chand Bagh)." Some others who were around during this conversation nodded their heads in agreement.

One of them added some new information. He said: "Initially, we mobilised people ourselves, holding small meetings to persuade people to hit the streets. We explained how Muslims' reign of terror has ceased to be effective. Later, when the clashes began, we got help from several Hindu groups who came to our colonies, held several meetings and strategized everything. We also got help from their members. They stationed us at strategic locations to ensure maximum damage (mentally, emotionally, physically and economically) was inflicted upon Muslims. The same groups arranged arms and ammunition. Our work was made easier by local criminal gangs who settled scores with the rival Muslim criminal gangs. Some Gujjars living in and around the city also played an important role. In fact, they are the ones who were deployed to use fire-arms."

A third man then stepped in and gave a perspective to the entire discussion, justifying the violence. "Muslim youth in Seelampur and Jaffrabad are largely unemployed. They are the ones who indulge in snatching and eve-teasing. They have made our lives hell. Our women were unsafe. They have the support of Matin Ahmed (former Congress MLA from Seelampur). His defeat in the Assembly election helped us a lot. Had he been on ground, the situation would have been different."

"Resentment was simmering. The anti-CAA protest and the road blockade, first at Shaheen Bagh and then Jafrabad, was just a trigger. Locals felt it is time for everyone to contain Muslims," he concluded.

63 https://www.newsclick.in/Delhi-Riots-Spontaneous-Crudely-Designed

‘I coloured my sword red: Meet Delhi rioters who say they killed Muslims[64]

Excerpts from scroll.in’s report

The smile never went off Nishant Kumar’s face. Only his voice quivered with excitement as he spoke, animatedly with hand gestures, about murdering three Muslim men on February 25.

It was an act of “retaliation”, he insisted.

The previous afternoon – Kumar is certain it was exactly 1 pm – he claimed to have witnessed a “Mohammadan” mob burn down vehicles in the Yamuna Vihar service lane that runs parallel to the Wazirabad-Loni road in North East Delhi. He was at the Bhajanpura petrol pump, fuelling up one of his lorries. He owns two of them.

“*Main bhaaga us time jaan bachha ke*,” said Kumar. “I fled then to save my life.”

Houses and shops were torched in the area. Kumar said he did not incur any personal loss – yet, he hit the streets. “*Aap nahi karoge aapke area waalon ko koi chedega to*?” he reasoned. “Will you not react if someone goes after your neighbours?”

On the morning of February 25, Kumar said he stepped out around 8 am. He was armed with an iron rod. He tied a kitchen knife to one end of the rod to make up for the absence of a gun. “*Bandook nikaalke pakde jaana hai kya?*” he exclaimed. “I did not want to get caught with a gun.”

Kumar said he did not step outside Karawal Nagar. “We stay there, so we will do whatever we have to do there only, no,” he said. He refused to share details of other people who were part of the mob or how it was organised.

At around 10 am, Kumar said he got his first hit. “The Mohammadan was running,” he recalled. “The Hindu public was chasing him. I was leading the pack.”

“I was the first to catch up with him, and hit him with my rod on his head,” he continued, his voice turning shriller and his hands mimicking the strike. “Then he fell down, and the public pounced on him after that… *de dhana dhan dhan*.”

Kumar said he killed two more people in a similar fashion – striking Muslim men running away from Hindu mobs in the back with his improvised weapon. “I had to kill three. I did that.”

When asked if there were policemen around when he was chasing down Muslim men and hacking them, Kumar said there were none. “There was no one,” he said. “No one came even after we killed them and threw their bodies.”

A strapping man from Maujpur, who works as a security guard at a school in Daryaganj, said he accompanied a rampaging Hindu mob in his neighbourhood. He did not kill anyone, he said. He was not well-equipped – all he had was an iron bar.But now he claimed he was in talks with an acquaintance to procure a licensed gun. “I have been told it will cost Rs 3.5 lakh,” he said. “But it is a worthy investment. After what happened last week, we need a gun for self-defence.”

64 https://scroll.in/article/955044/meet-the-rioters-who-say-they-killed-muslims-in-delhi-violence

A resident of Ghonda's Arvind Nagar, he spoke about the night of February 25 when he claimed he went to the Muslim-majority neighbourhood of Chandbagh. "There our Hindu brothers are fewer in number," he offered by way of explanation about the choice of place.

(A cab) driver claimed he was armed with a gun and a sword. "The gun in my left hand and the sword in the right one," he said. "My aunt said she was reminded of my father. He would step out just like that during the 1984 riots."

In 1984, Delhi witnessed large-scale anti-Sikh violence, perpetrated largely by Hindus. "*Uss time papa ne uss talwar ko khoon pilaya tha, iss baar maine usko rang diya*," he beamed. "At that time [1984], my father fed the sword with blood, this time I coloured it red."

The testimonies from the affected community too clearly indicated the impunity enjoyed by their attackers. The victim/survivors have shared accounts of the mob working in tandem with the police to inflict violence. An individual from Shiv Vihar whose house has been burnt by the mob claimed that when Arvind Kejriwal visited Shiv Vihar, many Hindu women sat in front of the torched houses of the Muslims, claiming the houses to be theirs.

A country that claims to be democratic must not tolerate such impunity. The fact-finding team again urges the concerned authorities to conduct an independent and unbiased inquiry and take necessary actions.

4. Role of Criminal Justice System

The community members that the researchers met expressed a strong sentiment of having no expectations of justice from the criminal justice system. One of the primary reasons for this distrust is the role played by the Delhi Police during the violence and in its aftermath, which has come under severe criticism from all quarters. After the initial intervention of the Delhi High Court, which saved many lives, no further proactive steps were taken by either the High Court or the Supreme Court of India which further let down the expectations of the affected community.

4.1 Police - Omission and Commission

The testimonies of multiple victims point towards the partisan role played by the Delhi Police during the violence. India's celebrated top cops have also endorsed the common view that Delhi Police were mute spectators to the violence which led to the bloody communal violence in the national capital.[65] The allegations levelled against the Delhi police include *inter alia* omission in fulfilling their constitutional duties of maintaining law and order, facilitation of the Hindu right wing mob during the violence, active participation in assault and murder of Muslim civilians and arson and destruction of religious places of worship, directly and indirectly threatening the Muslim community including the families of those killed in the violence, bringing about injuries to eye-witnesses and members of civil society organisations, reprisals through arbitrary arrests, and shielding actual perpetrators especially in Hindu

[65] https://www.news18.com/news/india/former-top-cops-react-to-delhi-riots-amulya-patnaik-team-were-mute-spectators-to-bloody-violence-2520679.html

dominated areas. Following the attacks, the police has been accused of making the worst affected areas inaccessible to media, Muslim community members and other civil society stakeholders, which might lead to destruction of evidence.

No preemptive action

A close look at the pattern of violence perpetrated by the right wing mob enjoying political patronage and support establishes beyond doubt that the violence had spread because of the failure of the Delhi police in delegating its fundamental and primary duty of maintaining law and order in northeast Delhi where communal tensions were building up for some time.

There are reports that at least six alerts were sent to Delhi police, warning about possible communal violence on Sunday, 23 February, when BJP leader Kapil Mishra had called for a gathering at Maujpur — one of the most grave violence hit areas of northeast Delhi — against the anti-CAA protesters who had blocked a road in the area.[66] Despite Delhi police having information about tension building up, they took no criminal or preemptive action against the people giving hate speeches – a question that was asked by even the Delhi High Court and its justice S. Murlidhar before he was served transfer orders by the Central Government. Another known and established policing practice of undertaking flag marches to bring the situation under control and display the might of the state was not put to use by the police.

Deliberate inaction during violence

The researchers heard from many people in the affected community that the police answered distress calls by responding with taunts that now the much coveted “azadi” will be given to the community, and did not offer to provide any help. Many who witnessed the violence claim that police stood by as Muslims were attacked or helped the Hindu mobs. Most of those who called the police for help did so in vain.[67] Even the local politician for Mustafabad, the AAP’s Haji Yunus, described how the police ignored his requests for help even though he made several calls to the police station. There was no effort from police at all for at least two days and the police even prevented the ambulances from coming inside to carry the injured persons to the hospital.[68]

It is also pertinent to note that many incidents of violence have occurred embarrassingly close to police stations such as the Gokul Puri tyre market, located 500 m from the Dayapul Police Station that burned for more than 3 hours, completely destroying the 200 odd shops owned by Muslims in that area.[69] An auto driver whom the fact-finding team met wondered how the market could not be saved in time despite being so close to the Police Station.

Complicit in guiding and helping the murderous mob

The researchers also met people from the community who told them that the police played an active role in guiding the Hindu right wing mob towards the victims and in assault, murder, arson and destruction of religious places of worship. In a number of videos doing rounds on

[66] https://www.indiatoday.in/news-analysis/story/questions-emerging-from-delhi-riots-call-for-fixing-accountability-1650848-2020-02-28
[67] https://www.theguardian.com/world/2020/mar/01/india-delhi-after-hindu-mob-riot-religious-hatred-nationalists
[68] https://www.theguardian.com/world/2020/mar/01/india-delhi-after-hindu-mob-riot-religious-hatred-nationalists
[69] https://www.outlookindia.com/newsscroll/jih-hails-hindumuslim-ties-calls-for-healing-touch/1750670

social media, Hindu mobs can be seen pelting the other group with stones from the side where police are present. The Delhi Police failed to understand that perpetrators of any kind cannot be or appear to be on the same side as the police, as that would severely affect their credibility and authority.[70] A person from the Muslim community in fact told the fact-finding team that the same is a common tactic deployed by the police to stand in front of the mob pelting stones at the Muslim community. Any retaliation from the Muslim community is then seen as attacking the police which gives them a clear opportunity to lathi charge the Muslim community.

The fact-finding team was also told by multiple victims that on 24 February 2020, when people from the Muslim community were coming back from the Ijtema (an Islamic congregation), they were stopped by the Delhi police and were advised by the police to take the short cut road to Mustafabad that goes through Brijpuri Puliya (bridge) for their protection. When people reached the Brijpuri Puliya, a Hindu right wing mob was waiting to attack them; 6-7 people were killed here and thrown in the drain under the bridge.

The fact-finding team also met women from Shiv Vihar who narrated how they pleaded with folded hands in front of the Delhi police to intervene and save the locality but the police did not pay heed to their requests and were instead guiding and abetting the mob which was busy in wrecking violence. Some residents also told the fact-finding team that they went back to Shiv Vihar to collect their belongings on the assurance of the police that the violence has stopped. However, they later realised that it was a trap set up for them as they were brutally attacked by the mob.

Assault and Custodial Death

There are more horrifying testimonies of direct police violence and assault that the fact-finding team heard. The Team even met some of the victims of this assault. There are also videos on social media of the police themselves pelting stones and breaking CCTV cameras. The torture inflicted on Mufti Mohammad Tahir, the Imam of Farooqui mosque, near Mustafabad, has been widely reported in the media. The Imam told the media how he had locked himself in an upper room of the mosque when the violence broke out. But police broke down the door, dragged him out and handed him to the waiting Hindu mobs, who beat him unconscious, smashing his limbs. The mosque was torched: shelves of dozens of blackened Qurans were left lined on one wall. The fact-finding team also saw videos of smoke coming out of the windows of Farooqui mosque, as officers of the Delhi police start to walk out of the mosque, thereby implying that the police started the fire while they were inside the mosque.

Also widely reported is the sequence of events that led to Mohd. Faizan's (23 years) death which suggests that members of the Delhi Police actively participated in the communal violence. According to an article published in HuffPost India, Faizan who was filmed as he was brutally assaulted by policemen who forced him to sing the national anthem between beatings, died after the Delhi Police illegally detained him for over 36 hours and denied him urgent medical attention. When news of Faizan's death was made public on February 28, the Delhi Police sought to deflect responsibility by claiming they never took Faizan into custody. However accounts of eye-witnesses, doctors, legal volunteers and Faizan's family members contradict the police account, and establish that Faizan's untimely and violent

[70] https://www.indiatoday.in/news-analysis/story/delhi-violence-riots-police-nrc-npr-caa-1650291-2020-02-26

demise was a direct consequence of police actions over a three-day period from February 24, when Faizan was first assaulted, to February 26, when he finally succumbed to his many injuries at 11 pm. After Faizan's death, various police officers passed the buck back and forth over which police station would be responsible for the paperwork to release his body. Finally, the family had to go to court on February 28. In an order on February 29, the chief metropolitan magistrate court at Karkardooma directed the Bhajanpura police station to assist in the post mortem with video filming. Investigating officer Malti Bana said the post-mortem report would be given to the family in two weeks.[71]

The members of the fact-finding team met another victim of police brutality[72] who showed black and blue injury marks on his back, legs and arms as he was brutally assaulted with lathis and batons by five officers of the Delhi Police (most probably from Gokulpuri Police Station) near the Brijpuri Puliya in Mustafabad. He was returning home on his motorcycle after being stuck in Kabir Nagar for two days due to the violence. The police officers threw his motorcycle on the side and were discussing among themselves that they should shoot him, put his bike on fire and throw his body and motorcycle in the drain that flows under the bridge. He said the police taunted him by saying "*let's give him azadi*". He was then saved by officers from the Rapid Action Force who were stationed nearby.

Blocking medical help and relief work with malicious intent

The role played by the police in the aftermath of the violence has also not inspired any confidence in the affected community. There were reported incidents of the police officers denying entry to ambulances into Mustafabad to rescue the hundreds wounded with gunshot wounds, stabbings, acid burns and mutilated genitalia, in the violence that raged on 24 and 25 February 2020, from Al-Hind Hospital situated inside Mustafabad.[73] It is only when an Order was passed by the Delhi High Court at 12.30 am on the night of 26 February, that the Delhi police started cooperating and took steps to control the spread of the violence.

The fact-finding team met members of civil society who narrated incidences of the Delhi police preventing them from entering the affected areas with relief materials on 26 February. The same night the Commissioner of Police, Delhi denied permission for the entry of a truck containing food for 2000 violence affected people in the area.

It is also interesting to note that the Delhi Police has transferred the northeast Delhi violence probe to the crime branch, and the cases will be probed by two Special Investigation Teams (SITs), headed by deputy commissioners of police (DCP) Joy Tirkey and Rajesh Deo. An appeal was issued by the Crime Branch for witnesses to submit their statements and evidence related to the violence at the DCP Office, North East District, providing only 7 days for the same, which hints towards attempts to cover up police inaction. (***Annexure - VIII***).

It is not clear if the SIT will also be investigating the role of its own officers during the violence and the complaints of brutality against them. Such an investigation headed by the DCPs of the Delhi Police against its own officers will be violative of the principles of natural justice under which one cannot be a judge in his own cause. Such an investigation further inspires no confidence in the working of the criminal justice system and is an old tactic often

[71] https://www.huffingtonpost.in/entry/delhi-riots-police-national-anthem-video-faizan_in_5e5bb8e1c5b6010221126276

[72] See Annexure – III for complete testimony.

[73] https://www.indiatimes.live/heres-what-eyewitnesses-report-from-violence-hit-areas-of-ne-delhi/

used by the police to cover their own complicity in the violence.

Past Track Record of Officers heading the SIT:

"*Deputy commissioner Rajesh Deo was taken off poll duty*[74] *by the Election Commission for the recently concluded Delhi assembly elections after he told reporters that photographs from the phone of Kapil Gujjar, the gunman who fired shots in Shaheen Bagh on February 1, established his association with the Aam Aadmi Party. The EC wrote to the Delhi police commissioner saying that Deo had been issued a warning for making comments about an investigation with "political connotations" that had "consequences for the holding of free and fair elections". Deo is also supervising the investigation*[75] *into violence at Jamia Millia Islamia University and led the Crime Branch team that visited the university campus recently and issued notices to ten students asking them to appear before it for questioning in connection with the December 15 violence.*

DCP (Crime) Joy Tirkey, on the other hand, is a part of the Delhi Police crime branch probing the violence that occurred at JNU's campus on the night of January 5[76]*, when masked persons, widely believed to be affiliated to the BJP's student wing Akhil Bharatiya Vidyarthi Parishad (ABVP)*[77]*, entered and vandalised the campus and attacked students, including the JNU Students Union (JNUSU) president Aishe Ghosh, at the university.*

In a hurried press conference held on January 10, Joy Tirkey named nine persons, including Aishe Ghosh, who had sustained head injuries from the attack, as suspects. Tirkey told journalists that Ghosh, had "led the mob that attacked the Periyar hostel on the evening of January 5." Tirkey also listed four Left outfits — SFI, AISF, AISA and DSF — and said seven of the nine suspects belonged to them, but did not mention ABVP, even though the remaining two students belonged to that organisation. Since then, the police investigation has failed to make progress in the investigation."[78]

4.2 Rapid Action Force (RAF)

The fact-finding team heard multiple narratives of people expressing relief regarding the deployment of the Rapid Action Force in the affected areas. Many women who escaped the violence that took place in Shiv Vihar told the fact-finding team that while the Delhi Police refused to help them, they were finally rescued by the officers of the Rapid Action Force. The RAF officers also however had told some of the Muslim residents of Shiv Vihar that they cannot guarantee their safety. Another Muslim survivor of the violence also told the team that he was saved by the RAF from the brutal assault of Delhi Police who were conspiring to shoot him at Brijpuri Puliya.

The fact-finding team, however, met a 60 year old resident of Mustafabad who stated that on 25 February 2020 at around 6.30 pm, he was assaulted by men wearing 'blue uniforms' inside Ayesha Masjid located near the *puliya* (bridge) in Brijpuri, Old Mustafabad. He was coming out of the masjid when he heard the loud commotion of a mob followed by gunshots. As he ran inside the Masjid tear gas and petrol bombs started being thrown from the outside.

74 https://thewire.in/government/delhi-dcp-rajesh-deo-election-commission-kapil-baisala
75 https://www.indiatoday.in/india/story/jamia-violence-delhi-police-serves-notices-10-students-appear-questioning-1648149-2020-02-20
76 https://thewire.in/rights/jnu-violence-protests-abvp-students-teachers
77 https://thewire.in/rights/jnu-violence-india-today-sting-abvp-delhi-police
78 https://thewire.in/law/explainer-who-are-the-policemen-heading-sits-on-the-delhi-riots

He was caught by men wearing blue uniforms (most likely the Rapid Action Force), who started hitting him with the butts of their guns, all the while abusing him for being a Muslim, as Muslims are the perpetrators and have been pelting stones. He was brutally assaulted on his head, arms, shoulders and back with the guns having both long and short barrels. He was later rescued by his sons who got him home and took him to a private clinic in Old Mustafabad for medical treatment and has sustained injuries above his right eye, arms, shoulders, back and thighs.

