



Communal Violence in North East Delhi, February 2020

A Report

A CPI(M) Delhi publication

From February 23 to 29, 2020, 17 of the 28 'town' areas and one village in north east district of Delhi were ravaged by communal violence. Fifty-four persons lost their lives. Property – homes, commercial establishments, schools – were damaged or destroyed, and religious places were attacked. Several hundred persons were injured.

The aftermath of the violence has been equally traumatic. The processes for bringing justice to the victims and punishing those who instigated the violence are being blocked by a biased police investigation. The police are creating a narrative that paints the victims of the violence as the perpetrators, and the people who worked for peace as instigators of that violence – while giving a clean chit to the rabble-rousers who gave incendiary speeches and provoked mobs towards violence.

Behind all this, without a shadow of doubt, is the nefarious agenda of the BJP government at the Centre and its political master, the RSS.

This report, compiled on the basis of dozens of detailed interviews with survivors and witnesses from both communities, looks at various aspects of the events as they unfolded over seven terrifying days.

Front cover: Grieving family of Mudassir Khan,
shot dead on February 25.

Photo courtesy: Adnan Abidi/Reuters.

Rs 25

**Communal
Violence in
North East Delhi,
February 2020
A Report**

A CPI(M) Delhi Publication

Published by
Delhi State Committee
Communist Party of India (Marxist)
in November 2020

Delhi State Committee
Communist Party of India (Marxist)
14 V.P. House
Rafi Marg
New Delhi 110001

The photographs used in this publication are from the affected families, survey volunteers, screengrabs from videos shot by witnesses, and from print media websites.

This publication is published under a
Creative Commons Attribution-Share Alike 2.5 India
(CC BY-SA 2.5 IN) license.

The human-readable summary of the license is available at
<https://creativecommons.org/licenses/by-sa/2.5/in/>

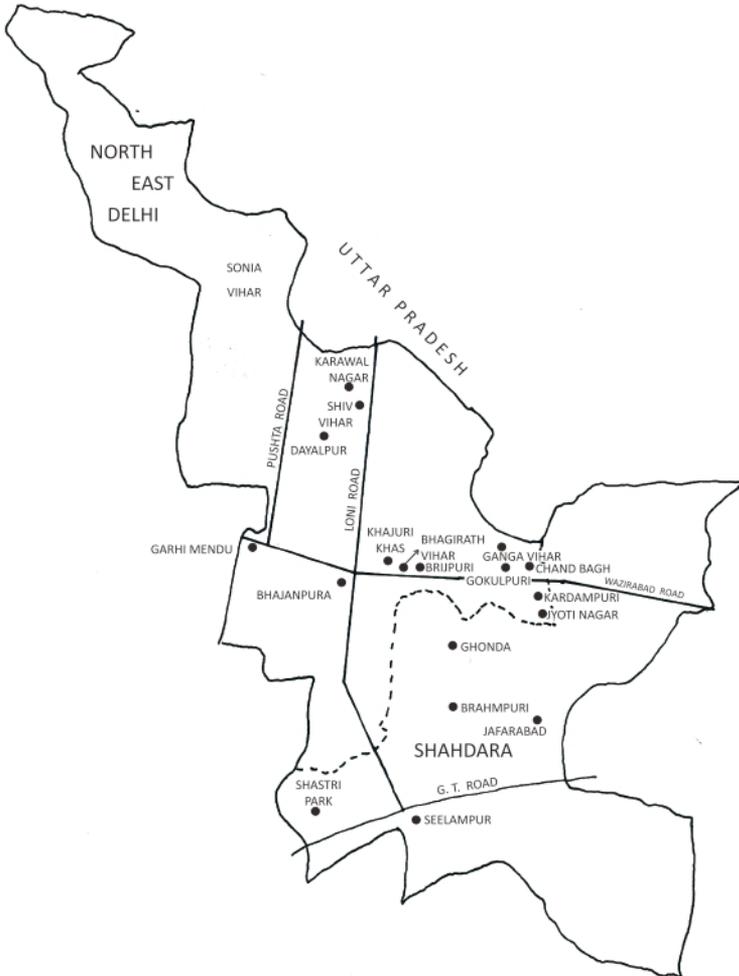
Printed at Progressive Printers, Shahdara