4.3 Judiciary

On 26 February 2020 an emergency midnight hearing was held at 12.30 AM at the residence of Justice S Muralidhar of Delhi High Court to hear a plea for victims injured in the violence in North Eastern portions of Delhi. The plea was for directions to ensure safe passage of seriously wounded victims from Al Hind Hospital in Mustafabad, a small hospital lacking facilities, to GTB Hospital in Dilshad Garden. The Court directed "*the Delhi Police to ensure safe passage by deploying all the resources at its command and on the strength of this order and to ensure that apart from the safe passage, the injured victims receive immediate emergency treatment, if not at the GTB Hospital, then at the LNJP Hospital or Maulana Azad or any other government hospital."* It further directed the Delhi Police to submit a status report of compliance, including information about the injured victims and the treatment offered which was to be placed before the court in the afternoon at 2.15pm.[79] The Order is at ***Annexure-IX***).

On the morning of 26 February, a petition was filed by social activist Harsh Mander for probe into police inaction during Delhi violence, and action against BJP leaders Anurag Thakur, Pravesh Verma, Kapil Mishra and Abhay Verma who allegedly provoked violence through inflammatory speeches. In the forenoon session, a bench comprising Justices S Muralidhar and Talwant Singh, played out the clip containing the alleged inflammatory speech of Kapil Mishra in Court, and passed an order in the afternoon hearing expressing anguish regarding non-registration of FIRs against such speeches despite the stiff opposition by Solicitor General Tushar Mehta, who appeared for Delhi Police. The Court directed the Delhi Police Commissioner to "take a conscious decision" within a day on registration of the FIR in respect of inflammatory speeches allegedly made by politicians.[80] The Order is at ***Annexure - X***.

The legal fraternity was shocked when in a clearly punitive and malafide midnight notification the Government of India transferred Justice Muralidhar of Delhi High Court, within hours after he pulled up Delhi Police for its silence on hate speech of BJP leaders. On February 12 the Supreme Court Collegium had recommended the judge's transfer. After the decision, the Government can any time notify the transfer, as there is no prescribed time frame. The lightening speed at which Justice Muralidhar was transferred casts grave suspicion on the motives of the Central Government in an attempt to shy away from an enquiry as the proceedings of the next day showed.[81] Next day, on 27 February, the matter was considered by another bench comprising Chief Justice DN Patel and Justice Hari Shankar, which

[79] https://www.livelaw.in/top-stories/delhi-riots-delhi-hc-holds-midnight-hearing-to-direct-police-to-ensure-safe-passage-of-injured-victims-to-hospitals-153148
[80] https://www.livelaw.in/top-stories/delhi-riots-delhi-hc-directs-police-to-decide-on-registering-fir-against-politicians-for-hate-speech-153170
[81] https://www.livelaw.in/columns/sc-violates-its-own-resolution-in-transfer-of-justice-muralidhar-dear-lords-of-collegium-please-explain-why-153499

adjourned the hearing till 13 April, accepting the submission of Solicitor General Tushar Mehta that the situation was not "conducive" for registration of FIR and granted Union of India three weeks time to file their response.[82]Order is at ***Annexure-XI***.

On 4 March 2020, a Supreme Court bench comprising CJI SA Bobde, Justices Surya Kant and BR Gavai heard two petitions – a special leave petition filed by social activist Harsh Mander against the last order passed by the Delhi High Court and a fresh writ petition filed by a group of 9 victims of Delhi violence. Both the pleas sought registration of FIRs against politicians who made hate speeches. The Court requested the Delhi High Court to hear the said matter expeditiously and to list the petition on 6 March 2020. The bench headed by CJI SA Bobde remarked that the long adjournment granted by the High Court was not justified.

During the hearing, the Solicitor General submitted that the Petitioner Harsh Mander had also made provocative speeches during anti-CAA protests. A video to this effect was brought to the attention of the Court. The bench then declined to hear Mr Mander's petition and observed that an explanation was warranted and directed Delhi Police to file an affidavit authenticating the statement of Mander. Complying with this direction, the police filed an affidavit seeking his dismissal from the case with exemplary costs and initiation of contempt proceedings as they submitted that the speech was "*not only instigating violence, but is seriously contemptuous as derogatory remarks have been made against the Supreme Court to a huge gathering of people.*"[83] The case is currently pending in the Supreme Court. The Order passed by the Supreme Court and the Affidavit submitted by Delhi Police are at ***Annexure-XII.***

4.4 National Human Rights Commission (NHRC)

On 26 February 2020, the National Human Rights Commission chairman HL Dattu shocked the country when he stated in the media that the violence in the capital could not be termed communal and was instead an "aberration".[84]

Two days after the said statement, the Commission suddenly changed its stand and on 28 February 2020, an Order was passed in a suo moto complaint bearing Case No. 1085/30/5/2020. Interestingly the Order states that the complaint was registered on 2 March 2020! A cursory reading of the Order finds the NHRC speaking in a manner similar to the Delhi High Court and Solicitor General of India waiting for a *conducive* and *right time* to intervene. The Commission stated that:

> "*The contents of the media reports and the allegations levelled by the complainants had raised serious issue of violation of human rights making it a fit case for intervention by the Commission. However, considering the highly tensed and charged atmosphere amid violence in the affected areas, the Commission in its wisdom, refrained from immediately proceeding further and decided that in the public interest, before intervention by the Commission, it will be appropriate that first the authorities should be allowed to restore*

[82] https://www.livelaw.in/top-stories/situation-not-conducive-for-fir-on-hate-speech-says-solicitor-general-delhi-hc-adjourns-plea-until-april-13-153208
[83] https://www.livelaw.in/top-stories/delhi-riotsharsh-manders-speech-seriously-contemptuous-and-instigated-violencedelhi-police-files-affidavit-in-sc-153473
[84] https://www.news18.com/news/india/after-21-deaths-human-rights-panel-chief-says-delhi-violence-an-aberration-not-communal-2516417.html

law and order and normalcy in the affected areas. As per media reports, since last few days, no fresh incidents of violence have occurred and now it is right time for the Commission to intervene."

The Commission issued notice to the Chief Secretary, Government of NCT of Delhi and the Commissioner of Police, Delhi calling for a detailed report in the matter within four weeks including status of FIR registered by the police, status of investigation of the cases, number of persons arrested, status of health and medical treatment being provided to the injured persons at various hospitals, and status of relief and rehabilitation given to the victim families and NOK of the deceased persons by the authorities. The Commission has further directed a spot fact-finding by its investigation team immediately to collect the relevant facts, examine all the concerned and submit their report at the earliest. The Order passed by the Commission is at ***Annexure-XII.***

4.5 Delhi Minority Commission

On 25 February 2020, the Chairman of the Delhi Minority Commission, in a letter addressed to the Lieutenant Governor of Delhi Anil Baijal, demanded the immediate imposition of curfew in the violence hit areas of North East Delhi and the deployment of more police force and immediate arrest of the culprits. The letter further asked the Delhi Police to escort people to move out of the affected areas. The letter further directed the DCP (North-East) to file an action taken report and reply on a number of issues including the ultimatum issued by BJP leader Kapil Mishra to police to remove anti-CAA protesters blocking roads in Northeast Delhi within three days.[85]

A delegation of the Delhi Minority Commission consisting of the Chairman and other members visited the affected areas on 4 March 2020. In its assessment report the Commission concluded that the violence which erupted was "one-sided, well-planned" and involved support from locals with maximum damage being done to shops and houses belonging to the minority community. The Commission has further stated that the compensation announced by the Delhi government was inadequate, considering the extent of damage caused due to the violence. The Commission chairman further stated that a fact-finding committee would be formed which would include journalists, human rights activists and civil society members for a detailed investigation.[86]

4.6 Delhi Commission for Women

The Delhi Commission for Women chief Swati Maliwal had visited violence-affected areas along with members of the commission on 27th February and interacted with hundreds of women, including a woman who was assaulted despite being nine months pregnant. The team, during its ground visit, saw several women being brought into a local hospital in Mustafabad after having been injured in the violence. Following this, the DCW has announced an inquiry into the sexual crimes against women which might have taken place

[85] https://www.outlookindia.com/website/story/india-news-delhi-minority-commission-demands-more-police-deployment-curfew-in-violence-hit-areas/347851

[86] https://www.thehindu.com/news/cities/Delhi/delhi-violence-one-sided-well-planned-says-minorities-panel/article30979785.ece

during the violence in Delhi's North East district.[87]

5. Post Massacre Scenario

Many of the survivors that the fact-finding team encountered voiced their astonishment in the fact that violence of such magnitude could have continued unabated for more than 4 days in the National Capital Region. The affected families are understandably in a state of shock, trauma, fear and anger.

5.1 Fear and Angst

There is immense fear in the hearts of the survivors and even the entire community at large. Even though the area is moving towards normality in terms of people returning to work and the shops reopening, the situation is far from the usual. Large numbers of RAF personnel and police officials have been deployed in the area. The sight of such officials does not garner a sense of security as in many testimonies people have alluded to the complicity of such forces ***(Annexure - III).***

Testimony of field investigator
On 27th of February, the curfew was lifted from Muzaffarabad and it's on this day that the team visited some of the deep pockets of old Muzaffarabad. When we entered the main road and crossed Brijpuri Puliya over the drain, I recalled the narrative I had heard from only one person as yet – a surviving family member the day before at GTB hospital, who had described stories of many people being cut and thrown into the drain. As we (me and my colleague) crossed the deserted bridge on a silent main road, a feeling of disgust surrounded us as we assessed what this place would have been like a day before. The road until the bridge had a massive force deployed guarding shops. The Brijpuri Pulia bridge was particularly guarded by many personnel. For some reason the force with their guns and boots didn't instill a sense of security but a strange notion of fear. A fear that you are in a conflict area. But this was my home city, and the country's national capital territory. How could this have turned into a conflict zone, I thought. As we moved into the community we felt quite cold in the unprecedented silence. The silence within a densely populated Muslim ghetto shrieked the stories of shock, despair and loss. What was to follow was a day when we heard the most horrific stories of police brutality. The community members didn't know initially that my partner and I were not Muslims. They didn't believe that a 'Hindu' would dare to walk in at this time. I have never felt more conscious of my 'Hindu' identity in my entire life. We experienced emotions that are impossible to articulate. A feeling of void and numbness had engulfed us. In spite of all that the community had suffered we didn't feel threatened or scared as long as we were inside with the community. We were there until 8 pm and community members started insisting that we should leave as it was not safe to travel through the Puliya as there were narratives of people being attacked at the Puliya until just the day before.

[87] https://www.indiatoday.in/india/story/delhi-violence-dcw-seeks-police-report-on-sexual-crimes-reported-during-riots-1650971-2020-02-28

We had assumed that someone from the community would accompany us to show us the way back but everyone was too scared to come with us. As both of us walked back, stories of violence on the Puliya kept troubling us. It seemed darker than the darkest night and much more deserted and frightening than it had been in day time. Now, we knew that law enforcement agencies had played their part in the violence. As we approached the bridge, we now also knew more about the horrors of the 'blood drain'.

As we walked, the only fact that gave us confidence was our upper-caste Hindu identity. Yet we still couldn't stop thinking of what would happen if we were attacked here, and no one ever discovered our bodies. The stories of horror had entered into our skin. I will never forget this experience. I think for a while I could actually empathise with what people must be going through. The next day I met the same women whom I had met the day before and shared this story. One of them said in a calm voice, "I was praying to Allah for the safety of both of you as I was really scared for you."

The community as a whole is fearful of another attack. Men are still taking up shifts to guard the area at night. "Holi is just around the corner, there is a chance of something happening then," said one man who stood watch the previous day.

Owing to the gruesome violence faced by the individuals and emerging cases of fresh attacks, women of Shiv Vihar expressed their apprehensions on going back to their locality. While some individuals whom the team met have demanded a safe passage to their neighbourhoods, others have expressed their horror at even the thought of returning to the area where they have been attacked. Section 144 is still imposed in some areas.

Another point of concern that the community has expressed is the complete destruction of their documents including identity cards and ownership papers. The frenzy of losing documents is further amplified in the present scenario due to the conversation around NRC.[88]

A feeling of helplessness has given way to palpable angst in the face of the complete failure of the law and order machinery. The community at large hopes for positive interventions from the state and other stakeholders in order to feel more secure and less fearful.

5.2 Disillusionment and Distrust

Many testimonies of the affected individuals point towards the complicit role of their neighbours in the perpetration of violence, while others have expressed their dismay at not receiving any help from others during their time of utmost need.

"*I have many Hindu clients from Shiv Vihar, after the violence I looked at their social media accounts that are filled with hate speach against my community,*" stated a young Muslim man. He went on to call one such client in front of the fact-finding team who in turn accused men from Deoband (a Muslim organization) for causing violence.

Faced with such rumours, the community members constantly asserted the fact that no temple in the vicinity has been harmed while many masjids have faced the brunt of the

[88] https://thewire.in/communalism/delhi-riots-citizenship-documents

violence.

In Muslim majority areas, the locals have vehemently guarded the Hindu minority. "*Why then did they not do the same for us?*" questioned a woman while talking to the Team.

Alluding to the active role in the attack played by the very people that they have interacted with on a day to day basis, many women asserted that without their help the outside mob would not have been able to distinguish Hindu houses from the Muslim ones. While most of the Muslim houses in Shiv Vihar have been burnt, only the ones adjacent to Hindu houses have been spared, lest the fire spread to the Hindus. Such Muslim houses have however been looted by the mob, indicating a strategic and targeted attack.

The community accused the police of continuous betrayal, evident in the testimonies of police leading the victims to the mob. Even after the police proclaimed complete control of the situation, the attacks continued. '*We heard of a man who, believing that the violence had stopped, attempted to return there on 28.02.2020 to bring back some documents which were left there when his family fled. We were told that the moment he turned the key in the lock of his house, he was killed by a sword and his house usurped.*'[89] "*Jo bhi uss din Shiv Vihar gaya, wo wapas nahi aaya",* (whosoever returned to EEidgah that day did not ever return back) claimed the women survivors who were sitting in a tent at EEidgah.

The victims/survivors are largely relying on their own community for support. On 2 March, the Delhi Assembly constituted the Peace Committee (***Annexure - IV***), which consists of nine members of whom only one is Muslim. A young man elaborated on his feeling of distrust when he saw the relief providers being escorted by the police who had taken active part in the perpetration of violence. The community understandably has been finding it hard to trust the relief providers who are meeting them under police protection. The exclusion of minority community members in all decision making processes and initiatives has been frowned upon by the community.

Other affected individuals have expressed their dissatisfaction with the actions taken by the Central and State Government. The news of the transfer of a ''just'' High Court judge along with the postponement of the next hearing and a lackadaisical investigation process are constantly being discussed in the community, causing extreme distrust in all systems of justice and grievance redressal mechanisms.

The community has also expressed their suspicion and concern about an attempt by the state machinery to sanitize the worst affected areas and destroy evidence under the garb of providing protection and relief. Their priorities are evident in sanitizing the area, cleaning up the bodies, blood and remains of the aftermath, and painting over the protest slogans expressing the community's need for rescue and help to find the remains of deceased members of family.

We asked a municipal worker who was hurriedly painting over protest slogans on the walls in the worst affected area about who ordered him to do so, to which he replied "*Upar se order aaya hai, sab saaf karna hai. LG Sahab ka visit hai, unke aane ke pehle sab saaf karna hoga" (The order has come from the top, We have to clean everything before LG (Lieutenant Governor's) visit*.)

[89] https://www.indiatimes.live/heres-what-eyewitnesses-report-from-violence-hit-areas-of-ne-delhi/

A young man from the community who was once a student of Delhi University felt disillusioned with regards to his Hindu friends who have continuously voiced their support for the perpetrators through social media. Such friends once dominated his friend circle but now they have made him wonder whether he truly belongs to this country! This disillusionment and distrust extends to all in the Hindu community who have been applauding the aggressors on social media.

5.3 Trauma and mental health impact

The Team encountered visible signs of shock, disbelief and trauma among the victim/survivor community members including incessant crying, blank demeanours and shriveled clothing. Many women and children at Eidgah were still wearing the same clothes that they had worn during their escape. The women also shared that they haven't been able to eat at all since they have been rescued. On hearing that her husband had returned to Shiv Vihar, one woman begged her husband to come back fearing an attack on him. "I will never be able to forget what I saw that day, the way they assaulted young women was horrific!" exclaimed another woman. The anxiety of restarting their lives from nothing while trying to overcome the shock that they have felt in the past few days was felt by all the individuals that the Team met. "Every time a door closes loudly, I get scared thinking that a cylinder has burst." Such were the stories of trauma that are likely to have an effect for a long time on everyone who has lived through these experiences.

The affected families expressed deep concern for their children's academic future as many children have missed their exams while others went unprepared for them. These children have lost their books in the carnage and destruction. The three schools that were destroyed had largely Muslim students. Other members of the impacted community expressed their helplessness in contributing to their children's futures owing to their sudden destitution.

A few children of the affected community were eyewitnesses to brutal violence and had even seen their own family members being shot. The children in turn, seem to have internalized the violence that they witnessed. The Team has had shocking encounters with children who showed them disturbing videos of the attack and also spoke in great detail about the violence. Some children that we have encountered showed psychosomatic symptoms of fever and incessant shivering. A volunteer from the relief operations shared that a few children used to receive food from the local Anganwadi that has been shut since the violence erupted. The team also came across vague narratives alluding to sexual violence against children.
Media narratives and the accounts that the team heard pointed towards the participation of young boys in perpetration of violence. If these accounts are to be believed it would bring the deeply disturbing fact of corruption of young minds.

5.4 Rescue and Relief Work

Role of the community

The violence that erupted in Delhi on 24 February continued unabated until 27th February. In the face of little or no help from the criminal justice system, the local community sprang into action and managed to spearhead relief and rescue work in spite of extreme levels of

despair and helplessness.

Rescue work was primarily carried out by the young members of the Muslim community and a few friendly neighbours. Families that fled their homes from Shiv Vihar were immediately taken in by their relatives and friends in Chand Bagh and Mustafabad.

The Muslim community has also been guarding the shops and houses of a few Hindu families in the Muslim dominated areas. A group of young men of the community have been providing food and other essential material to the worst affected houses. The relief material provided by the outsiders is not reaching the people who are in dire need of such resources," said one member of the group. On 4th March, this group managed to reach a family who had not received any help since the violence began.

Tents were established at the EEidgah by the community for the people who have been forced to flee their houses. This has streamlined the process of relief and rescue. Medical and legal camps have been set by the community as well as other organizations in the EEidgah itself. Chief Minister Arvind Kejriwal had announced details of compensation in a press conference on 26 February.[90] The process of filling compensation forms has also started at EEidgah. While a few families have received the ex-gratia amount of compensation as on 2nd March, others are in the process of filing for the same. News of a few Gurdwaras and Churches opening their doors have also been doing rounds. The Team however did not hear about this from the affected community owing perhaps to the lack of information about them. A young MBBS student from the community had set up a medical camp with his friends to provide basic first-aid and distribute basic medicines.

Role of civil society organizations and individuals

There have been some efforts to provide relief by a few civil society organizations, student organizations, legal groups as well as individuals. Some of them have joined hands with the community to make their work more impactful. Naturally, community members have largely been suspicious towards outsiders due to their recent experiences.

On 2 March, piles of clothes were dumped in three different locations of Mustafabad. A few members of the community pointed at the fact that many victims of the recent violence will find it undignified to pick up clothes kept in such fashion. Others expressed concern about the mismanagement of resources and materials by selected members of the community who are receiving these from outside on behalf of the community.

Government inaction

During any calamity the expectations of the community rest on their elected representatives to take immediate action to protect loss of life and property. In the following sections, the Team explores the role that government bodies have played in the Delhi violence of 2020.

Central Government

The beginning of the Delhi violence coincided with American president Donald Trump's visit to the state. The social media updates of the central government largely only focussed on

[90] https://www.indiatoday.in/india/story/delhi-violence-arvind-kejriwal-compensation-death-damage-loss-1650577-2020-02-27

the latter. No compensation has been announced by the Central Government for the violence affected individuals. The Union Minister accused the opposition for inciting violence.[91]

Amidst widespread protests by the opposition inside and outside Parliament, Lok Sabha Speaker Birla said that the central government will be ready to have discussions on the violence after Holi.[92] However, Congress MLA Adhir Ranjan Chowdhry stated that the opposition is in consensus that they will not let the Parliament function until there is a conducive discussion on the Delhi violence.[93]

Chief Minister Arvind Kejriwal pointed at the fact that the violence could have been controlled had the Delhi police (which is under the Union Home Minister) been as vigilant from the beginning as it has been in the last three days.[94]

Role of Delhi Government

The Delhi Government largely claimed helplessness in the initial days of violence. Many violence affected individuals have been thoroughly dissatisfied with the inaction of the government. The Delhi Government announced the establishment of 9 relief camps for the victims. However, hardly anyone on the ground knows about the whereabouts of these camps. It was eventually discovered that the relief camps that the government referred to were largely night shelters that are in poor condition and only inhabited by addicts. No violence affected victims have landed in 3 such night shelters as reported by Scroll.in.[95]

42 families who have shifted to the East Delhi Municipal Corporation's (EDMC) community centre at D Block in Sree Ram Colony are also worried about their long term rehabilitation.[96] Seher Bano, whose house was vandalised and looted, said she had to shift to EEidgah ground as "I do not know where the relief camps set up by the government are. We are getting food, water and clothes from our own people." I have heard that there is a process of compensation but I do not know the details. Politicians have not visited our area," she added.[97] The compensation (see ***Annexure – V and XIV***) announced by the government is deemed grossly inadequate by the community. "I am entitled to get ₹5 lakh but how is it enough? I was making my own house nearby and had ₹4 lakh kept in the house," claimed one of the survivors.[98] On the other hand the Chief Minister has announced Rs. 1 crore compensation for the families of the Head Constable Ratan Lal Singh[99] and the IB official

[91] https://www.firstpost.com/politics/amit-shah-blames-opposition-for-delhi-violence-says-congress-spreading-misinformation-about-caa-and-inciting-communal-riots-8098681.html
[92] https://www.newindianexpress.com/cities/delhi/2020/mar/03/centre-ready-to-hold-discussion-on-delhi-riots-after-holi-lok-sabha-speaker-om-birla-2111558.html
[93] https://www.thehindu.com/news/national/wont-let-parliament-function-till-debate-on-delhi-riots-is-allowed-cong/article30981547.ece
[94] https://www.newindianexpress.com/cities/delhi/2020/mar/03/centre-ready-to-hold-discussion-on-delhi-riots-after-holi-lok-sabha-speaker-om-birla-2111558.html
[95] https://scroll.in/article/954917/why-delhi-government-s-relief-camps-are-empty-despite-riot-hit-people-desperately-needing-shelter
[96] https://docs.google.com/document/d/1b25ipMOxgFu8fm6-a5xLKvKK9EdZ-KWtchkvkfL931A/edit?ts=5e5bbf9b#
[97] https://www.thehindu.com/news/cities/Delhi/riot-victims-dissatisfied-with-delhi-govts-relief-measures/article30976322.ece
[98] https://www.thehindu.com/news/cities/Delhi/riot-victims-dissatisfied-with-delhi-govts-relief-measures/article30976322.ece
[99] https://www.indiatoday.in/india/story/rs-1-cr-compensation-for-head-constable-who-died-in-delhi-violence-arvind-kejriwal-1650271-2020-02-26

Ankit Sharma.[100]

A response by the District Magistrate of NCT Delhi to the Delhi High Court (see ***Annexure - VI***) submitted on 2nd March 2019 details the actions taken by the government. However the affected families are largely unfamiliar with these actions.

The Chief Minister only visited the affected regions on 27 February after the High Court had ordered the highest constitutional functionaries in the national capital to visit the area.[101] Victims of the violence went to private hospitals even after the Chief Minister announced free treatment.

The Peace Committee constituted by the Delhi Assembly on 2nd March, in its first meeting, gave incentives for whistleblowers to tackle hate speech. In order to receive these complaints, a special email ID and phone number is to be launched by the committee soon. Recently, the Delhi Police has arrested more than a dozen people for rumour mongering with regards to violence in South and West Delhi areas.[102]

Role of local politicians and leaders

A close aide of the local MLA Haji Yunus claimed that about ten individuals are still missing. He said his legal team is looking into the disappearances. However, as mentioned earlier, a young man of the community exclaimed that not enough is being done by the MLA's team in this regard. The MLA's close aide also claimed that a team is helping the community fill in compensation forms and some of them (about 8) have received the initial amount of compensation. One community member asserted, "We had been constantly calling the police to seek help. Each time we called, the police assured us of help but never came. Finally the MLA called the army that rescued us."

Role of medical institutions

From 24th February when violence erupted in north-east Delhi, hundreds of civilians were injured and sought treatment in Delhi's hospitals. However, the health system response was far from adequate. The Jan Swasthya Abhiyan, in its report 'The Role of Health Systems in Responding to Communal Violence in Delhi',[103] documented the experiences of victims in the health services and recommend steps for the Delhi Government to ensure appropriate treatment and care is provided now and in the future to victims of communal violence. The following are the key findings of the report.

[100] https://www.indiatoday.in/india/story/delhi-violence-kejriwal-govt-announces-rs-1-crore-compensation-for-slain-ib-jawan-1651597-2020-03-02

[101] https://www.hindustantimes.com/india-news/kejriwal-will-visit-riot-hit-areas-to-meet-victims-as-per-court-order/story-AjT6cHgdVpbpldHZLS9IcM.html

[102] https://www.newindianexpress.com/cities/delhi/2020/mar/03/delhi-riots-peace-panel-to-tackle-hate-speech-violence-rumours-in-city-2111351.html

[103] http://phmindia.org/wp-content/uploads/2020/03/Final-Report-on-Delhi-violence_JSA.pdf

Disrespectful behaviour by police and hospitals

- Injured persons were harassed by police officials and spoken to disrespectfully by staff at GTB and LNJP hospitals. These included communal remarks that made victims fear for their safety in the hospitals and may prevent them accessing public health services in the future.

Inadequate medical treatment and communication

- Injured persons reported being treated hurriedly and negligently at GTB and LNJP. Some victims were not thoroughly diagnosed and were not treated for all injuries sustained.
- Families and injured persons were not informed what care they received.
- Families struggled to find their injured relatives in hospitals due to lack of information in hospitals. Families were told to check each ward and room themselves to find injured relatives.
- Injured persons were sent home from hospitals unaccompanied and without assessing the safety of the victim's final destination.

Financial burden

- Families are struggling to arrange finances for treatment. A charitable organization has not received written instructions on the extension of the *Farishtey* scheme and is unable to fully assist these families with free care.

Incomplete information recording and denial of care

- Injured persons and families are not being provided proper treatment records with MLC number by GTB and LNJP. These hospitals then denied care to returning for treatment due to lack of treatment records and MLC number.
- For patients with a casualty case paper, documentation was extremely sparse. Important details such as location of violence, weapon used, and identity of assailant were not recorded. Some gross injuries such as fractures were not recorded at all.

Poor community-level response

- The violence resulted in displacement of entire communities housed in nearby neighbourhoods. Doctors on ground have reported the spread of diarrhoea, scabies and other illnesses arising from poor hygiene.
- Access to routine care for chronic illness has been affected in areas that have witnessed violence. Lack of primary healthcare services and Mohalla clinics, particularly in Mustafabad, has impeded access to care at the community level.

The Hon'ble Minister of Health, Government of Delhi agreed on the following steps to improve health system response to violence:

- Community outreach of health services in affected areas, including temporary Mohalla clinics at Mustafabad.
- Provision of treatment and MLC records for injured persons and families demanding

them.

- Creating an 'empowered help desk' at government hospitals where nodal officers will be stationed to aid patients and families facing barriers to access healthcare and documentation.
- Re-sending written instructions to all private hospitals regarding extension of *Farishtey* scheme to ensure free and cashless care to injured persons.
- The health facilities owned by members of the community have actively played a positive role in the time of distress. Many injured victims have received free medical aid from a local nursing home since the beginning of the violence. Many individuals who are not comfortable in stepping out their shelters are being treated by community doctors in their houses.

Responses of the Victims and Survivors

Most of the individuals who have been affected by the violence are still in shock. Besides trying to come to terms with the destruction of their property and the violence they witnessed, they are also struggling to come to terms with their complete dependence on others. "*Ye din agayein hai ki dusron se mangna par raha hai*." (We are at the mercy of others, such are the times!)

Some of the individuals seemed to be struggling with their compensation forms and one even sought help from the fact-finding in filling up the form. Another fear amongst the community at large is the delay that may be caused in receiving compensation and justice.

The irony of approaching the police, complicit in the violence that these families faced, is evident on their faces. The volunteers from within the community who have been involved in the relief work have shared that many survivors have not opened up about the full magnitude of violence that they faced. The episodes of sexual violence too were narrated in ambiguous sentences by some women that the fact-finding team met. The affected families are also suspicious of outsiders who are offering relief and are largely relying on their kin and acquaintances to provide aid. Many people who have sought shelter in relatives' and friends' houses are not willing to shift to the relief camps.

6. Role of media

A common sentiment expressed by the Muslim community and other civil society members is the partisan role played by the Indian media in reporting the Delhi violence that have left over 40 people dead and hundreds injured. The international press squarely put the blame for the Delhi violence on Prime Minister Narendra Modi's hardline policies, especially the rollout of the Citizenship Amendment Act, noting the culpability of BJP leader Kapil Mishra and his inflammatory remarks. International news also commented on the alleged complicity of the Delhi Police and stated that the Delhi violence is a pogrom[104] that has destroyed India's international image as a democracy tolerant of multiple faiths and subcultures.[105] However, global sources were found missing from the reports published by Indian media

[104] https://www.huffingtonpost.in/entry/foreign-media-nyt-guardian-on-delhi-riots_in_5e5de3eec5b67ed38b378c75?utm_hp_ref=in-delhi-violence

[105] https://scroll.in/article/954606/modi-stoked-this-fire-how-international-media-reported-delhi-violence

houses.

On the contrary, a brief analysis of the reporting on Delhi violence by mainstream TV news channels in India shows how they contributed greatly and facilitated the spread of false information to increase enmity between Hindu and Muslim communities. On 24th February 2020, while North-East Delhi was burning, most of the mainstream media was focused on the visit of US President Donald Trump. The violence was but a footnote. NDTV was among the first to report on the violence. As the violence escalated, other media channels started reporting and initial ground reports across channels described the failing of the Delhi police.[106] However, in prime time shows news anchors of Zee TV, Times Now, and Republic TV forwarded a common theory: "The violence was organized by members of the 'Tukde-Tukde' gang/Lutyens Delhi with an aim to defame the image of India globally during the visit of Donald Trump."

Zee TV

Sudhir Chaudhary, in his hour long DNA program on 24th February 2020 mentioned the violence at the end of the program as a passing thought after analyzing the US President's visit to India. Chaudhary attributed the violence as the work of the 'Tukde Tukde Gang'. He reported that on previous occasions when Indo-US ties were being strengthened Pakistan would orchestrate violence to discredit India; however, now the 'Tukde Tukde Gang' was doing the same inside the country.[107]

In a subsequent episode on 26th February 2020, he claimed that the reports from the ground revealed Tahir Hussain[108] as the chief architect of the violence. He stated the violence was pre-planned, ready with ammunition and people, and was not a case of action and reaction, but a plan by Tahir Hussain.[109]

106 https://theprint.in/opinion/telescope/on-delhi-riots-tv-channels-finally-reported-news-then-the-anchors-swooped-in/371926/

107 https://www.youtube.com/watch?v=LpjWeq9jY8U (It is interesting to note the last bit of the video is not complete - this portion is available at an episode of Newsance https://www.youtube.com/watch?v=RjDnh6-URFk)

108 Tahir Hussain is a Councillor from Nehru Vihar area from the ruling political party of New Delhi (Aam Aadmi Party). A resident of Khajuri Khas, he has been booked by the Delhi Police for the kidnapping and murder of Ankit Sharma, an Intelligence Bureau Officer killed in the recent Delhi Violence. Later police also added cases of rioting and arson against Tahir. He was arrested by Delhi Police on 5 March 2020.

109 https://www.youtube.com/watch?v=ivJZnQd2ZQ4

Republic TV

Arnab Goswami in his hour long show on 24th February 2020, started the show by questioning the timing of the violence and the Trump visit to India. Throughout the debate references were made to continuation of protests like Shaheen Bagh and the role of Chandrashekhar Azaad 'Ravan' as instigators of violence. The show also morphed into an attack on liberals for not speaking out about the death of the head constable.[110]

Further, coverage again peddled the conspiracy theory of the 'riots' being timed with the Trump visit.[111] Similar to Zee TV, even Republic pin pointed Tahir Hussain as the primary aggressor and running a 'riot factory'. Arnab in his monologue started by condemning Kapil Mishra but immediately questioned the 'moral equivalence' of blaming Kapil Mishra without seeing the role of Tahir Hussain in the 'riots'.

Times Now

The violence was once again questioned for timing and the channel claimed that sources in the Home Ministry stated that opposition parties were at play in instigating the violence.[112]

Tahir Hussain was once again the primary aggressor. Rahul Shivshankar questioned why Tahir Hussain was not surrendering to the police if he was innocent. He further questioned liberals who were not condemning Tahir Hussain.[113]

The Newshour in its programme on 25th February 2020, started the show questioning who was burning Delhi. However, immediately Navika questioned what the opposition had done. Throughout the programme the anti-CAA protests especially Shaheen Bagh was questioned as an instigator causing communal violence.[114]

It is interesting to note that while all channels claimed that hate will lead nowhere, at no point did they hold the Home Ministry or the Indian Government accountable. The mainstream media continued to attack liberals.

7. Stories of Hope and Solidarity

Many media reports of good samaritans who have rescued their neighbours from impending doom have been published and therefore the Team has consciously decided to focus on the first-hand narratives.

110 https://www.youtube.com/watch?v=TXBZwd2g5fE
111 https://www.youtube.com/watch?v=36qI4I9VGDE
112 https://www.youtube.com/watch?v=jhljmXz3a34 and https://www.youtube.com/watch?v=VEUce0Gwxa0
113 https://www.youtube.com/watch?v=jzT9nT11BrU
114 https://www.youtube.com/watch?v=OmBYSjLGSLo&t=673s

The Braveheart Cricket Team

20 year old Zaheer (name changed), who had been tirelessly working on relief and rescue for a week, until a few days back was part of a community cricket team in Mustafabad. Who would have thought that an insignificant cricket team would step up to the role of a saviour when the community was facing its biggest crisis, in the process saving scores of lives. When violence was at its peak and the Muslim community in Shiv Vihar felt helpless after making hundreds of calls with no response from police and Hindu neighbours, the boys from the cricket team took it upon themselves to save the families trapped in Shiv Vihar. Some of them put a *teeka (*saffron mark*)* on their forehead to disguise themselves as Hindus and made several shifts throughout the night to rescue people and help them shift to a safe location in Mustafabad. Irfan (name changed) told us he wore a police uniform and did rounds throughout the night to save as many as he could. All of them knew that they were risking their lives as they could be killed by either police personnel or the mob, but they prioritized saving as many lives as they could.

It was not just the cricket team but the poorest of the poor of the community who played on their lives to defend their community and people. These are the people who are referred to as 'rioters' by popular media. In the community's perception they were only saving the lives of their community.

Another heartening narrative that emerged from many individual stories is that of a local Nursing Home that worked round the clock to provide free medical aid to the injured. The doctor from the same Nursing Home (anonymized to protect safety) shared that he has been accompanying his patients to other medical institutions in the required cases.

An auto driver who was a resident of Shiv Vihar nearly escaped the mob through the help of his Hindu neighbors. Another Hindu man, who wanted to remain anonymous for fear of retaliation, spoke of how he secretly escorted seven Muslim families to safety in Shiv Vihar.

8. Recommendations

- Fact-finding Teams consisting of retired judges, doctors, forensic experts,Psychologists, credible Human Rights Organizations along with members of Delhi Minority Commission, National Human Rights Commission, Women Commission should be constituted for a detailed inquiry on Delhi Violence. There should be significant representation from people from minority communities and assurance of witness protection for collection of evidence .
- The Lieutenant Governor should immediately institute a Commission of inquiry under the Commissions of Inquiry Act, 1952 to ascertain the nature,cause and impact of violence.
- Representatives of various political parties from State and Central government should constitute a Joint Committee with adequate representation from religious minority community and women to oversee the process of systemic accountability and formulate a time bound action plan ensuring time bound justice which would re-

instill minority community's trust in polity and state institutions.

- The Delhi High Court should order a court monitored investigation into the Delhi Violence. Such an investigation must focus on the role played by the Delhi Police in abetting violence. This committee should be headed by retired Judges of the Supreme Court. Since, omission and commision of law enforcement agencies often causes state reprisal of witnesses, there is a need for a witness protection mechanism to ensure an immediate trust building process with people from the religious minority committee. Their participation in the process may reinstill their trust in a post-traumatic crisis scenario. While ensuring that adequate time is allotted for evidence collection unjustified delays should be strongly discouraged.