Price: Rs 25

Contents

Why This Report	5
Background	8
North-East Delhi 9 / Political Profile 10 / The Background to the Violence 11 / Delhi Election Campaign 15	
The Horrific Face of Communal Violence	18
Blaming the Women 20 / Beginning of the Violence 21 / The Chand Bagh Example: February 23–24 24 / Area Adjoining Chand Bagh 29 / Escalating Violence in Other Areas 32 / Extent of Violence 47 / The Role of the Home Ministry 51	
The Aftermath	58
The Conspiracy Behind the ‘Conspiracy’ 58 / How Amit Shah Pre-Empted an Impartial Probe 59 / Anti-CAA/NRC Protests Part of Conspiracy 61 / FIRs Registered in N-E Delhi 62 / The ‘Conspiracy’ 63 / How ‘Evidence’ Was Manufactured 66 / Hindu Fanatic Gang Only ‘Reacted’ 72 / Role of Police in Violence 73 / Selective Use of Footage 74 / Arrests 74 / Biased Prosecution 75 / Compensation 76 / Conclusion 76 / Actions that Require to be Taken for Justice 79	
Annexure 1: List of the Killed	80
Annexure 2: Analysis of Data from the Survey of Delhi Communal Violence Victims	83
Annexure 3: Solidarity and Relief Work	90

Violence Affected Areas of North East and Shahdara Districts, Delhi



Sketch Map Not to Scale

PREFACE

WHY THIS REPORT

This publication, on the communal violence in the North East District of Delhi is an outcome of the CPI(M)'s detailed interaction with the victims, local people belonging to different communities in the North East area of Delhi, and the relief work it has done in the area.

On February 28, 2020, a Relief and Rehabilitation Solidarity Committee was formed at the initiative of the CPI(M) Delhi State Committee, with different sections of people which worked till March 24, when the national COVID-19 related lockdown was declared. Over 250 volunteers of the Solidarity Committee worked hard to conduct surveys, provide relief at different levels, including legal interventions, to help access compensation, and so on. As Convenor of the Solidarity Committee, I would particularly like to thank Wajahat Habibullah and Harsh Mander for their guidance in the work of the Committee.

There were several levels of intervention and contacts, which provided information for this report. Around 400 families were interviewed through a questionnaire. However, it must be remembered that in the days following the violence, there was so much shock and suspicion that it was difficult for the survey teams to go to all areas. A second team went to areas where shops and other property was damaged including religious places and met those affected. Several teams were involved in the distribution of relief including house-to-house visits. They collected many details of the actual incidents of violence in the areas, which are mentioned in this report.

Others met the families of those killed. Our teams could meet

Preface

or make contact with the families of all the victims, except one. The statements they gave are heartrending. We have included five such interviews in this publication. We have continued our contact with the families. A second survey was conducted in August to identify and follow up on the needs of the families, particularly the children. An account of the relief work is available in an annexure in this publication.

Each of the teams of volunteers had a common experience. They reported that ordinary people living in the affected areas were shocked at the suddenness of the violence and its extent. Families of those killed and other victims of violence belonging to both communities said that there had never been communal violence of this nature in the area and that they lived in peace with their neighbours. What changed? This publication tries to find answers by putting out the facts.

There were also examples of how members of one community saved the other. We extend our greetings to the ordinary citizens in north east Delhi and also to the citizens of the capital who prevented the communal violence from spreading to other areas.

This report has been prepared through information from all these multiple sources. Many of the eyewitnesses who spoke to our teams cannot be named for obvious reasons of security. However, the information they gave has been in the main corroborated from other reports in the public domain, as well as videos and photographs.