  The SIT formed by the Delhi Police should not be the body investigating the violence since an unbiased assessment of its own role cannot be carried out by the Delhi police.
- The State Government along with the Representatives from the community should prepare a Citizen's charter with details of the need assessment for relief and reparation work while ensuring accountability and transparency. Following aspects were flagged by the community to the Team:
    1. Take account of and immediately release a list of missing people and take proactive measures in finding them.
    2. Ensure that the injured individuals receive MLC.
    3. Ensure that the post mortem should be videographed and also expedite the process of post mortem
    4. Release immediate orders to clean the drain from which many dead bodies have been retrieved.
    5. Ensure that all the arrests are substantiated by impartial and independent investigations so as not to cause further distress to the aggrieved parties in the form of arbitrary arrests.
    6. Expedite the process of providing compensation.
    7. Ensure that the Children that have been directly impacted by the Delhi Violence do not suffer academically.

  The compliance of the Citizen's Charter must be strictly monitored by the State Government. Psycho-Social and Economic Rehabilitation of the affected community must be focused on.
- The Central Government must allow Special Rapporteurs(on killings,disappearance etc) and the Office of the High Commissioner for Human Rights (OHCHR) to visit the affected areas keeping in line with India's obligation to International treaties such cases of mass crimes.
- Medical and Legal Fraternities must send representatives to the affected community in large numbers in order to meet their requirements.
- The State and Central Government Representatives must ensure their presence on ground to ensure a meaningful process of rescue, relief, reparation work borrowing

from best practices in the world in situations of Pogrom or Communal/ethnic violence.

- The members of the Aggrieved Community must be involved at all stages of relief providing activities, especially in the decision making bodies.
- All Organizations involved in Relief and Rehabilitation work must move towards larger coordination to ensure efficiency.These efforts must be carried by utmost sensitivity.
- While it is important for the State to collaborate with Civil Society Organizations, the primary responsibility of Relief, rehabilitation and Reparation must lie with the state and must not be outsourced.
- The media houses especially the ones with massive viewership must carry out accurate reports instead of spreading false narratives.
- The Media Houses that have been complicit in spreading hate in the recent political scenario must be held accountable by the Media Fraternity and authorities such as News Broadcasting Standards Authority (NBSA)
- All possible efforts must be made to reinstate faith of people in the State Institutions.

Annexures

Annexure I- List of people killed:

Sourced from:
https://www.firstpost.com/india/high-cost-of-riots-in-northeast-delhi-list-of-49-people-who-died-during-three-days-of-violence-8108751.html

1. Aamir, 30, M
2. Aftab, 18, M
3. Akbari, 85, F
4. Akil Ahmad, 40, M
5. Alok Tiwari, 24, M
6. Amaan, 17, M
7. Ankit Sharma, 26, M
8. Anwar Kassar, 58, M
9. Arshad, 22, M
10. Ashfaq Hussain, 22, M
11. Atul Gupta, 45, M
12. Ayub Shabbir, 60, M
13. Babbu Salmani/Babbu Mohammad 33 M
14. Bir Bhan Singh/Vir Bhan Singh, 50, M
15. Constable Ratan Lal, 42, M
16. Deepak Kumar, 34, M
17. Dilbar/Dilbur Negi, 20, M
18. Dinesh Kumar, 35, M
19. Faizaan, 23, M
20. Hashim, 17, M
21. Ishtiyak Khan, 24, M
22. Mahroof Ali, 30, M
23. Mehtab, 22, M

24. Mohd. Furqan, 30, M
25. Mohd. Monis, 22, M
26. Mohd. Irfan, 32, M
27. Mohd. Shahbaan, 22, M
28. Mohd. Yusuf, 52, M
29. Mohsin, 22, M
30. Mubarak Hussain, 28, M
31. Muddassir Khan, 35, M
32. Musharaff, 35, M
33. Nazeem Khan, 35, M
34. Nitin Paswan, 15, M
35. Parvez Alam, 50, M
36. Pravesh, 48, M
37. Prem Singh, 27, M
38. Rahul Solanki, 29, M
39. Rahul Thakur, 22, M
40. Salman, 24, M
41. Sanjeet Thakur, 32, M
42. Sayid, 19, M
43. Shahid Alvi, 23, M
44. Shan Mohd., 35, M
45. Suleiman, 22, M
46. Unknown, 70, F (Listed in the Guru Tej Bahadur Hospital list.)
47. Vinod Kumar 50 M
48. Zakhir, 26, M
49. Aqib, 18, M

Annexure II - Letter Requesting Compliance with Section 41-C Cr.P.C

March 1, 2020

To,

The Commissioner of Police,
IP Estate, ITO, New Delhi – 110002
Also at
Delhi Police HQ
Jai Singh Road, New Delhi – 110001

Subject: Compliance with Section 41-C Cr.P.C. for displaying information regarding arrests and detentions

Respected Sir,

1. According to statements made by the Spokesperson for Delhi Police on 28.02.2020, at least 148 FIRs have been registered by various police stations as a result of the ongoing violence in Delhi. Further, at least 630 persons have been arrested in connection with the same.

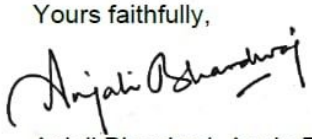
2. Section 41-C of the Cr.P.C. 1973 mandatorily requires that a "Police Control Room" be established in all districts, and Section 41-C(2) demands that the names and addresses of all persons arrested be displayed on the notice board outside the Control Room. The Delhi Police also follows the salutary practice of having such notice boards outside each Police Station itself.

3. Compliance with Section 41-C and providing information regarding details of those arrested and in custody is necessary to provide families of those persons with clarity about their whereabouts to ensure that the correct information is reaching all concerned and their suffering is not worsened by the spread of misinformation.

4. Despite the express mandate of law, the names and addresses of all arrested persons are not being displayed at the Police Control Room in North-East and Shahdara Districts and police stations falling within the area, as has been confirmed by several lawyers and journalists on the ground. Not only this, the failure to adequately publicise these details of arrested persons was also noted during the previous incidents of unrest in Delhi over the past months.

5. You would appreciate the need for strict compliance with this provision in the present circumstances, as such clarity will go a long way towards dispelling rumours and misinformation that are plaguing the lives of all those affected. We appeal to you to ensure compliance with this legal requirement and continue towards restoring normalcy in the region.

Yours faithfully,



Anjali Bhardwaj, Annie Raja, Yogendra Yadav, Prashant Bhushan, Rahul Roy, Saba Dewan, Pamela Philipose, Amrita Johri, Navsharan Singh, Indira Unninayar

Copy to:

1. DCP Shahdara, Shalimar Park, Shahdara, Delhi – 110032
2. DCP North-East, Dilshad Garden, GTB Enclave, Delhi – 110095
3. DCP East District, IP Extn., Mandawali, Fazal Pur, Delhi – 110092
4. DCP Rohini, Begumpur, Delhi – 110086
5. DCP North District, PS Civil Lines, Delhi – 110002
6. DCP Outer District, Pushpanjali Enclave, Pitampura, Delhi – 110002
7. DCP Outer North District, PS Samaypur Badli, Delhi - 110042
8. DCP Central District, PS Darya Ganj, Delhi – 110002
9. DCP New Delhi District, PS Parliament Street, New Delhi – 110001
10. DCP West District, PS Rajouri Garden, New Delhi – 110027
11. DCP South West District, PS Vasant Vihar, New Delhi – 110070
12. DCP South East District, PS Sarita Vihar, Mathura Road, New Delhi – 110096
13. DCP South District, PS Hauz Khas, Delhi – 110006
14. DCP North-West District, PS Ashok Vihar, Delhi – 110052
15. DCP Dwarka District, Sector-19 Dwarka, Delhi – 110075

Annexure III - Testimonies Collected by the Fact Finding Team

Case No. 1

Nature of violence: Death
Name of victims:

1. **Mohd. Amir** S/o Babu Khan, aged about 30 years R/O Gali No. 17, Old Mustafabad.
2. **Hashim** S/o Babu Khan, aged about 19 years R/O Gali No. 17, Old Mustafabad

Attacked by: Unknown
Place of attack:
Date & Time of incident: 26th February, 2020, 8.30pm night

Amir and Hashim were brothers, son of Babu Khan resident of Old Mustafabad. Amir, who used to work as a driver, was the primary bread earner for his family and is survived by his five month pregnant wife and two minor daughters aged four years and two years. Hashim, his younger brother, used to work in a jeans shop. On the evening of February 26th, 2020, Amir and Hashim had set out on their motorcycle from Ghaziabad to meet their family in the violence-hit Mustafabad area of North East Delhi. The last the family heard from the two brothers, was around 8.30 pm when they called saying that they had reached Gokulpuri *neher* (drain) and would reach home in 5-10 minutes. When the two brothers did not reach home, the family made calls to Aamir's mobile number, but it was not reachable. Worried about his sons, Babu Khan went to Dayalpur Police Station at around 2.00am on the morning of February 27th, 2020 and filed a missing complaint. At Gokulpuri Police Station, a woman officer said she had seen their bodies of both the brothers at GTB Hospital. The family rushed to Hospital and identified their bodies that had been pulled out of a drain between Ganga Vihar and Gokalpuri. According to Babu Khan, the bodies of both his sons were not recognisable. He furthers says that their motorcycle and mobile phones are still missing. The Post Mortem of both brothers was completed and the body was handed over to the family on the evening of February 29th, 2020.

When the Fact Finding team met the bereaved family members, they weren't sure if an FIR had been filed by the police for the murder of their sons.

Case No. 2

Nature of violence: Severe Injury

Name of victims -

1. Ansar Ali, aged about 42 years, R/o Gali No. 22, Old Mustafabad.
2. Abrar Ali S/O Ansar Ali, aged about 22 yrs, R/o Gali No. 22, Old Mustafabad.

Date & Time of Incident - 25th February, 2020, 2.00pm, afternoon.

A family of 5 members - Ansar, his wife and three children, the eldest son being Abrar Ali. Both Ansar and Abrar are the primary breadwinners of the family who work as tailors earning a meager income and live in a small one room rented premises.

On 25th February, 2020, Ansar, Abrar with another relative (saadu) were coming back from Bareli in UP after attending a relatives funeral. At around 2.00pm the three encountered a mob of around 60-70 people near Johripur puliah (hindu area). The mob also consisted of young boys and women. The women although not armed with weapons were instigating the men in the mob to assault the victims. 3-4 people in the mob were carrying guns, the others were armed with stones, chains, laathis, base bats, iron rods and swords. A heap of stones was collected at the intersection (chauraha) nearby.

Abrar says that his family was stopped by the mob. They asked him his name. When he responded saying Abrar, he was slapped by a few people in the mob. They were saying "*mulloh ko gher ke maarenge*" (We will surround the muslims and assault them), "*mulloh ki jaat hi sabse kharab hai*" (the entire muslim community is polluted). Someone hit him on his head with a rod and he fell on the ground. Thereafter the mob started beating him and his father mercilessly. Their relative managed to escape the mob. Abrar says the mob was planning and discussing amongst them to burn him alive and shoot him, all the while assaulting him and his father with iron rods and base bats. The mob made Abrar and his father chant "*Jai Sia Ram " almost* 10 times, even after which they continued to assault them.

Thereafter, one person from the mob (a hindu) asked Abrar where his family was from. When he replied saying that they are from Barelli, UP, the person advised Abrar to identify himself as a hindu (Raju) otherwise he will be killed by the mob. This person along with another person from the mob, stopped the mob from killing Abrar and his father, took them on his bike to GTB hospital and called Ansar's wife from Abrar's phone and informed her that her husband and son are in GTB Hospital and left.

Ansar and Abrar were treated in GTB Hospital for grave injuries. Ansar had a lacerated wound on the back of his head and a fracture on his right arm, whereas Abrar had fractures on both his arms and right feet and wound on the back of his head. Both were discharged on 28th February, 2020. An MLC was conducted for both - Ansar MLC No: D-23 and Abrar MLC No: D-24.

Case No. 3

Name of victim -

1. **Zaheer**, aged about 60 years, R/O Gali No. 22, Old Mustafabad.

Date & Time of incident - 25th Feb, 2020, 6.30pm evening.

Zaheer, a 60 year old man who stays in a one room rented accomodation in Old Mustafad and supports his family by working as a daily wager, was assaulted by men in uniform inside a Masjid. On 25th February, 2020, at around 6.30pm, Zaheer had gone to Ayesha *Masjid* (mosque) located near the *puliya* (small bridge) in Brijpuri, old Mustafabad, to read namaz. He was coming out of the masjid when he heard the loud commotion of a mob followed by gunshots. He ran inside the Masjid and soon realised that tear gas and petrol bombs were being thrown in the Masjid from the outside. He hid inside a bathroom in the Masjid to save himself. The mob entered the Masjid and he could hear people screaming. When Zaheer came out of the bathroom, there was smoke everywhere and he was spotted by men wearing blue uniforms (most likely the Rapid Action Force), who started hitting him with the butts of their guns, all the while abusing him for being a muslim who are rioters and have been pelting stones. He was brutally assaulted on his head, arms, shoulders and back with the guns having both long and short barrels. Zaheer managed to run away and was rescued by his sons who got him home and took him to a private clinic in Old Mustafabad for medical treatment. He has sustained injuries above his right eye, arms, shoulders, back and thighs.

Case No. 4

Name of the victim:

1. **Mohd. Shakil S/O Abdul Wahid, aged about 48 years, R/O Gali No. 20, Old Mustafabad**

Date & Time of incident - 26th February, 2020, 9.00 am morning.

Mohd. Shakil was stuck and took refuge in Kabir Nagar on February 24th and 25th, 2020 as violence raged in the North East District of Delhi. On the morning of February 26th, 2020 at about 9.00 am, Mohd. Shakil was on his way back home, situated in Old Mustafabad, on his motorcycle. When he reached Brijpuri *puliya* (small bridge) he was stopped by five officers of Delhi Police (most probably from Gokulpuri Police Station) who started asking him where he was coming from. When he responded saying that he was stuck in Kabir Nagar due to the violence, the police officers started alleging that he must be one of the rioters who were protesting and had pelted stones. The police officers then started hitting him on his head, as a result of which the helmet which he was wearing developed cracks. The police officers were forcing him to remove his helmet all the while assaulting him with their batons and *lathis* on his arms and back. The police officers then

threw his motorcycle on the side and were discussing among themselves that they should shoot him, put his bike on fire and throw his body and motorcycle in the drain that flows under the bridge. The police officers taunted Mohd Shakil saying "*let's give him azadi*".

A few officers from the Rapid Action Force were standing nearby and watching the entire incident. To Mohd. Shakil's utter relief, they intervened and asked the police officers to not put his bike on fire and to let him go. As soon as Mohd. Shakil took out his mobile phone to answer an incoming phone call, the police officers snatched his new phone from his hand, threw it on the ground and destroyed it with their *lathis* and batons and threw away the phone in the drain. As per Mohd. Shakil, the Oppo phone (Model No. - A9 2020) had been bought just two months back which had cost him approximately Rs. 20,000/-. The police officers started assaulting Mohd. Shakil again, which was interrupted by the RAF officers who gave Mohd. Shakil his motorcycle and asked him to go back home. Mohd. Shakil says that he is very thankful for the intervention of the RAF officers who saved his life, otherwise he feels he would have been shot at by the five officers of Delhi Police who had stopped him.

Case No. 5

Name of the victim:
Date & Time of incident: 26 February
XYZ was a resident of Shiv Vihar since 1988.She was sitting with the other women in a tent at Idgah when we met her on 1st March.
During the attack,she was hiding in her house with her family members while the mob wreaked havoc in her locality. “We had to crawl even to go to the toilet” she cried. The mob started torching houses late Tuesday night and none of her Hindu neighbours came to her rescue. She was saved by the army eventually.
She had not been able to eat since the last 4 days because of the horrific sights she had witnessed . “Bohut ladkiyon ke sath badtamizi hote hue dekhi maine”, she said referring to the sexual violence that she had witnessed. She saw the mob tearing the clothes of a girl and then throwing her into the fire.
Her husband has been mentally unstable since they have been rescued.
She recalls that a survey was done in Shiv Vihar around a month ago and their house numbers were painted at that time. She suspects that it had something to do with the attack on only Muslim houses.

Case No. 6

Name of the victim:
Date & Time of incident: 25 February
Her house was at the junction where violence in Shiv Vihar began. She requested the police with folded hands to intervene and save the locality but the police did not pay heed to her requests and were instead waving at the rioteers. “The mob destroyed our Masjids, disrespected our Quran and our dignity”. She claimed that 3 cylinders are still in the Masjid that was burnt by the mob.

Case No. 7

Name of the victim: Rihana
Date & Time of incident: 25 February
“We were cooking when the mob chanting “Jai Siya Ram and Har Har Mahadev” entered my lane. I had to jump from the terrace to save myself. My house was the only Muslim house in the entire lane and could have been saved by the neighbours had they wished to help.” She had a shop of summer sewer equipment that has been looted.
“The mob forced us to chant “Jai Shree Ram”. One of her daughters has been running a fever since they were rescued, she asked her other daughter who was about 5 years old to narrate the incidents of violence that she had witnessed. The child did not manage to narrate anything, her brother exclaimed that the mob broke their house’s door with a big iron rod that has left a giant hole. He further stated that he saw the mob carry hammers, swords and drills. The women interjected that the crowd had come well prepared.

She is worried about her son who has missed his class 9 examinations because of the violence, he has even broken the only pair of spectacles he had while escaping and now is unable to see clearly. She asked if the government will help him pass.

Case No. 8

Name of the victim: Tarannum
Date & Time of incident: 25 February
She only escaped because she had run away from her house before the mob reached there. She heard the mob chanting " Shiv Vihar Jayenge, Burqa wali layenge". 9 Bikes that stood near her house were burnt by the mob.
Before the violence started, she prayed for her children's admission in Shiv Vihar so they can go to a nearby school. Yesterday, she found out that her children have been given admission in a private school of Shiv Vihar under the EWS category but she is more than apprehensive to send them there and hopes that they can be transferred to another school in Mustafabad.

Case No. 9

Name of the victim: Rihana
Date and Time of incident: 26 February
"Our Hindu neighbours hid us in their house when the mob entered our lane.They helped us escape to Chand Bagh. My brother is still hiding on the terrace of our house to ensure that our house is not looted." When we asked her if she was worried about her brother, she claimed that he insists on staying and no one except their trusted neighbours know that he is there. Her brother had met her on 2nd March to give her the Scooter and found petrol bombs on his terrace when he returned back to the house. Rihanna had already started working again and met us at her place of work.

Annexure IV- Notification of constitution of Peace Committee

LEGISLATIVE ASSEMBLY
NATIONAL CAPITAL TERRITORY OF DELHI
OLD SECRETARIAT, DELHI 110054

No.24/3/P&H/2020/LAS-VII/ **Date:02.03.2020**

NOTICE

Hon'ble Members of the **"Committee on Peace & Harmony"** are hereby informed that the first sitting of the Committee is scheduled to be held today i.e. 02.03.2020 at 03.00 PM in the MLA Lounge-I, Assembly Complex, Old Secretariat, Delhi-110054.

Hon'ble Members of the Committee, as detailed below, are requested to kindly make it convenient to attend the sitting.

Sh Saurabh Bharadwaj	**Chairman**
Sh. Abdul Rehman	Member
Sh. Ajay Kumar Mahawar	Member
Ms. Atishi	Member
Sh. B.S. Joon	Member
Sh Dilip Pandey	Member
Sh. Jarnail Singh	Member
Sh. Kuldeep Kumar	Member
Sh. Raghav Chadha	Member

02-03-2020
(Sunil Dutt Sharma)
Deputy Secretary (Legislation)
Date:02.03.2020

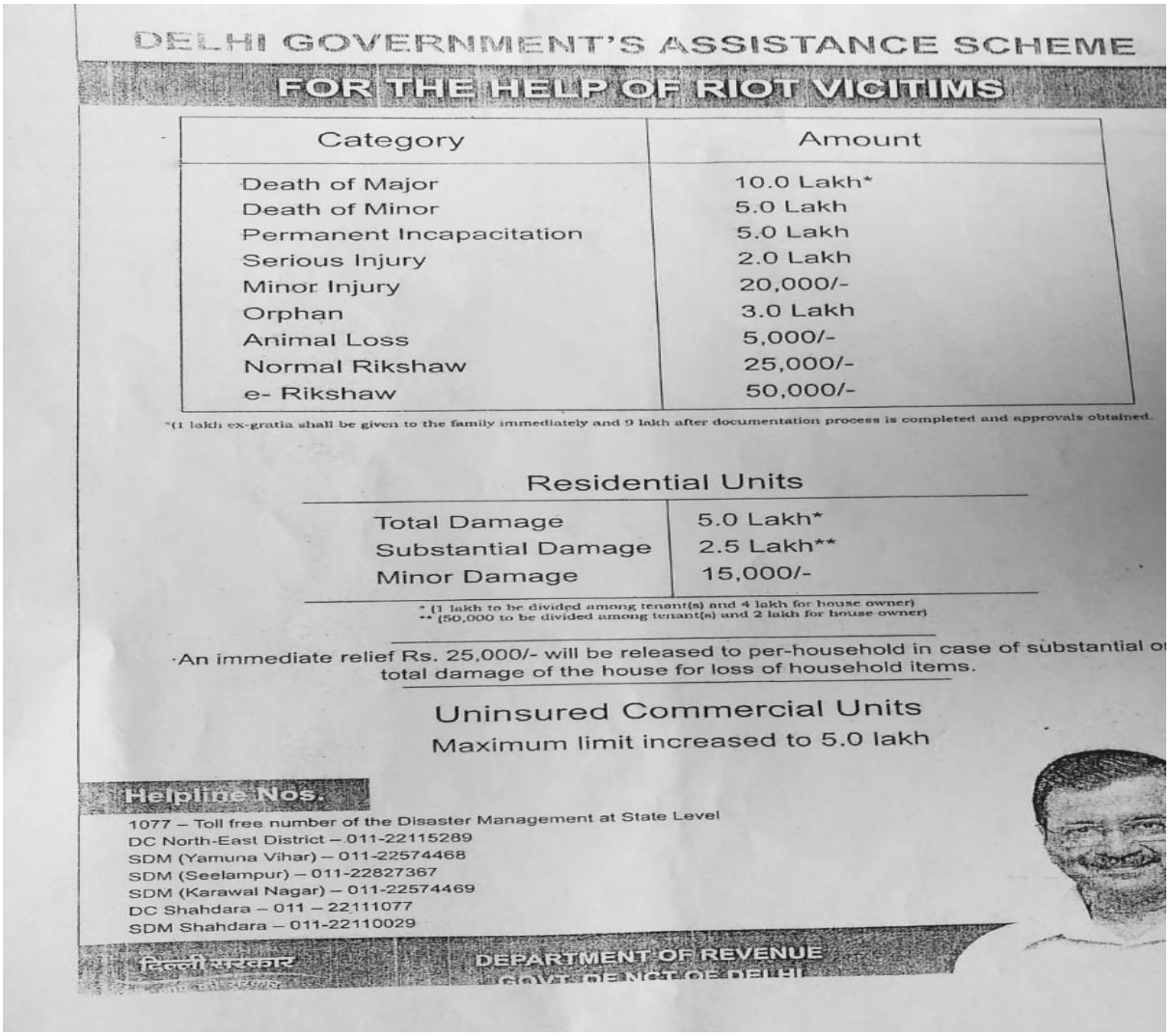
No.24/3/P&H/2020/LAS-VII/919-938

Copy forwarded for information and necessary action to:

1. Secretary to the Hon'ble Speaker, Delhi Legislative Assembly, Delhi.
2. PPS to the Hon'ble Deputy Speaker, Delhi Legislative Assembly, Delhi.
3. Secretary, Delhi Legislative Assembly, Delhi.
4. Aam Aadmi Party Office, Delhi Assembly Complex, Old Secretariat, Delhi.
5. Leader of Opposition, Bhartiya Janta Party Office, Delhi Assembly Complex, Old Secretariat, Delhi.
6. DCA, Delhi Legislative Assembly, Delhi.
7. All Deputy Secretaries, Delhi Legislative Assembly, Delhi.
8. In-Charge, Reporters Branch, Delhi Legislative Assembly, Delhi.
9. Caretaker, Delhi Legislative Assembly, Delhi.
10. A.E(Civil)/JE (Electrical), PWD, Old Secretariat, Delhi with the request to ensure proper functioning of the Air Conditioners, P.A. System and other electrical appliances in the MLA's Lounge No.I.
11. In-Charge (Security/Reception), Delhi Legislative Assembly.

02-03-2020
(Sunil Dutt Sharma)
Deputy Secretary (Legislation)
Tele/fax +91 1123890468, 23890371
Email Id – assemblydelhi@gmail.com

Annexure V - Delhi Government's Assistance Scheme



DELHI GOVERNMENT'S ASSISTANCE SCHEME

FOR THE HELP OF RIOT VICITIMS

Category	Amount
Death of Major	10.0 Lakh*
Death of Minor	5.0 Lakh
Permanent Incapacitation	5.0 Lakh
Serious Injury	2.0 Lakh
Minor Injury	20,000/-
Orphan	3.0 Lakh
Animal Loss	5,000/-
Normal Rikshaw	25,000/-
e- Rikshaw	50,000/-

*(1 lakh ex-gratia shall be given to the family immediately and 9 lakh after documentation process is completed and approvals obtained.

Residential Units

Total Damage	5.0 Lakh*
Substantial Damage	2.5 Lakh**
Minor Damage	15,000/-

* (1 lakh to be divided among tenant(s) and 4 lakh for house owner)
** (50,000 to be divided among tenant(s) and 2 lakh for house owner)

·An immediate relief Rs. 25,000/- will be released to per-household in case of substantial o
total damage of the house for loss of household items.

Uninsured Commercial Units

Maximum limit increased to 5.0 lakh

Helpline Nos.

1077 – Toll free number of the Disaster Management at State Level
DC North-East District – 011-22115289
SDM (Yamuna Vihar) – 011-22574468
SDM (Seelampur) – 011-22827367
SDM (Karawal Nagar) – 011-22574469
DC Shahdara – 011 – 22111077
SDM Shahdara – 011-22110029

दिल्ली सरकार

DEPARTMENT OF REVENUE
GOVT. OF NCT OF DELHI

OFFICE OF THE DISTRICT MAGISTRATE (NORTH-EAST)
GOVT. OF NCT OF DELHI
DC OFFICE COMPLEX, NAND NAGARI, DELHI-110093

No. F. PA/DC/NE/2020/600 Dated : 02/03/2020

STATUS REPORT IN THE MATER OF RAHUL ROY V/S GNCTD & ORS.
WP(CRL) No. 566-2020

The main actions taken are as follows:

1. Compensation: Govt. of NCT of Delhi vide Cabinet Decision No. 2808 dated February, 28, 2020 has decided to enhance/revise the scale for grant of ex-gratia relief in various eventualities, as per the details given below(copy enclosed). The relief given for the communal riots and other riots and terrorist attacks are as under:-

   (a) Death (Major) : Rs. 10,00,000/- in each case (1 Lakh ex-gratia shall be given to the family immediately and 9 olakh after documentation process is completed and approvals obtained.
   (b) Death (Minor) : Rs. 5,-00,000/- in each case.
   (c) Permanent Incapacitation : Rs. 5,00,000/- in each case.
   (d) Serious Injury : Rs. 2,00,000/- in each case
   (e) Minor Injury : rs. 20,000/- in each case.
   (f) Orphaned Children : Rs. 3,00,000/- in each case.

   Copy of the Cabinet decision is enclosed (Flag 'A').

2. The Hon'ble Chief Minister has taken two meetings one on 27.2.2020 and another on 29.02.2020 (copy of the minutes enclosed). (Flag 'B')

3. As regards the important relief measures to be taken by the Districts as directed by the Hon'ble Court is that of safe passage for the bodies of the unfortunate victims who have died in the riots with proper information being given to their relatives and friends to facilitate the collection of the bodies and for ensuring that their burial/cremation take place with utmost dignity with the necessary security and without any hindrance. **The SDMs of both the districts, SDM(Seelampur), SDM(Yamuna Vihar), SDM(Karawal Nagar) & SDM(Shahdara) have coordinated and worked out the modalities in consultation with the relatives with the concerned ACPs/SHOs for facilitating safe passage to the bodies unfortunate victims.**

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Action: **SDMs of Distt. Seelampur, Yamuna Vihar, Karawal Nagar, Shahdara**

4. A round the clock control room has been set up in the office of District Magistrate (North-East). The Help Line Nos. of Distt. North-East & Distt. Shahdara are as under:-

Distt. Hq. (North-East)	: 011-22115289
Sub-Division (Seelampur)	: 011-22827367
Sub-Division (Yamuna Vihar)	: 011-22574468
Sub-Division (Karawal Nagar)	: 011-22574469
Distt. Hq (Shahdara)	: 011-22111077
Sub-Division (Shahdara)	: 011-22132201

Further, SDMs of the Sub-Divisions have been appointed as Nodal officers for coordination. The details are as follow:

Sh. Ajay Arora, SDM(Seelampur)	: 9818919449
Sh. Puneet Patel, SDM(Karawal Nagar)	: 9497703331
Sh. Devender Kumar, SDM(Yamuna Vihar)	: 9810494309
Sh. Debashish Biswal, SDM(Shahdara)	: 9911221631
Sh. Pawan Kumar, SDM(HQ), Distt. North-East	: 9899331315
Sh. Shakti Bangar, SDM(HQ), Distt. Shahdara	: 9654922354

5. 12 SDMs of various Districts, who have joined as per the orders of Revenue Department have been allocated the areas, as per details given below, to oversee the relief, rehabilitation and support activities

S.No.	Name of the Sub-Divisional Magistrates/Sub-Divisions	Name of the Sector SDMs	Name of the Sectors in the Sub-Divisions
1	Shri Puneet Patel, SDM (Karawal Nagar) 9497703331	Shri Pradeep Tayal, SDM(Civil Lines) 9811456333	Shiv Vihar Johripur
		Shri T.N. Meena, SDM(Narela) 9811852895	Shiv Vihar Tiraha Karawal Nagar West SVS Colony
		Shri Vineet Kumar, SDM(Model Town) 9717905975	Ankur Vihar Lal Bagh Mandi (Kamal Vihar)

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2	Shri Devender Kumar SDM(Yamuna Vihar) 9810494309	Shri Ranjeet Kumar Singh, SDM(Rajouri Garden) 9650986709	C-Block Yamuna Vihar B-Block,Yamuna Vihar
		Shri Nishant Bodh, SDM(Punjabi Bagh) 9599896607	Mustafabad Gokalpuri Tyre Market Brijpuri
		Shri Vinod Kumar Yadav, SDM(Defence Colony)	Chand Bagh Bhagirathi Vihar
3	Shri Ajay Arora SDM(Seelampur) 9818919449	Shri P.R. Kaushik, SDM(Sarita Vihar) 9013612655	Brahampuri Gautampuri
		Shri Gaurav Yadav SDM(Kanjhawala) 9870309320	Ghonda Khajoori Khas
		Mohd. Rehan Raza SDM(Saraswati Vihar) 8826961131	Bhajanpura Gamri Shri Ram Colony
4	Shri Debasis Biswal SDM(Shahdara) 9911122784	Shri Nitin Jindal SDM(Kapashera) 9999933900	Maujpur Jafrabad Kabir Nagar
		Shri Satish Kumar Gupta SDM(Najafgarh) 9899288747	Durgapuri Ashok Nagar
		Shri Ankur Meshram SDM(Karol Bagh) 8446967004	Babarpur Kardam Puri Noor Ilahi

04 SDMs have already been nominated to work as Night Magistrates and they are patrolling the riot-affected areas, as per details given below.

S. No.	The name of the Officer & present place of posting	Contact No.	Name of the Sub - Division & district
1	Sh. Rakesh Dahiya, SDM Chanakyapuri	9289055456	Shahdara

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2	Sh. Rajiv Kumar, SDM Gandhi Ngr.	9811131790	Karawal Nagar
3	Sh. Sanjeev Kumar, SDM Preet Vihar	9810489301	Yamuna Vihar
4	Sh. Rakesh Kumar, SDM Saket	8287364605	Seelampur

6. The Peace Committees set up in every mohalla shall hold regular meetings to restore the confidence of riot affected victims.

7. The District Administration of Shahdara and North-East has already set up 04 Rain Basera/Night Shelters in Seelampur Sub Division and 04 at Shahdara Sub Division, as per details given below. Already 42 families are given basic amenities at Shri Ram Colony (community Hall of EDMC) and another camp at Shri Ram Colony (community hall of EDMC) is being set up:

Night Shelter List in r/o sub-Division Shahdara
(Relief Camp for Riots Victims)

S.No.	Night Shelter Name & Address
1.	Lal Bagh Jhuggi, Mansarovar Park, Delhi Code No.-125 (Only for Ladies & Child)
2.	Lal Bagh Jhuggi, Mansarovar Park, Delhi Code No.-96 (Only for Gents)
3.	Panchsheel Garden, Road NO.-65, Behind Shayam Lal College, Delhi Code No.-96(Only for Gents)
4.	Kabool Nagar, Shahdara, Delhi Code No.-003 (Only for Gents)

Night Shelter List in r/o Sub-Division Seelampur
(Relief Camp for Riots Victims)

S.No.	Night Shelter Name & Address
1.	Shastri Park, Near JPCH Hospital, Delhi, Code No.-201 (For General)
2.	Pushta Usmanpur, Opposite Jag Parvesh Chand Hospital, Delhi, Code No.-202-A (For Gents)
3.	Pushta Usmanpur, Opposite Jag Parvesh Chand Hospital, Delhi, Code No.-202-B (For Ladies)
4.	Pusta Usmanpur, Near DDA Park, Delhi, Code No.-203 (For General)
5.	EDMC Community Centre, D-Block, Main Road Rajeev Pulia,

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	Shree Ram Colony, Delhi

SDM(Yamuna Vihar), SDM(Seelampur) and SDM (Shahdara) have been asked to ensure the availability of basic amenities including bedding, blankets, medicines, food, sanitation and clean drinking water in association with the CDMO and BDO and civic agencies like DJB, EDMC etc. of the districts

Action: **SDMs Seelampur, Yamuna Vihar & DC(Shahdara North), EDMC**

Sl. No. 5 above is a temporarily relief camp set by Department in which 42 families are already staying and they are already being given the basic facilities. Further, the persons being accommodated in these Night Shelters/Camps are being helped to fill up the form of compensation so that an early action can be taken to provide immediate cash assistance to them.

In this regard, District has already received 118 duly filled forms and disbursement of immediate relief has been made for 83. Amount disbursed for immediate arelief is Rs. 24.15 lacs.

In addition, 51 forms for relief in respect of shops have been received and disbursement of compensation shall be done after due verification.

8. **Providing of food and other basic amenities to the riot affected areas:**

All the Tehsildars of the Districts have been deployed to provide food, refreshments etc. in all the riot affected areas at different locations in close coordination with the NGOs etc. involved in this process.

9. **A regular meeting on daily basis is being taken by the District Magistrate(North-East) and District Magistrate(Shahdara) jointly at with all the SDMs, Tehsildars, BDO, CDMO and all other civic agencies of districts** alongwith Sh. Rahul Roy, Petitioner through Ms Suroor Mander, Counsel for the Petitioner to monitor the relief measures being taken by the Government of NCT of Delhi through its various agencies. However, Shri Senthil and Ms Suroor Mander are attending the meetings.

10. Now, District has issued orders for **PWD, Power Deptt, Delhi Jal Board, Delhi Police** etc. to attend this coordination meeting(copy enclosed)(Flag 'C').

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11. **Publicity**: Government has given two full page advertisements regarding relief measures for the riot affected persons for wide publicity in Hindi, Urdu, English and Punjabi leading newspapers and also through social media (copy enclosed).

12. The Medical Superintendents of GTB Hospital, LNJP Hospital and Jag Pravesh Chandra Hospital have already been nominated as Nodal Officers and ensure that the medico-legal certificates and post-mortem reports are prepared and give the copies to the riot victims immediately. CDMO(NE) who will act as Nodal Officer for smooth coordination with the above-mentioned hospitals. Wide publicity has already been given in the print, electronic and social media to facilitate access to Ms. Zubeda Begum, Advocate appointed as Amicus Curiae (AC) appointed by the Hon'ble High Court.

13. Sh. R.P. Aggarwal, ADM (North-East) and Sh. Vivek Aggarwal , ADM (Shahdara) are visiting the hospitals and coordinating with Ms. Suroor Mander, Advocate to provide necessary assistance to the riot victims and various rehabilitation measures being taken in their respective districts.

14. The Hon'ble Court has also directed various **Secretaries of the District Legal Service Authorities (DLSAs)** to ensure that their help lines work 24X7 for the next 2 weeks with a roster being prepared of advocates who would immediately attend such calls and cater to the legal-aid requirements of the victims. The telephone numbers of the DLSAs will also be given adequate publicity in the print, electronic and social media.

15. The **Director, Institute of Human Behaviour and Allied Sciences(IHBAS)** has been directed to provide counselling to the riot-affected persons. Secretary(Health) is sending a team of IHBAS Hospital and VIMHANS to the affected parties.