The aspect of sexually coloured slogans and targeting of minority women has also come up in the statements of women interviewed by the team. But they were hesitant to make their experiences public. A specific example is mentioned in this report from Chand Bagh.

This report attempts to provide the context, the events as they developed and the aftermath. I hope it will help readers to cut through the maze of lies being put out by the Central Government

Preface

to conceal its role and that of the Sangh Parivar as those mainly responsible for the violence.

I would like to extend my thanks to all those who made this publication possible. I would like to particularly thank Brinda Karat, Polit Bureau member of the CPI(M), who put the report together; Subodh Verma, who was involved at every level of the publication; Aman Saini, who, along with his team of volunteers, helped recheck the facts; Aniyam P.V. and his colleagues, who collated the findings of the surveys; Sahba Hussain, who helped collate the statistics from court petitions; Shehla Hashmi Grewal, who made the map; Sudhanva Deshpande, who edited and designed this publication; and, above all, the volunteers who worked so hard to extend solidarity and assistance to the victims, regardless of the community they belonged to.

The findings and recommendations of this publication include the demand to the Government of NCT of Delhi to institute an independent inquiry under a retired High Court Judge into all aspects arising from and related to the Delhi communal violence of 2020. We hope this publication will strengthen the movement for this and the demands for justice.

K.M. Tewari
Secretary
Delhi State Committee
CPI(M)

SECTION 1

BACKGROUND

From February 23 to 29, 2020, 17 of the 28 ‘town’ areas and one village in north east district of Delhi were ravaged by communal violence. Fifty four persons lost their lives. Property – homes, commercial establishments, schools – were damaged in varying degrees, or destroyed, and religious places were attacked. Several hundred persons were injured.

The aftermath of the violence has been equally traumatic. Although the Delhi Government did announce compensation for the victims, the processes for bringing justice to the victims and punishing those who instigated the violence are being blocked by a biased police investigation. The police force in Delhi is not accountable to the elected government of Delhi, but functions under the central government’s Home Ministry. This is through the office of the Lt. Governor, a nominee of the central government. This undemocratic set-up in the capital of India had a bearing on the failure of the police to control the violence for almost a week. It is also directly linked to the subversion of justice to the victims and the protection being given to the actual instigators and perpetrators of the violence.

This publication looks at various aspects of the events and later developments. The survey data and interviews used are from the work done by the Delhi Solidarity, Relief and Rehabilitation Committee, which was formed on February 28, 2020. Scores of volunteers, including students, teachers, lawyers, activists from trade unions, women and youth organizations, and CPI(M) members came together in a massive effort of solidarity, visiting affected areas, talking to the bereaved families, reaching relief

Background

where it was required, activities which were conducted daily till March 24 when the lockdown was declared by the Prime Minister. Since then, though restricted by the lockdown and the pandemic, relief work has continued.

North-East Delhi

According to the Census 2011 there were 22.4 lakh residents in the North East District of Delhi. Among them, over 29% are Muslims, which is the highest minority population in all nine districts of Delhi; and 16.7% are Dalit. This is one of the most underdeveloped areas of Delhi with as many as 174 colonies coming under the 'unauthorized' category. About half of these were 'regularised' in 2019, but on the ground, nothing has changed for people who inhabit these colonies.

The district suffers from an overall denial of basic civic facilities. For instance, around 73% of households in the district have to discharge sewage into open drains, compared to 36% in other parts of Delhi. The district has the highest density of population in Delhi – around 37,000 persons per sq km, which is three times the average of the National Capital Territory of Delhi. Families live in crowded tenements, in small rooms, in narrow lanes. Nearly half (43%) of the population in the district is young, between the ages of 20 and 40, but this 'demographic dividend', much celebrated by the government, amounts to little, since only 7% of them are graduates. A large number of youth are unemployed.