16. **CATs** have provided 14 ambulances, 07 with the police department and 07 with the areas SDMs.

17. FIRE: Fire Deptt is attending all the calls and are actively taking action, wherever necessary.

18. **The EDMC** is cleaning the whole area affected due to riots and and is remove all the burned materials, stones from the sites alongwith the whitewashing of the affected areas.

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19. The office has taken steps towards the directions passed by this Hon'ble Court and will also follow necessary directions, if any passed by the Hon'ble Court.

Submitted please.

SDM(HQ)
District North-East

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Government completely absent from relief operations in the aftermath of communal violence in Delhi

Status report based on visit to Bhajanpura, Chaman Park and Shiv Vihar on February 29, 2020

By Anjali Bhardwaj, Annie Raja, Poonam Kaushik, Geetanjali Krishna, Amrita Johri

We went to North-East Delhi where communal violence had broken out on February 24, 2020 and carried on till February 26, 2020. As per latest figures available, 42 people have died, more than 200 are injured and thousands have been rendered homeless due to destruction and looting of their houses. We met with Muslim and Hindu families in Bhajanpura, Chaman Park and Shiv Vihar to understand their immediate concerns and whether ongoing relief efforts adequately address their needs.

1. NO RELIEF BEING PROVIDED BY GOVERNMENT AGENCIES

Based on seeing the ground situation and talking to affected people, it is clear that the Central and Delhi governments have failed in providing any modicum of relief to those affected or displaced by the recent spate of violence. In each place, families which had to abandon their homes due to violence are taking refuge with their relatives or have made private arrangements in different localities or are staying in temporary accommodation provided by private individuals. The Central and Delhi governments have not set up a single relief camp in the areas which we visited.

During the time of our visit from 3 pm to 7 pm, private vehicles carrying some relief material reached Chaman Park. We did not find any government agency or representative involved in co-ordinating or delivering relief during the time we were there. Further, everyone we spoke to reported having received assistance only from non-government entities. According to those present at the site, all relief including food, clothing and medicines are being provided only by private entities- either through religious bodies (Gurudwaras, Church) or through civil society groups.

The abdication by the Delhi and Central governments, of their basic responsibility of providing help to people rendered homeless and vulnerable due to violence is shocking. After maintaining a deafening silence for more than 3 days after the violence broke out, the measures announced by the Delhi government are inadequate to meet even the basic needs of affected persons - we did not find even those being implemented on the ground during our visit.

We call upon the Central government and the Delhi government to immediately provide relief in a dignified manner to those who have been affected by the violence. The Chief Minister, ministers of the Central and Delhi government, MPs and MLAs must meet with all affected persons and immediately initiate confidence building measures. Relief measures must include:

- Safe shelter with adequate privacy for families who have been forced to abandon their houses, where they can stay till their homes are rebuilt and the atmosphere is conducive for their return;
- Provision of cooked food, preferably through 24*7 community kitchens in the area and provision of milk, vegetables at subsidized rates through mobile vans;
- Establishment of 24*7 medical camps in affected areas including availability of gynaecologists and child psychologists;
- Provision of clean clothing for all affected persons;
- Setting up camps for helping people obtain copies of official documents which have been destroyed in the violence and arson;
- Setting up facilitation desks for providing legal help and completing formalities for seeking compensation;
- Immediate rebuilding and repair of all places of worship damaged in the violence;
- Delhi government officials must be present and easily accessible in the affected areas;

- Procedure for applying for compensation must be simple taking into cognisance that most affected people would have lost their documents in the violence and arson.

2. OBSERVATIONS FROM THE SITES WE VISITED

Chaman Park

Nearly 1000 people, from the Muslim community, who fled from their homes in Shiv Vihar due to the violence, are taking shelter in private homes in nearby Chaman Park.

We visited two of these homes, where hundreds of people, mostly women and children, were sitting on the floor in different rooms. One room was functioning as a medical camp. The homes belong to private individuals who opened them up to provide emergency shelter. People were extremely anxious and traumatised about the condition of their homes and their future. Several people stated that when men attempted to return to Shiv Vihar to retrieve belongings, especially their documents, they were brutally attacked and there were reports of some people being murdered (we cannot verify this independently). Most families had fled with nothing other than the clothes on their backs. Children appeared to be experiencing a lot of trauma as well. They spoke of the violence they had witnessed- houses being burnt, people attacked by mobs. Several children were extremely concerned about missing out on their final exams, especially those who had to appear for board exams.

People who fled their homes in Shiv Vihar taking refuge in a private house in Chaman Park

We met with a young man who had stitches on the back of his head and his left eye was swollen shut. He said he was returning from Karawal Nagar to check on the condition of his family on the evening of the 25th of February, when he was caught by 16-17 men who asked whether he was Hindu or Muslim. Upon hearing that he was Muslim, they mercilessly beat him. He received the stitches on his head at GTB Hospital but said he was too scared to return to the hospital to get his eye treated.

People shared that a Madrasa and 2 masjids in the area- Auliya Masjid and Madina Masjid - were set on fire and looted and destroyed from inside. People said they saw mobs armed with petrol bombs, guns and rods setting fire to homes and attacking people. People said that calls to emergency numbers of Police (100) and Fire Brigade (101) went

unanswered. Most people took help of neighbours or relatives to escape while one family reported that the Police helped them escape from their house. As Shiv Vihar is a mixed locality and in several lanes, there are Hindu and Muslim families, we asked people whether they could see recognisable faces of their neighbours in the mob. Every person who we spoke to said it was outsiders who were in the mob- no local person was involved in the violence.

People said that they require accommodation in the local area with atleast one room dwelling per family and facility for cooking, till they can rebuild their homes or take other appropriate action. Most were terrified of returning to Shiv Vihar.

While private homes, in Chaman Park and elsewhere, have provided emergency shelter, it was clear that it would not be feasible for people to stay there beyond a few days. Relief in terms of food, clothing and health camps was being provided through non-government organisations.

People we spoke to had no information about the compensation scheme announced by the Delhi government and no one had even seen the form which is required to be filled up. No representative of the Delhi or Central government had visited them.

Shiv Vihar

We visited the deserted *galis* of Shiv Vihar, which resembled a ghost town. Thousands of people, both Hindus and Muslims, have abandoned their homes due to the riots. Rapid Action Force personnel were stationed at every corner. Blackened walls of houses, charred remains of vehicles, burnt household items, furniture from shops strewn on the streets and barricades put up using almirahs and desks bear testimony to the tragic consequences of communal hate & violence.

Shiv Vihar

We came across the burnt Auliya masjid and could see the remains of gas cylinders which had been lit and thrown inside. It was our impression that primarily targeted attacks were made on houses and places of worship of Muslims. Some houses belonging to Hindus were also burnt and damaged.

Auliya Masjid in Shiv Vihar

We could only locate a few Hindu families in the riot affected area, and most of them said they were taking shelter in nearby localities of Johripur and other areas. They said that all the Muslims had abandoned their homes. We met with Mithlesh and Sunita, who are neighbours and run a small halwai (sweet) shop in Gali no. 14, 25 foot road. They said that armed mobs entered lanes from both sides and burnt dwellings, destroyed homes, attacked people. They said they tried calling the police and fire brigade repeatedly, but with no success. Two brothers-in-law of Sunita who were standing in the lane during the violence were injured. One is admitted to GTB with severe burn injuries while the other was standing there with his head in a bandage. The women said that while their houses were not set on fire, they left the area on Wednesday morning (26th of February) due to the violence and when they returned to retrieve their belongings, they found furniture and appliances in the house had been damaged. They said that it appeared people were brought in from outside to do this violence as they could not identify any known person from the locality.

Several people (only Hindus as no Muslim families have been able to return) reported that the SDM had visited the area and taken down their details for the compensation form.

Bhajanpura

While travelling towards Bhajanpura from the Seelampur metro station, we saw that most shops had their shutters down. We saw several burnt school buses, trucks, vehicles and also the remains of the burnt petrol pump.

At Bhajanpura main road, we saw the Mazar which had been set on fire. It was barely 10 feet away from a Police Help Centre (located on the same pavement).

Mazar on Bhajanpura main raod which was set on fire. Police Help Centre is located next to it.

The first three shops on the left side of the road were completely burnt. We met with Azad and his brother Bhoora, who along with 2 other brothers owned these shops - a restaurant called Azad Chicken Centre, a shop selling peanuts and chickpea and a fruit shop. In the whole market only these three shops had been set on fire. Burnt fruits, furniture from the restaurant lay strewn around. The brothers said that a mob set the shops on fire around 2.30pm in the afternoon of the 24th of February, 2020 and started pelting stones on them. Their houses which are located on top of the shops also caught fire. They tried to douse the flames engulfing their vehicles and shops but when tear gas shells were thrown into their houses, 16-17 of them (including their little children, women and workers from the restaurant), saved themselves by running to the terrace and jumping into the back-lane from a 12 feet high terrace. They said that 8-10 policemen were standing and watching but did not control the mob, as perhaps they were vastly outnumbered. Despite repeated calls to emergency numbers, the first fire brigade arrived only around 7 pm by which time the shops and houses were completely gutted and all the belongings inside were reduced to ashes. Seeing the condition of the house and the shops, it was clear that the structures were extremely unsafe and would need to be demolished and then rebuilt. The brothers felt that only their shops were targeted as they were Muslims. While none of the other shopkeepers helped during the attack, most of them sat with the brothers through the night and extended solidarity.

Burnt shops in Bhajanpura

The brothers shared that they returned at night and tried to secure the entrance in a bid to protect their valuables and belongings, but everything had already been ransacked and looted including money and jewellery kept in the house. All the remaining clothes, documents had been burnt and household appliances and fixtures had been broken including the wash basins. They had not heard of the compensation offered by the Delhi government and said no official, other than the Police had met with them. When we told them about the compensation announced, they said that the government should extend loans as well as the compensation amounts declared may not be adequate. They were keen to rebuild and restart all three shops. The brothers proudly shared that their grandfather Bundu Khan had served in the Indian Army.

Bhoora in his burnt house

Report released on March 1, 2020.
For further information, please contact: 9810273984

Videos:

1. https://www.youtube.com/watch?v=eAUEJ_7saRI
2. https://www.youtube.com/watch?v=HYFtJ87IHxg
3. https://www.youtube.com/watch?v=JsAHl8LsDeA
4. https://www.youtube.com/watch?v=iGyYK4GGD08
5. https://www.youtube.com/watch?v=Boatud4eQ28
6. https://www.youtube.com/watch?v=oGSCF_5M7Qk

Annexure VIII- Appeal from Crime Delhi Police

APPEAL TO ALL

Whereas incidents of clashes have taken place in the North East District, Delhi since 23.02.2020. All those who are witnesses to the incidents, especially media persons, or have any information about the incidents or have captured any activity on their mobile phones or camera, are hereby requested to come forward and give their statements/footage/picture in their possession at DCP Office, North East District, Seelampur, Delhi, during office hours, on any working day within 7 days of publication of this notice or contact on mobile numbers 8750871221 or 8750871227. **Identity of the witness will be kept secret.**

Sh. B K Singh
Addl.CP/Crime (HQ) Delhi Police

Annexure IX - Midnight Hearing at Delhi High Court

IN THE HIGH COURT OF DELHI AT NEW DELHI

WRIT PETITION (CRL) /2020 (TO BE NUMBERED)

RAHUL ROY . PETITIONER

Through: Ms. Suroor Mander with Mr. Chirayu Jain, Advocates

VERSUS

GOVERNMENT OF NCT OF DELHI & ORS .. RESPONDENTS

Through: Mr. Sanjay Ghose, Standing counsel, GNCTD

CORAM:
JUSTICE S. MURALIDHAR
JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

26.02.2020

1. This is a special sitting convened at 12.30 am (26.2.2020) at the residence of one of us (S. Muralidhar, J) under the orders of the senior most Judge, Justice G.S. Sistani, as the Chief Justice is not in Delhi at the present moment. One of us (S. Muralidhar, J) received a call from Ms. Suroor Mander, Advocate explaining the dire circumstances, under which certain grievously wounded victims of the riots taking place in the North Eastern District of Delhi, were unable to be removed from the Al Hind Hospital in New Mustafabad, Delhi-110094, a fairly small hospital which lacks the facilities for treating seriously wounded persons, for treatment at the GTB Hospital in Dilshad Garden. She prayed for urgent orders for safe passage of the ambulances, both to the Al Hind Hospital and from the said hospital for the injured victims.

Parveen Kumar Uppal
Registrar
Delhi High Court
New Delhi

2. At the hearing, Ms. Suroor arranged to have Dr. Anwar at the Al Hind Hospital speak on phone, in speaker mode, to the Court as well as all present including Mr Sanjay Ghose, learned Counsel representing the Delhi Police and the Government of Delhi, Mr Alok Kumar, the Joint Commissioner of Police, Mr Rajesh Deo, DCP (Crime). Dr. Anwar explained that there were 2 dead persons and around 22 injured persons at the Al Hind Hospital and that he had been trying to seek police help since around 4 pm today without success.

3. In the presence of the Court, Mr Deo gave Dr. Anwar the mobile number of Mr Deepak Gupta, the DCP (East) and at the same time spoke to Mr Gupta instructing him to reach the Al Hind Hospital forthwith despite the odds.

4. The Court at this stage is primarily concerned with ensuring the safety of the lives of the injured and immediate medical attention that they require and for that purpose to ensure the safe passage of the injured victims to the nearest available government hospitals. The Court accordingly directs the Delhi Police to ensure such safe passage by deploying all the resources at its command and on the strength of this order and to ensure that apart from the safe passage, the injured victims receive immediate emergency treatment, if not at the GTB Hospital, then at the LNJP Hospital or Maulana Azad or any other government hospital.

5. It must also be mentioned here that even while this order was being dictated, Mr. Gupta, DCP (East) managed to reach the Al Hind Hospital and confirmed to Mr Rajesh Deo, DCP that the police was in the process of evacuating the injured to the nearest hospitals.

26/2/2020
Parveen Kumar Uppal
Registrar
Delhi High Court
New Delhi

6. Ms. Suroor Mander, learned counsel for the Petitioner expresses concern that the information about the persons admitted to the hospitals is not available readily to their immediate relations and friends and that there should be some arrangement in the form of medical/police control rooms or desks at the major hospitals including GTB, LNJP and Maulana Azad Hospital to provide such information on request.

7. Mr. Rajesh Deo stated that the Police would work out a mechanism to make available the above information and keep the Court apprised.

8. A status report of compliance, including information about the injured victims and the treatment offered to them be placed before the Court later today when it takes up the matter at 2.15 pm.

9. This order be conveyed to the Medical Superintendent of GTB and LNJP Hospitals through Deputy Commissioner (Crime) and the Deputy Commissioner (North) and also conveyed by Mr. Praveen Uppal, Registrar (Listing) of this Court who is also present with us, on phone to the Police Headquarters for being immediately brought to the attention of the Commissioner of Police.

10. List before this Bench at 2.15 pm today.

11. Order be given *dasti* under the signature of the Court Master.

26/2/2020

Parveen Kumar Uppal
Registrar
Delhi High Court
New Delhi

S. MURALIDHAR, J

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 26, 2020

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **W.P.(CRL) 565/2020**

HARSH MANDER & ANR. ..... Petitioners

Through: Mr.Colin Gonsalves, Sr.Advocate with Mr.Fazal Abdali, Advocate.

versus

GNCT OF DELHI & ORS. ..... Respondents

Through: Mr.Amit Mahajan, Advocate.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH

O R D E R

% 26.02.2020

1. A mention was made by Mr.Colin Gonsalves, learned Senior Counsel for the Petitioners that this petition was mentioned yesterday before the Bench of Justice G.S.Sistani, since Hon'ble Chief Justice was on leave. The Court is informed that the matter was marked by Justice Sistani to the Bench of the Hon'ble Chief Justice for today and it is in fact listed before that Court today as Item 36. However, the Court is also informed by the Registry that the Hon'ble Chief Justice will not be holding Court today. It is in these circumstances that Mr. Gonsalves requests that the matter be urgently taken up today itself. We may add that Justice Sistani is also on leave today.

2. Mr.Amit Mahajan, learned Senior Standing Counsel for the Commissioner of Police is present on advance notice.

3. The petition is taken on board. Notice is issued and accepted by Mr.Amit Mahajan. The petition will be taken up at 12.30 pm today. Mr.Mahajan has been requested to come with instructions. A senior level police officer conversant with the facts and circumstances will remain present in Court.

S.MURALIDHAR, J

TALWANT SINGH, J

FEBRUARY 26, 2020 / tr

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **W.P.(Crl.) 565/2020**

HARSH MANDER & ANR. ..... Petitioners

Through: Mr.Colin Gonsalves, Senior Advocate with Ms.Sneha Mukherjee, Ms.Nabila Hasan, Mr.Siddharth Seem and Mr.Tariq Adeeb, Advocates.

versus

GNCT OF DELHI & ORS. ..... Respondents

Through: Mr.Arun Bhardwaj, CGSC with Mr.Tushar Mehta (SGI) for Union of India.
Mr.Rahul Mehra Standing Counsel (Crl.) of State, with Mr. Tushar Sannu, Mr.Jamal Akhtar, Mr.Chaitanya Gosain, Mr.Divyank Tyagi, Mr.Amanpreet Singh and Mr.Anand Thumbayil, Advocates.
Mr.Praveer Ranjan, Special Commissioner of Police.
Mr.Mehmood Pracha, Mr.R.H.A.Sikander, Mr.Jatin Bhatt, Mr.Sanawar, Ms.Afsha Pracha, Mr.Prateek Gupta, Mr.Yashovardhan Oza, Ms.Vidushi Bajpai and Mohd. Danish, Advocates for Applicant.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH

O R D E R

% 26.02.2020

1. Although the notice issued in this petition was accepted in the forenoon today by Mr. Amit Mahajan, learned counsel, on behalf of the Respondent Nos.2 and 3, i.e. Commissioner of Police, Delhi (CP) and Deputy

Commissioner of Police (North-East) [DCP (NE)], a serious objection was raised in the post lunch session by Mr. Rahul Mehra, learned Senior Standing Counsel (Criminal) that given the judgment of this Court in ***GNCTD v. Union of India 232 (2016) DLT 196 (DB),*** and of Constitution Bench of the Supreme Court in ***State (NCT of Delhi) v. Union of India and Anr.*** **(2018) 8 SCC 501** and of a two-Judge Bench of the Supreme Court in ***GNCTD v. Union of India 2019 SCC Online SC 193*** his role as the only counsel who can possibly represent the Delhi Police cannot be bypassed. He pointed out that Union of India is not even a party to the petition.