The main working population is in the unorganized or the self employed sector – welders, carpenters, painters, scrap dealers, street vendors, manual workers, construction workers, etc. Employment in the factory sector is mainly in small enterprises, manufacturing plastic-related products like water bottles, buckets, containers and so on, and in the garment and textile sector with numerous small units producing jeans or other garments for bigger companies. In addition, a large number of women are involved in allied home-based work, sewing buttons, cutting threads on

Section 1

garments, etc. Their earnings are meagre, but crucial for family survival. Many families are headed by women, often widows, who are the main breadwinners. Small establishments such as shops and eateries also contribute income to many families. According to the 2011 Census, around 37% – over one-third – of the workers here are migrant workers (*Hindustan Times*, July 28, 2019).

During relief work, volunteers found that a fairly large number of households do not have ration cards. Food security is certainly an important issue here.

It was in this poor, undeveloped area that the communal violence broke out, devastating lives and livelihoods.

Political Profile

North east Delhi has many mixed neighbourhoods with Hindus and Muslims living next to each other. It is striking that in the past, there have not been any serious incidents of communal violence in the district. In fact, as interviews of affected families made apparent, there was surprise and shock at the communal violence. There have however been incidents in the last seven to eight years of Rashtriya Swayamsevak Sangh (RSS) shakhas creating tensions with aggressive slogans and provocative actions during festivals, such as happened in Sriram Colony in 2015. On Eid that year, the RSS attempted to hold its shakha in the ground where the namaaz is usually held, and it was only the intervention of the CPI(M) which ensured Government attention in time to prevent a communal incident. The number of RSS shakhas seems to have increased in the district, particularly after 2016.

There are 10 Assembly seats in the north east Lok Sabha constituency of which 8 are in the violence-affected area. Manoj Tiwari, the then state president of the Bharatiya Janata Party (BJP), retained his seat in the 2019 Lok Sabha elections, polling 53.9% of the vote. Former Chief Minister and Congress candidate Sheila Dikshit was a distant second, with 28.8%, while the Aam Admi Party (AAP) candidate got a mere 13%. AAP had won all 8 seats

Background

in the 2015 Assembly elections. In the 2020 Assembly elections, however, the BJP won 3 of the 8: Karawal Nagar, Ghonda and Rohtas Nagar. These constituencies became epicentres of the violence.

The Background to the Violence

To understand the roots of the violence, we need to go back a few months. BJP's victory in the 2019 Lok Sabha elections led to a vigorous unfolding of the Hindutva agenda of targeting the minority communities. This was combined with an all-out pro-corporate agenda in the economic sphere, affecting all sections of the poor and particularly the labouring classes. Within a few months of its assumption of power the Central Government pushed through in quick succession laws which had a direct impact on the rights of the largest minority community, dealing a blow to the secular framework of India's Constitution.

These steps included the passage of a law against triple talaq which, far from helping Muslim women, was actually aimed at criminalizing what has been in the realm of civil law. This was followed by the abrogation of Article 370, which took away the special status given to Jammu & Kashmir, demoting it from statehood, dividing it into two Union Territories, all without any discussion with the representatives and people of the State. While this was aimed at dismantling the only Muslim-majority state in the country, it also constituted the biggest attack on federal rights, on democracy and the Constitution. This was followed by the passage of the highly discriminatory Citizenship Amendment Act (CAA). Prior to the passage of this Act, the ruling party, led by Home Minister Amit Shah, had run a vicious and toxic campaign outlining the 'chronology' of the plan: CAA was to be followed by the National Population Register (NPR), and then by the National Register of Citizens (NRC), scheduled to begin from April 2020. This campaign was based on the identification of 'illegal immigrants', described by Shah as 'termites' who had to be thrown

Section 1

out (*The Hindu*, April 11, 2019). The experience in Assam where around 19 lakh citizens were found to be without the required documents even though they had lived in Assam for decades, caused a legitimate fear among the poor all over India that without documents they could be targeted and declared illegal. Since the poor of all communities are, as proven by the recent experience of migrant workers, by and large 'undocumented', it was also an attack on the poor. Even more dangerously, CAA linked the right to citizenship with religious affiliation, excluding all Muslims deemed to be 'illegal' while those of other communities were to be 'legalized' through a fast track process. This was clearly not an attack just on Muslims but the first step towards undermining the secular nature of Indian citizenship.

On December 11 and 12, 2019, Parliament adopted CAA by a majority vote and it became the law of the land. Many of the speeches made in Parliament at the time by ruling party leaders were extremely provocative. The response from the Government to the concerns expressed by the opposition was arrogant, not addressing any of the issues raised.

A wave of protests swept through the country, with university students in the lead. In Jamia Milia Islamia, a university situated in south Delhi, now recognised as the number one university in India in government rankings, students decided to march to Parliament on December 15, 2019. They were stopped en route outside the university by the police, resulting in clashes. Some miscreants in the crowd, which included local people, attacked cars and burnt buses. Although students were not involved in these condemnable acts of arson, the police seized this opportunity to launch a brutal attack on the university. They beat up students mercilessly, entered the library and vandalised equipment, and forced students to exit the library with their hands over their heads, like they were prisoners of war. The police had gone in without permission of the university authorities (*India Today*, December 15, 2019). Meanwhile in UP, students of Aligarh Muslim University faced

Background

severe police repression. Universities across the country came out in solidarity with the students of these two universities. The UP Government used draconian measures against the anti-CAA protesters. Twenty persons were killed in police firing, dozens were arrested, and protesters were slapped with hefty fines for allegedly causing public damage, without any proof of their guilt.

In the capital and elsewhere there were almost daily demonstrations joined by people from all walks of life. Left parties were active in these protests against the Shah 'chronology' and in support of the students. The women in Shaheen Bagh started a sit-in protest in solidarity with the Jamia students, of whom many were their wards. This developed into the most sustained women-led protest witnessed in recent decades (*Business Standard*, February 1, 2020). It struck a chord across the country and soon there were hundreds of such protests. On January 5, the students of JNU were subjected to violence by goons of Akhil Bharatiya Vidyarthi Parishad (ABVP, student wing of the RSS). Masked gangs armed with lathis and hockey sticks were allowed to have a free run of the campus by conniving university authorities. Aishe Ghosh, president of the JNU Students' Union, was severely beaten on the head (NDTV, January 6, 2020). The violence was particularly directed against the students' union, which had been leading a protest against increased fees. Scores of students were injured. Despite covering their faces, the identities of many of the attackers is known and has been exposed by several news organisations. Yet, over ten months after this unprecedented and murderous attack, not a single person so identified has been arrested.

The extent of the protests across India was entirely unexpected for the central government and the ruling party. What was further distressing for them was the fact that the protests were peaceful and secular. For the first time Muslim women in large numbers took the lead in the protests, taking inspiration from the courageous and sustained protests by the women of Shaheen Bagh. The ruling regime and the Sangh Parivar started a vicious campaign to

Section 1

defame the protests. In UP in particular, women were beaten up and threatened.

The history of our country shows that fundamentalism and religious bigotry of one community helps fuel its counter in another. While Muslim fundamentalists and extremists make inroads into the community in response to the BJP-RSS-Sangh Parivar combine's supremacist communal agenda, the divisive activities of organisations such as Popular Front of India (PFI), Social Democratic Party of India (SDPI), and Jamaat-e-Islami help Hindutva organisations to further their game of communal polarization. In this period some of these so-called 'community' leaders made provocative statements. For example, a Students Islamic Organisation of India (SIO) leader in Nanded, Maharashtra, made objectionable statements from an anti-CAA platform. He was immediately booked and arrested by the State Government (*East Coast Daily*, February 7, 2020). Such objectionable statements were quoted and publicised widely by Hindutva organisations, even though they did not represent the opinions of anti-CAA-NPR-NRC protests as a whole.