2. In response to the above submission, Mr. Tushar Mehta, learned Solicitor General of India ('SG') handed over an application praying that Union of India should be impleaded as party/Respondent to the petition. The said application is taken on record. The Registry is directed to number the application. Notice is issued on that application.

3. The Court is at this stage only considering prayer (I) in the present petition. This Court has heard the submissions of Mr. Colin Gonsalves, learned Senior counsel for the Petitioners, Mr. Tushar Mehta, learned SG and Mr. Rahul Mehra, learned Senior Standing counsel (Criminal) for the Delhi Police.

4. The Court has viewed four video clips in the Court. The first of the video clips is of the speech delivered by Mr. Anurag Thakur, who is a Member of Parliament from the Hamirpur Lok Sabha constituency in Himachal Pradesh and also happens to be a Minister of State for Finance in the Government of

India. This is a speech delivered on 21st January, 2020.

5. The second clip is of an interview given by Mr. Pravesh Verma, Member of Parliament from the West Delhi Constituency on 28th January, 2020 to the HT Channel. The third is a video clip of the speech delivered by Mr. Kapil Mishra on 23rd February, 2020 in the presence of DCP, North East Mr. Ved Prakash Surya. The fourth is a video clip that shows Mr. Abhay Verma, a sitting MLA of the Laxmi Nagar constituency in Delhi on 25th February, 2020, repeating the very slogan that features in the first clip of Mr. Anurag Thakur.

6. It must be mentioned here that in the forenoon session, Mr. Tushar Mehta stated that he had not watched any of the above videos. One of these clips of Mr. Kapil Mishra was then played in open Court in the pre-lunch session. During the lunch recess, Mr. Mehta apparently watched the remaining three videos.

7. In the post-lunch session, Mr. Praveer Ranjan, Special Commissioner of Police, stated that while he had watched the first three videos, he had not viewed the fourth video of Mr. Abhay Verma. That clip was then played in the Court for his benefit.

8. The refrain of the learned SG's submission has been that the time is not 'appropriate' or 'conducive' for FIRs to be registered in relation to these clips. He further refers to other video clips, which according to him are 'inflammatory' and which according to him would equally require action by

the police at a ‘conducive’ time.

9. When asked to elaborate which is this ‘conducive time’, the learned SG stated it would not be possible for him to state at this stage. In light of what has been witnessed in the capital city in the last three days, with the number of death in the riots having risen to 18 (officially), with a large number of persons being injured, some critically, with the unabated arson and looting of properties and incidents of violence, stone pelting, the Court posed specific queries to Mr. Praveer Ranjan, Special CP about what the consequences would be with every day’s delay in registering an FIR for each of the speeches played in Court which *ex facie* appear to be answering the description of the crime of hate speech in terms of Section 153A (a) and (b) IPC, both of which are cognisable and non-bailable. In addition to these clips the learned SG has referred to certain other clips which he himself terms as ‘inflammatory’ and in respect of which no FIR has been registered. The Court has also impressed upon Mr. Ranjan that he should convey to the CP the ‘anguish’ of the Court regarding the consequences of failure to register FIRs in an atmosphere like the present one.

10. It must be added at this stage that Mr. Ranjan volunteered that in relation to the deaths, the destruction of properties, injuries to large number of people in the incidents over the last three dates in the capital city, as many as eleven FIRs have been registered. This in fact underscores the point which the Court wishes to make, particularly to the Delhi Police, viz., that an FIR is first and foremost an acknowledgement of the commission of a crime. The police should be guided by the judgment of the Constitution Bench of

Supreme Court in ***Lalita Kumari v. Government of Uttar Pradesh (2014) 2 SCC 1*** and go strictly by the mandate of the law. It should seriously consider the consequences that would ensue with every day's delay in registering FIRs not only on the basis of the video clips that have been played in Court but all other video clips of speeches/actions by anyone, whosoever it may be, which disclose *ex facie* the commission of an offence, bearing in mind that the rule of law is supreme and that no one is above the law.

11. Mr. Ranjan Special CP, assures the Court that he will himself sit with the CP today itself and view all the videos, not limited to the videos played in the Court but any other videos that might be provided to them and which they perhaps already are in possession of and take a conscious decision which will be communicated to the Court tomorrow itself.

12. List on 27th February, 2020 at 2:15 PM.

13. *Dasti* under signature of the Court Master.

S. MURALIDHAR, J.

TALWANT SINGH, J.

FEBRUARY 26, 2020
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***IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(CRL) 565/2020

HARSH MANDER & ANR ..... Petitioners

Through: Mr. Colin Gonsalves, Sr. Advocate with Ms. Sneha Mukherjee, Ms. Nabila Hasan, Mr. Siddharth Sain, Mr. Fazal Abdali, Ms. Fozia Rahmana, Mr. Sikander Siddiqui and Mr. Tariq Adeeb, Advs.

Versus

GNCT OF DELHI & ORS ..... Respondents

Through: Mr. Tushar Mehta, Solicitor General of India with Ms. Maninder Acharya, ASG, Mr. Arun Bhardwaj, CGSC, Mr. Rajat Nair, Mr. Nikhil Bhardwaj and Mr. Amit Acharya, Advs. for Union of India along with Mr. Parveer Ranjan, Special Commissioner of Police (Crime), Mr. Alok Kumar, Joint Commissioner of Police, Eastern Range, Mr. Rajesh Deo, Dy. Commissioner of Police, Legal Cell, Police Headquarter and Mr. Sandeep Lamba, Asstt. Commissioner of Police, Crime Branch of Delhi Police

Mr. Rahul Mehra, Standing Counsel (Criminal) with Mr. Chaitanya Gosain, Mr. Tushar Sannu, Mr. Jamal Akhtar, Mr. Amanpreet Singh and Mr. Divyank Tyagi, Advs. for

GNCTD
Mr. Barun K. Sinha and Mr. Pratibha Sinha, Advs. for applicant seeking impleadment
Mr. P.V. Surendra Nath, Sr. Advocate with Mr. Subhash Chandran K.R. and Ms. Yogamaya M.G., Advs. for intervener

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

O R D E R

% 27.02.2020

Crl. M.A. 4395/2020 in W.P.(CRL) 565/2020

1. This criminal miscellaneous application has been preferred by the Union of India for impleadment as party respondent in W.P.(CRL) 565/2020.

2. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case and also looking to the nature of the petition and prayers made therein, we deem it fit to implead Union of India as a party respondent no. 4. We, therefore, direct the petitioners to array the Union of India (Through the Secretary, Ministry of Home Affairs, Government of India) as a party respondent no. 4 in W.P.(CRL) 565/2020. Amended memo of parties be filed within a period of one week.

3. This application is allowed and disposed of.

W.P.(CRL) No. 565/2020

1. Issue notice to the newly impleaded respondent no.4/Union of India.

2. Mr. Arun Bhardwaj, Central Govt. Standing Counsel waives notice on behalf of respondent no. 4/Union of India.

3. Pursuant to the order dated 26th February, 2020, an affidavit of Mr. Rajesh Deo, DCP, Legal Cell, Police Headquarter, New Delhi has been placed before us and the same is taken on record.

4. Mr. Tushar Mehta, learned Solicitor General of India submits that the competent authorities are in process of examining all video/audio clips and looking to the prevailing situation and complexity of the matter, they seek more time to go through video/audio clips and thereafter take a final decision thereupon.

Learned Solicitor General of India further submits that they are seized of the matter and seeks four weeks' time to file a detailed counter affidavit. Time, as prayed for, is granted to the Union of India to file a detailed counter affidavit.

5. Mr. Rahul Mehra, learned Standing Counsel (Criminal) submits that as many as 48 FIRs have already been registered with respect to the recent riots/violence in the North – East District of Delhi.

6. The matter is accordingly adjourned to 13th April, 2020.

CHIEF JUSTICE

C.HARI SHANKAR, J.

FEBRUARY 27, 2020/*r.bararia*

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ITEM NO.6 COURT NO.1 SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s).103/2020

SHAIKH MUJTABA FAROOQ & ORS. Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(FOR ADMISSION and IA No.40080/2020-INTERVENTION APPLICATION and IA No.40015/2020-PERMISSION TO FILE LENGTHY LIST OF DATES and IA Nos.40929 and 40927 – for impleadment and directions)

WITH SPECIAL LEAVE PETITION (Crl.) No. 2043/2020 (II-C)
(FOR ADMISSION and I.R. and IA No.40440/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.40444/2020-PERMISSION TO FILE SYNOPSIS AND LIST OF DATES)

Date : 04-03-2020 These petitions were called on for hearing today.
CORAM :
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. Colin Gonsalves, Sr. Adv.
Ms. Sneha Mukharjee, Adv.
Mr. Satya Mitra, AOR
Mr. Tariq Adeeb, Adv.

Mr. Arun Aslakha, Adv.
Mr. Raju Sonkar, Adv.
Mr. Naman Gupta, Adv.
Mr. D.K. Sinha, AOR

Ms. Karuna Nundy, Adv.
Ms. Ragini Nagpal, Adv.
Mr. Abhay Chitravanshi, Adv.
Mr. Satya Mitra, AOR

For Respondent(s)/ Applicant(s) Mr. Tushar Mehta, Ld. SG
Mr. Rajat Nair, Adv.
Mr. Kanu Agrawal, Adv.
Mr. B.V. Balaram Das, AOR

Mr. Chetan Sharma, Sr. Adv.
Mr. Purushaindra Kaurav, Sr. Adv.
Mr. Ajay Burman, Sr. Adv.
Mr. Neeraj, Adv.
Mr. Satya Ranjan Swain, Adv.
Mr. Piyush Beriwal, Adv.

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Mr. Mukul Singh, Adv.
Ms. Anuradha Mishra, Adv.
Ms. Priya Mishra, Adv.
Mr. Amit Gupta, Adv.
Mr. Dilip Singh, Adv.
Mr. Shiv Hare, Adv.
Mr. Gautam K. Singh, Adv.
Ms. Archana Sharma, Adv.
Ms. Kavitha K.T., Adv.
Mr. Shoumendu Mukherjee, Adv.
Mr. Akash Vajpai, Adv.
Mr. Santosh K. Pandey, Adv.

Mr. Prashant Bhushan, Adv.
Mr. S.G. Hasnain, Adv.
Ms. Nanita Sharma, Adv.
Mr. M.Z. Chaudhry, Adv.
Mr. Aftab Ali Khan, AOR
Mr. Ali Safeer Farooqi, Adv.
Mr. Syed Imtiyaz Ali, Adv.
Mr. Syed Mansoor Ali, Adv.
Mr. Arvind Kumar Kanva, Adv.
Mr. MNA Chaudhary, Adv.
Mr. Kaushaal Kishore, Adv.
Mr. Afshan Pracha, Adv.
Ms. Amita Joseph, Adv.
Mr. Mumtaz Alam Siddiqui, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Having heard Mr. Colin Gonsalves, learned Senior Counsel for the petitioners and Mr. Tushar Mehta, learned Solicitor General for the respondents-Union of India at great length, we are of the view that the interests of justice will be served best if the instant writ petition filed under Article 32 of the Constitution of India along with pending interlocutory applications is directed to be transmitted to the High Court of Delhi and listed for hearing before the Hon'ble Chief Justice of that court on 06.03.2020.

Order accordingly.

We also direct that the other connected matters along with all the applications for impleadment and intervention on the same

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subject which have admittedly been adjourned to a later date by the High Court of Delhi, may be advanced and taken up along with the instant writ petition on the aforesaid date i.e. 06.03.2020.

The High Court of Delhi is requested to dispose of the matters as expeditiously as possible on their own merits and in accordance with law.

The High Court may also explore the possibility of peaceful resolution of the subject dispute.

The writ petition and all the pending interlocutory applications are disposed of in the above terms.

SPECIAL LEAVE PETITION (Crl.) No.2043/2020

Mr. Tushar Mehta, learned Solicitor General appearing for the respondent(s), states that he will file the counter affidavit to this petition during the course of the day and furnish copy thereof to the learned counsel appearing for the petitioner forthwith.

Prayer is allowed.

Rejoinder affidavit, if any, be filed by the petitioner by 05.03.2020 thereafter.

List the matter on 06.03.2020.

(SANJAY KUMAR-II)
ASTT. REGISTRAR-cum-PS

(INDU KUMARI POKHRIYAL)
ASSISTANT REGISTRAR

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IN THE SUPREME COURT OF INDIA

SPECIAL LEAVE PETITION CRIMINAL NO. 2043 OF 2020

IN THE MATTER OF

HARSH MANDER ...PETITIONER

Versus

GNCT OF DELHI AND ORS. ...RESPONDENTS

AFFIDAVIT

I, Rajesh Deo working as Deputy Commissioner of Police [Legal Cell], Delhi Police aged about 50 years, having my office at Legal Cell, P.S. Tilak Marg, New Delhi -110001 do hereby solemnly state as under:-

1. That I am working as Deputy Commissioner of Police [Legal Cell] in Delhi Police and as such well conversant with the facts and circumstances of the case. I further state I am duly authorized by the Delhi police to swear this affidavit.

2. It is submitted that I have come across a video clip showing Sh. Harsh Mander delivering a speech which is not only instigating the violence but is also seriously contemptuous as it makes derogatory remarks against the Hon'ble Supreme Court of India to a huge gathering of people.

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3. This clip is freely available on social media. Sh. Harsh Mander is known for taking contemptuous stand and bringing the judiciary, as an institution and individual judges to disrepute. This fact is recorded in one detailed order of this Hon'ble Court which is annexed herewith as **Annexure -1**.

4. The aforesaid clip is which freely available at the following link:-

https://www.youtube.com/watch?v=yXS2MvqXNsM&feature=youtu.be

A copy of the said video contained in a pen-drive is annexed has **Annexure-2.**

5. It is therefore, submitted that the petition/s filed by Sh. Harsh Mander may kindly be dismissed with exemplary costs and proceedings for contempt of court be initiated against him.

DEPONENT

VERIFICATION

Verified at New Delhi on this 4th day of March, 2020, that contents of my above affidavit are true and correct to my knowledge and belief and nothing material has been concealed therefrom

DEPONENT

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ITEM NO.6 COURT NO.1 SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1045/2018

HARSH MANDER Petitioner(s)

VERSUS

UNION OF INDIA & ANR. Respondent(s)

Date : 02-05-2019 This petition was called on for hearing today.

CORAM :
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE SANJIV KHANNA

Mr. Gourab Banerji, Sr. Adv. (A.C.)

For Petitioner(s) Mr. Prashant Bhushan, AOR (A.C.)

For Respondent(s) Mr. Tushar Mehta, S.G.
Ms. Aishwarya Bhati, Sr. Adv.
Ms. Binu Tamta, Adv.
Mr. B. V. Balaram Das, AOR

Mr. Tushar Mehta, S.G.
Mr. Shuvodeep Roy, AOR
Ms. Diksha Rai, Adv.
Ms. Palak Mahajan, Adv.
Mr. Rajat Nair, Adv.
Mr. Ankit Roy, Adv.
Mr. Rijuk Sarkar, Adv.
Ms. Manreet Kaur, Adv.
Mr. Alok Kumar, Chief Secretary, Govt. of Assam
Mr. Ashutosh Agnihotri, Commissioner-cum-Secy., Govt. of Assam

Mr. Debojit Borkakati, AOR
Mr. Vivek Sonkar, Adv.

For applicant Ms. Uttara Babbar, Adv.
Mr. Manan Bansal, Adv.

Signature Not Verified
Digitally signed by DEEPAK SINGH
Date: 2019.05.06 14:18:40 IST
Reason:

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UPON hearing the counsel the Court made the following

O R D E R

Shri Harsh Mander has handed over copies of the applications in the Court. The said applications are taken on record.

Shri Harsh Mander, who has filed Civil Writ Petition No. 1045 of 2018, by this application has sought recusal of the Chief Justice from the Bench hearing the matter on the grounds stated in his application.

Having perused the said grounds, we would like to say that a litigant should not be permitted and allowed to question a Judge on perceived bias especially after hearing has commenced and orders on different dates have been passed. Normally, this should be left to the Judge himself who is bound by the oath of office to administer justice to all persons alike without fear, favour and prejudice. The litigant, without any firm basis, cannot be permitted to raise such objection on the basis of the court hearing. To do so, would encourage parties to ask for change of the Judge in the hope that someone else is more likely to agree with them and not take a contrary view. Choosing judges in such a manner during the course of hearing would directly interfere with the administration of justice. The grounds stated by Shri Harsh Mander in his application for recusal of the Chief Justice from the Bench therefore have the potential of causing damage, harm and stall judicial adjudication. We would also observe that judicial functions, sometimes, involve performance of unpleasant and difficult tasks, which require asking questions and soliciting answers to arrive at a just and fair

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decision. If the assertions of bias as stated are to be accepted, it would become impossible for the Judge to seek clarifications and answers. {see observation of Kurian Joseph, J. in Supreme Court Advocates-on-Record Association v. Union of India (Recusal Matter), (2016) 5 SCC 808}. Therefore, it would be in the institutional interest for the present Bench to hear the matter which we propose to do on the next date fixed. We dismiss the recusal petition on the above-stated grounds. The application for permission to appear and argue as petitioner in person also stands disposed of.

Further, while keeping Civil Writ Petition No. 1045 of 2018 pending, we direct the Registry to strike off the name of Shri Harsh Mander as the petitioner and substitute Supreme Court Legal Services Committee as the petitioner instead.

Shri Prashant Bhushan, learned counsel, who is present in Court and was earlier appearing for Shri Harsh Mander, has agreed to appear as an amicus curiae in Civil Writ Petition No. 1045 of 2018.

The matter be listed on 09.05.2019.