A crucial aspect of the protests was that the women leading the protests did not allow their stage to be used for Muslim fundamentalist propaganda; on the contrary, anyone trying to do so was not allowed to speak. Across the country, the protests were resolutely secular, marked by the spontaneous participation of a cross section of people. In January, at the call of central trade unions, there were working class protests culminating in a historic two-day countrywide industrial strike. One of the demands of the strike was a rollback of the CAA-NRP-NRC plan (CITU statement, January 8, 2020). As many as twelve State Governments, including some affiliated to the ruling National Democratic Alliance (NDA), came out against the NRC with a public declaration that it would not be implemented in their States. The Left Democratic Front (LDF) government in Kerala was the first State Government to adopt such a resolution in the State Assembly, which led to many

Background

other states following this example (*The Hindu*, December 31, 2019).

These developments provided the backdrop for the bitterly contested campaign in January 2020 for the Delhi Assembly elections, which were scheduled for February 8, 2020. This turned out to be the harbinger of the communal violence later that month.

Delhi Election Campaign

Narendra Modi first became Prime Minister when the BJP swept to power in May 2014. However, when Delhi went to polls in February 2015, AAP won an unprecedented landslide, bagging 67 of 70 seats. The BJP got the remaining 3, and the Congress was reduced to zero.

However, when Delhi again went to the polls in February 2020, the BJP believed it would win. After all, it had come back to power at the centre with a greater margin in May 2019, and it had also won all three municipal corporations in Delhi. The BJP unleashed a blitzkrieg campaign, personally supervised by Home Minister Amit Shah. It deployed forty 'star campaigners' led by PM Modi, comprising union ministers, chief ministers, MPs, and other party leaders. In the last week of the campaign, 200 MPs were sent to the slum areas and the poorer colonies. Huge amounts of money was spent. This has become the usual BJP strategy since the 2014 victory.

However, never before in the history of Delhi has there been such a no holds barred election campaign based on communal hatred. All these leaders campaigning in the elections, every single one of them, had the same agenda – to ensure communal polarization, to arouse communal passions, to link the anti-CAA protests to a conspiracy against national interests, and to dub all those who supported the protests as supporters of terrorists. Shaheen Bagh and its courageous women were painted as the enemy; the symbol of secular India became, for the BJP, the target for its politics of hate.

Section 1

It was none other than the Home Minister who set the tone of the campaign. As widely reported in the press on January 26, 2020, he said ‘press the button [of the voting machine] so hard that the [electric] current is felt in Shaheen Bagh’ (*Business Standard*, January 26, 2020). Here is a sample of some of the other statements. UP Chief Minister Yogi Adityanath, in a speech, said about the anti-CAA protestors: ‘Their ancestors divided India so they have a grouse against ek bharat shresth bharat’ (*The Hindu*, February 1, 2020). Central Minister of State for Finance Anurag Thakur gave an open call asking people to chant the slogan, ‘*Desh ke gaddaron ko, goli maro salon ko*’ (‘Shoot the traitors to the nation’). This became the BJP’s rallying slogan for the entire anti-CAA campaign, not just in Delhi but across the country. BJP MP Parvesh Verma in a widely reported interview to ANI said ‘Lakhs of people gather in Shaheen Bagh . . . They will enter your houses, rape your sisters and daughters and kill them.’ Anurag Thakur and Parvesh Verma were banned from the election campaign for 72 hours and 96 hours respectively by the Election Commission for giving speeches which violated the code of conduct (*India Today*, January 30, 2020). However mild the action, it was nonetheless a recognition of prima facie evidence of hate speech against these two leaders.

Delhi Police, however, have refused to file an FIR, nor did the Election Commission direct them to. Thakur’s incendiary slogans had an immediate result. Two days after his speech, one Rambhakt Gopal, a Hindutva supporter, fired at Jamia protesters at the university gate (*NewsLaundry*, January 30, 2020). A week later another person, Kapil Gujjar, opened fire at the protest site in Shaheen Bagh (NDTV, February 01, 2020). An organisation calling itself Hindu Sena gave a call to its supporters to gather at Shaheen Bagh on February 2 (*OpIndia*, February 01, 2020). Tension spread through the area. It was only at the last minute that the police intervened and got the march officially called off though some of its supporters did gather and shout provocative communal slogans.

Background

With BJP in power, hostility towards Muslims or other minorities, gets sanction from the top. Violence against minorities, especially mob violence, has not been met with a just and firm hand; on the contrary it is celebrated. There is therefore a sense of complete impunity in carrying out mob attacks, lynchings, and destruction of religious places. Alongside the public campaign was the ground level campaign by BJP/RSS cadres. They attempted to whip up frenzy against the alleged attempts to create 'mini-Pakistans' in India. They spread the usual canards about the Hindu population being overtaken by the Muslim; about 'love jihad'; about Muslims' alleged foreign allegiance; about cow slaughter, and so on. Shaheen Bagh became a focal point of all this, compressing all the myths and lies into one symbol.

The elections were held on February 8. The results were declared on February 11. AAP swept the elections, winning 62 seats with a vote share of 53.57% – less than a 1% decrease compared to the 2015 election. BJP increased its seat share by 5, to a total of 8 seats. Its vote percentage went up by 6.21 percentage points, to 38.51%. The Congress did not win a single seat and its vote percentage went down by 5.44%.

The BJP got a drubbing electorally. But the deadly harvest of the poison seeds it had sown during the elections was reaped in the communal violence that started on February 23. The price is still being paid by the people of the capital.

SECTION 2

THE HORRIFIC FACE OF COMMUNAL VIOLENCE

The analysis and facts in this section are based on discussions with eyewitnesses and local people; through the surveys conducted by volunteers of the Delhi Solidarity, Relief and Rehabilitation Committee (DSRRC); interviews with members of the bereaved families; and media reports, including a five-part analysis by N.D. Jayaprakash in The Wire (July 6, 7, 8, 14, 15, 2020). Police records in the public domain have also been used. The Delhi Police affidavit in an omnibus response to writ petitions (writ petition No 669/2020 and 670/2020) filed by Brinda Karat among others has also been used (henceforth referred to as police affidavit dated 13-7-2020). Delhi Police holds that 53 were killed in the violence, while our survey has registered 54 deaths. The teams met with 53 of the 54 families who had lost a member in the violence. We have not been able to contact one of the families.

In the wake of the results of the Delhi elections, struggles against the BJP-RSS policies got a boost, including the anti-CAA protests. On the other side, the BJP-RSS appeared to reach a different conclusion – that even though they lost the election, they could increase their vote share through communal polarisation. The communal genie was out; swayamsevaks were hungry for violence.

According to local respondents, in the days prior to the violence, RSS and affiliated organisations had held internal meetings to discuss how to prevent the support to the anti-CAA protests from widening in the area. Some leaders belonging to the Bharatiya Mazdoor Sangh, an RSS affiliate, informed some of their select members of these meetings. Eye-witnesses told us that

The Horrific Face of Communal Violence

on February 22 there were meetings at the RSS office in Yamuna Vihar. This is the area where BJP leader Kapil Mishra lives.

February 21 was Shiv Ratri. Using the festival, RSS-affiliated groups and organisations began mobilization. They raised aggressive slogans during the festive processions. This requires further investigation. On the evening of February 22, an incident occurred near the Maujpur metro station which was an indication of the tragic events that were about to unfold. Two Muslim boys were stopped by a Hindutva gang. They were abused and beaten up. We have the statement of the doctor who treated them. Police were present, but took no action. Further, on the morning of February 23, groups of men and women came out on the main road near Maujpur chowk shouting slogans in support of CAA. This was several hours before Mishra's provocative speech. Their slogans were directed against the women's sit-ins. All this indicates prior preparation.

There were 8 peaceful anti-CAA protest sit-ins led by women in north east Delhi: Jaffrabad, Mustafabad, Kardampuri Chowk, Chand Bagh, Sriram Colony, Khajuri Khas, Noor-i-ilahi Ghonda, Bab-ul-uloom Seelampur. They all started in the first and second weeks of January. Not a single one blocked any road. Although petitions were moved in the Supreme Court against the blockade of roads by the Shaheen Bagh protest in south Delhi, north-east Delhi was not included in any petitions.