(SUSHIL KUMAR RAKHEJA)
AR CUM PS

(ANAND PRAKASH)
BRANCH OFFICER

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ANNEXURE - 2

PEN DRIVE OF VIDEO

National Human Rights Commission

Diary No	31631/CR/2020	**Case / File No**	1085/30/5/2020
Victim Name	PROTESTORS IN NORTH EAST DELHI	**Registration Date**	02/03/2020

Action List (Click on Action given in blue color to view details)

Action No.	Action	Authority	Action Date	Due Date	Completion Date
2	Notice Issued	THE COMMISSIONER OF POLICE POLICE HEADQUARTERS, GNCT OF DELHI, M.S.O. BUILDING, I.P. ESTATE, I.T.O., NEW DELHI	28/02/2020	09/04/2020	
1	Notice Issued	THE CHIEF SECRETARY GOVT. OF NCT OF DELHI, DELHI SECRETARIAT, I.P. ESTATE, I.T.O, NEW DELHI	28/02/2020	09/04/2020	

Expand All Action List

Action

Action : Notice Issued(Action No 2)

Action Date	28/02/2020	**Due Date**	09/04/2020	**Completion Date**	
Authority	THE COMMISSIONER OF POLICE, POLICE HEADQUARTERS, GNCT OF DELHI, M.S.O. BUILDING, I.P. ESTATE, I.T.O., NEW DELHI				
Procceeding	It started on 22.02.2020, in Jafrabad area of East Delhi when two groups of people protesting against and in favour of the Citizenship (Amendment) Act (CAA), reportedly clashed and threw stones at each other. As reported by the "Hindustan Times" on 24.02.2020, the violence then triggered protest in other area also which saw police resorting to firing, tear gases and using batons on the protesters, the next day. Both the groups blamed each other for starting the violence. As per initial reports on casualties, two persons, including one Delhi Police constable, Ratan Lal died in the violence. The law and order situation further deteriorated and many other parts of East Delhi came into the grip of ferocity caused by the law breakers and violence mongers. The unruly mob came on the roads in many localities of East Delhi including Bhajanpura, Chandbagh, Gokulpuri, Khajuri Khas and Maujpur etc. The violence reportedly reached to the residential areas and a large number of houses, shops, private vehicles and a petrol pump were set ablaze. Later, the police force was reportedly increased and paramilitary troops were deployed in the disturbed areas along with monitoring with the help of drone cameras. As per media reports, around 40 persons have so far, died in the violence and a large number of people who have suffered firearm and other grievous injuries are admitted and being treated at various hospitals whose condition has been stated to be serious to critical.				

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The Commission has been monitoring the situation for days together. The degree of violence, lawlessness, open use of fire arms by the people on roads and loss of human lives in such a large number are indeed matter of concern for the Commission.

The Commission has also received complaints/ representations from individuals and human rights defenders alleging sheer negligence and failure on the part of the administration and police authorities as they did not effectively tackle the situation. From the media reports it appears that the law enforcing agencies somehow failed to foresee and analyze the situation in the affected areas which later went out of control and claimed many precious human lives. People have not only suffered monetary loss but irrevocable loss of lives of their family members and loved ones which is tragic and very painful.

The contents of the media reports and the allegations levelled by the complainants had raised serious issue of violation of human rights making it a fit case for intervention by the Commission. However, considering the highly tensed and charged atmosphere amid violence in the affected areas, the Commission in its wisdom, refrained from immediately proceeding further and decided that in the public interest, before intervention by the Commission, it will be appropriate that first the authorities should be allowed to restore law and order and normalcy in the affected areas. As per media reports, since last few days, no fresh incidents of violence have occurred and now it is right time for the Commission to intervene.

The Commission takes suo-motu cognizance of the matter and directs issuance of notices to the Chief Secretary, Government of NCT of Delhi and the Commissioner of Police, Delhi calling for a detailed report in the matter within four weeks including status of FIR registered by the police, status of investigation of the cases, number of persons arrested and status of health and medical treatment being provided to the injured persons at various hospitals.

The Commission would also like to know the status of relief and rehabilitation given to the victim families and NOK of the deceased persons by the authorities.

Considering the gravity and nature of the issue, the Commission has decided to send its own teams to the affected areas for on the spot fact finding in the matter. The DG (Investigation) of the Commission is requested to depute at least two teams immediately, for conducting an on the spot fact finding investigation. The teams are expected to collect the relevant facts, examine all the concerned and submit their report at the earliest.

The Commissioner of Police, Delhi is expected to;

(i) ensure safety and security of the NHRC teams
(ii) smooth access for the teams to meet the victims, NOK of the deceased persons etc.
(iii) free visit of the teams to the required places viz victims' houses, hospitals including North East Delhi Police Control Room and any other facility which the teams deem necessary for the investigation and
(iv) the teams may be allowed to collect the documents/reports which they consider necessary for the investigation.

Considering the urgency, visit of the NHRC teams may be facilitated forthwith.

	Copies of the press clippings to be enclosed with the notices.

Complaint

Diary No	31631/CR/2020	Section	m-1
Language	ENGLISH	Mode	NEWS PAPER/MAGAZINE
Received Date	02/03/2020	Complaint Date	01/01/1991
Gist	Newspaper reports clash between pro and anti CAA protestors leading to widespread violence and stone pelting amongst parts of the city.		

Victim

Victim Name	PROTESTORS IN NORTH EAST DELHI	**Gender**	Male
Religion	Unknown	**Cast**	Unknown
Address	DELHI		
District	NORTH EAST DELHI	**State**	DELHI

Complainant

Name	HINDUSTAN TIMES		
Address	PRO, ANTI-CAA GROUPS CLASH IN DELHIS STREETS		
District	DELHI	**State**	DELHI (0)

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Incident

Incident Place	NORTH EAST DELHI	**Incident Date**	23/02/2020
Incident Category	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS		
Incident District	NORTH EAST DELHI	**Incident State**	DELHI
Incident Details			

Cause List

NA

Annexure XIV - Compensation Form

DEPARTMENT OF REVENUE
GOVERNMENT OF NCT OF DELHI

DELHI RIOTS - RELIEF & REHABILITATION
APPLICATION FORM FOR CLAIM FOR COMPENSATION

1.	Name of the Head of Family/Claimant	
2.	Father's Name	
3.	Address	
4.	Mobile Number	
5.	Aadhaar Number (copy)	
6.	Voter ID Card Number (copy)	

7. Details of other family members living in the above address, if claim is filed for them also

Sl. No.	Name	Relationship with the claimant	Age	Adhaar/Voter I.D. Number	Status of the injured*
1.					
2.					
3.					
4.					
5.					

Status of the injured : (1) Permanent incapacitation (2) Serious Injury (3) Minor Injury (...) etc.

8. (a) Details of loss in business

Sl. No.	Address	Type of business (shop/rehri/etc.)	Extent of loss
1.			

(b) Details of damage to house, if any (owner/tenant)

Sl. No.	Address	Extent of loss
1.		

(c) Details of damage to e-rickshaw/Rickshaw (if any)

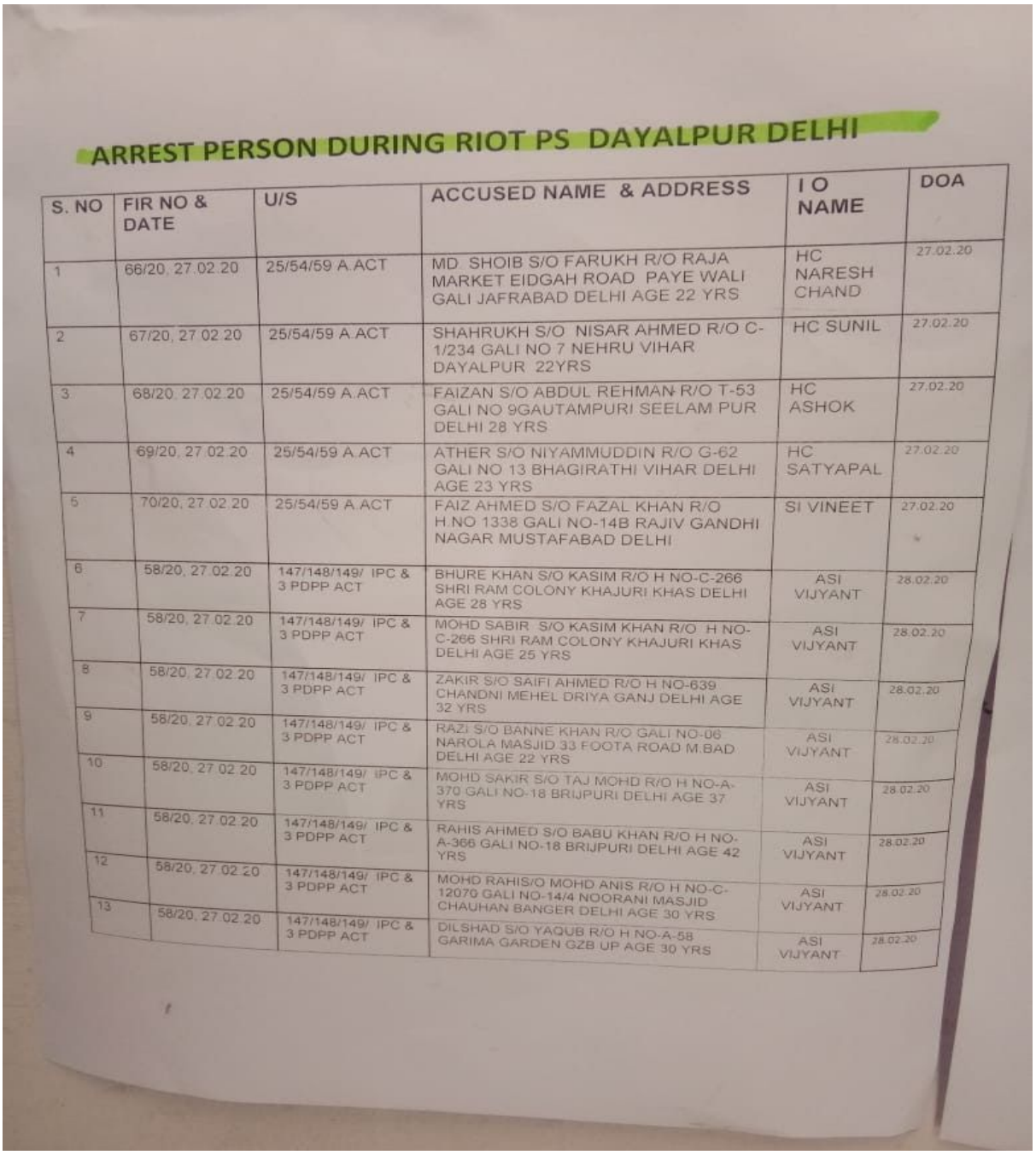
(d) Particulars of the deceased (if any)

Name: Age: Address: Relation with the claimant:

9.	Details of Bank Account i. Name of the Bank ii. Account No. iii. MICR Code iv. IFSC Code (attach copy of cancelled cheque, if available)	

Signature _____

Annexure XV- Lists of arrests at DayalPur police Station



ARREST PERSON DURING RIOT PS DAYALPUR DELHI

S. NO	FIR NO & DATE	U/S	ACCUSED NAME & ADDRESS	I O NAME	DOA
1	66/20, 27.02.20	25/54/59 A.ACT	MD SHOIB S/O FARUKH R/O RAJA MARKET EIDGAH ROAD PAYE WALI GALI JAFRABAD DELHI AGE 22 YRS	HC NARESH CHAND	27.02.20
2	67/20, 27.02.20	25/54/59 A.ACT	SHAHRUKH S/O NISAR AHMED R/O C-1/234 GALI NO 7 NEHRU VIHAR DAYALPUR 22YRS	HC SUNIL	27.02.20
3	68/20, 27.02.20	25/54/59 A.ACT	FAIZAN S/O ABDUL REHMAN R/O T-53 GALI NO 9GAUTAMPURI SEELAM PUR DELHI 28 YRS	HC ASHOK	27.02.20
4	69/20, 27.02.20	25/54/59 A.ACT	ATHER S/O NIYAMMUDDIN R/O G-62 GALI NO 13 BHAGIRATHI VIHAR DELHI AGE 23 YRS	HC SATYAPAL	27.02.20
5	70/20, 27.02.20	25/54/59 A.ACT	FAIZ AHMED S/O FAZAL KHAN R/O H.NO 1338 GALI NO-14B RAJIV GANDHI NAGAR MUSTAFABAD DELHI	SI VINEET	27.02.20
6	58/20, 27.02.20	147/148/149/ IPC & 3 PDPP ACT	BHURE KHAN S/O KASIM R/O H NO-C-266 SHRI RAM COLONY KHAJURI KHAS DELHI AGE 28 YRS	ASI VIJYANT	28.02.20
7	58/20, 27.02.20	147/148/149/ IPC & 3 PDPP ACT	MOHD SABIR S/O KASIM KHAN R/O H NO-C-266 SHRI RAM COLONY KHAJURI KHAS DELHI AGE 25 YRS	ASI VIJYANT	28.02.20
8	58/20, 27.02.20	147/148/149/ IPC & 3 PDPP ACT	ZAKIR S/O SAIFI AHMED R/O H NO-639 CHANDNI MEHEL DRIYA GANJ DELHI AGE 32 YRS	ASI VIJYANT	28.02.20
9	58/20, 27.02.20	147/148/149/ IPC & 3 PDPP ACT	RAZI S/O BANNE KHAN R/O GALI NO-06 NAROLA MASJID 33 FOOTA ROAD M.BAD DELHI AGE 22 YRS	ASI VIJYANT	28.02.20
10	58/20, 27.02.20	147/148/149/ IPC & 3 PDPP ACT	MOHD SAKIR S/O TAJ MOHD R/O H NO-A-370 GALI NO-18 BRIJPURI DELHI AGE 37 YRS	ASI VIJYANT	28.02.20
11	58/20, 27.02.20	147/148/149/ IPC & 3 PDPP ACT	RAHIS AHMED S/O BABU KHAN R/O H NO-A-366 GALI NO-18 BRIJPURI DELHI AGE 42 YRS	ASI VIJYANT	28.02.20
12	58/20, 27.02.20	147/148/149/ IPC & 3 PDPP ACT	MOHD RAHIS/O MOHD ANIS R/O H NO-C-12070 GALI NO-14/4 NOORANI MASJID CHAUHAN BANGER DELHI AGE 30 YRS	ASI VIJYANT	28.02.20
13	58/20, 27.02.20	147/148/149/ IPC & 3 PDPP ACT	DILSHAD S/O YAQUB R/O H NO-A-58 GARIMA GARDEN GZB UP AGE 30 YRS	ASI VIJYANT	28.02.20

14	58/20, 27.02.20	147/148/149/ IPC & 3 PDPP ACT	MOHD ARMAN S/O MOHD SOHAIB R/O KHUSHAL PARK LONI GZB UP AGE 24 YRS	ASI VIJYANT	28.02.2
15	57/20, 27.02.20	147/148/149/427/436 IPC & 3 PDPP ACT	AJMAL ALI S/O AMANULLAH R/O C-86 GALI NO 2 BHAJANPURA DELHI 20 YRS	ASI HUKAM SINGH	28.02.20
16	57/20, 27.02.20	147/148/149/427/436 IPC & 3 PDPP ACT	SHADAB ALAM S/O DILSHAD ALI R/O H.NO D- 86 GALI NO 11 OLD MUSTAFABAD DELHI AGE 26 YRS	ASI HUKAM SINGH	28.02.20
17	57/20, 27.02.20	147/148/149/427/436 IPC & 3 PDPP ACT	NAVED S/O SAGIR AHMED R/O H NO A-48 GALI NO 03 PH2 BHAGIRATHI VIHAR DELHI	ASI HUKAM SINGH	28.02.20
18	57/20, 27.02.20	147/148/149/427/436 IPC & 3 PDPP ACT	MD SADIQ S/O MD AJARIL R/O H.NO GALI NO 4 CHAMAN PARK MUSTAFABAD DELHI AGE 23YRS	ASI HUKAM SINGH	28.02.20
19	57/20, 27.02.20	147/148/149/427/436 IPC & 3 PDPP ACT	MD SHAKIR S/O KAIIU KHAN R/O H.NO B-10/63 GALI NO 05 KABIR NAGAR AGE 22 YRS	ASI HUKAM SINGH	28.02.20
20	57/20, 27.02.20	147/148/149/427/436 IPC & 3 PDPP ACT	NADEEM S/O ANISH R/O H.NO C-1207 GALI NO 14/4 CHAUHAN BANGAR BARHANPURI DELHI AGE 23 YRS	ASI HUKAM SINGH	28.02.20
21	57/20, 27.02.20	147/148/149/427/436 IPC & 3 PDPP ACT	MD SOHAIL S/O IKRAMNUDDIN R/O H.NO RASHID GATE AMAN AMAN GARDER NITHORA POL GALJAR PROPORTY DEALER LONI GZB UP AGE 23 YRS	ASI HUKAM SINGH	28.02.20
22	57/20, 27.02.20	147/148/149/427/436 IPC & 3 PDPP ACT	SULTAN AHMED S/O NAFEES AHMED R/O H.NO 622 GALI NO 14 SHRI RAM COLONY DELHI AGE 28 YRS	ASI HUKAM SINGH	28.02.20
23	57/20, 27.02.20	147/148/149/427/436 IPC & 3 PDPP ACT	WAJID S/O RIYASAT R/O H.NO B- BLOCK PEER WALI GALI NEER OLD PS GOKULPURI DELHI AGE 22 YRS	ASI HUKAM SINGH	28.02.20
24	82/20 29.02.20	147/148/149/323 IPC	VINEET SHARMA S/O RADHE SHYAM SHARMA R/O H.NO A-55 GALI NO 03 MAHA LAXMI ENCIAVE DELHI 94 AGE 34 YRS	ASI HEMRAJ	01.03.20
25	82/20 29.02.20	147/148/149/323 IPC	DEEPAK S/O BIJENDER R/O H.NO A-84 GALI NO 02 MAHA LAXMI ENCIAVE DELHI 94 AGE 28 YRS	ASI HEMRAJ	01.03.20
26	82/20 29.02.20	147/148/149/323 IPC	SAHIBE ALAM S/O FIRAJ ALAMR/O H.NO 468 GALI NO 06 MANDIR WALI GALI SHAKTI VIHAR KRAWAL NAGER DELHI AGE 24 YRS	ASI HEMRAJ	01.03.20
27	82/20 29.02.20	147/148/149/323 IPC	MOHIT SHARMA S/O ASHOK SHARMA R/O H.NO A-55 GALI NO 03 MAHA LAXMI ENCIAVE DELHI 94 AGE 20 YRS	ASI HEMRAJ	01.03.20

Annexure XVI - Order of Government of NCT

GOVT. OF NCT OF DELHI
HEALTH & FAMILY WELFARE DEPARTMENT, 9TH LEVEL,
A-WING, DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI.

F.No. F.110/H&FW/2020/PB/ 1907-10. Dated: 27.02.2020

ORDER

Kindly refer to DCP, North East District, Delhi letter no. 981/SO-DCP/North East District, Delhi dated 26.02.2020 (copy enclosed) regarding constitution of medical board for conducting post mortem of causalities are being affected in the riots using fire arms and other lethal weapons in North East District, Delhi.

You are hereby requested to constitute a medical board for conducting post mortem of all the causalities reported in riots in North East District, Delhi.

This issues with the prior approval of the competent Authority.

27.02.20

(AMIT KUMAR PAMASI)
DEPUTY SECRETARY(MB)

To,

HOD, Forensic Medicine, UCMS, Govt of NCT of Delhi.

Copy to:-

1. Deputy Secretary (Home), GNCTD.
2. DCP (HQ), Delhi.
3. DCP, North East District, Delhi.