Blockade of roads was not the issue. The sight of hundreds of women, many of them burkha clad, sitting in public places, being heard and seen was an anathema to the communal forces. Delhi Police appeared to share this bias. It is telling that Delhi Police claims, in Para 43 of its own affidavit (in Writ petition no 556/2020 dated 13-7-2020) that 'they [the women] refused to vacate, causing a deteriorating effect on communal harmony in the area.' So, according to the police, a peaceful protest if being conducted by citizens, who happen to be mainly Muslims, leads to deterioration of communal harmony!

Section 2

The BJP plan was to forcibly put an end to the protests. They had been working towards this in the previous weeks. Kapil Mishra's speech provided the trigger. Since he is ex-MLA from the Karawal Nagar seat, his presence gave confidence to his party workers to act, especially since the police openly sided with him. He specifically targeted women who had shifted their protest from the side roads of Seelampur and Jaffrabad to the area under the flyover adjoining the Jaffrabad metro station on the night of February 22. It is important to note that complaints of violence began only after Mishra's inflammatory speech.

Along with Kapil Mishra, the role of other BJP leaders in the violence has been specifically mentioned by eyewitnesses and victims. These include Mohan Singh Bisht, newly elected MLA from Karawal Nagar (Delhi); Nand Kishore Gujjar, MLA, Loni (UP); Ajay Maheshwar, MLA, Ghonda (Delhi); Satya Pal Singh, MP, Baghpat (UP); Jagdish Pradhan, former MLA, Mustafabad (Delhi); and Municipal Councillors from Delhi such as Pramod Gupta (Yamuna Vihar) and Kanhaiya Lal (Johripur). It is reported that some of them brought goons from across the border who led the attacks. They also arranged trucks filled with stones which were emptied on the streets to chants of Jai Shree Ram. However, the police has neither investigated their role nor included their names in FIRs.

Blaming the Women

Delhi Police appears to have targeted the shift of the women's dharna from the side roads to the Jaffrabad Metro station as the reason for the violence. This is patently untrue. Even though the shift to the Metro station was an underestimation of the plans of the BJP-RSS on the part of the protestors, it must be categorically stated that at no time was the protest anything but peaceful. How can a peaceful protest be a cause for violence?

Bhim Army, led by Chandrashekhar Azad Ravan, gave a call for February 23, 2020, to be observed as a protest day against a

The Horrific Face of Communal Violence



BJP leader Kapil Mishra leading slogan-shouting crowd (left) and making inflammatory speech in the presence of the DCP (right), Maujpur, February 23.

Supreme Court judgement on reservations. They appealed to the anti-CAA protestors to join their march to Rajghat. The call had almost no impact on the protesting women – in seven of eight sites, they paid it no heed. Only at Chand Bagh was a procession held, with the police present in substantial numbers. However, the fact that each protest site took its own decision regarding the Bhim Army call shows that there was no ‘conspiracy’ as alleged by the police.

Beginning of the Violence

BJP leader Kapil Mishra, accompanied by a large group of supporters, gathered at Maujpur chowk at about 1.30 in the afternoon on February 23, around 750 metres from the Jaffrabad protest site. Why did the police not prevent him from holding a pro-CAA rally so close to the anti-CAA protest site? In fact the Deputy Commissioner of Police (DCP) of the area was standing next to Mishra. The DCP heard his hate-filled speech, in which, as seen in videos that went viral, he gave a call for direct action against the protesters: ‘We will give the police three days to clear the protests, otherwise we will hit the streets after Donald Trump leaves’ (*India Today*, February 23, 2020). The police took no action against him. BJP supporters specifically referred to the Bhim Army in derogatory, casteist terms.

The police were fully aware of the potentially disastrous consequences of Kapil Mishra’s speech. Annexure A of the Delhi

Section 2

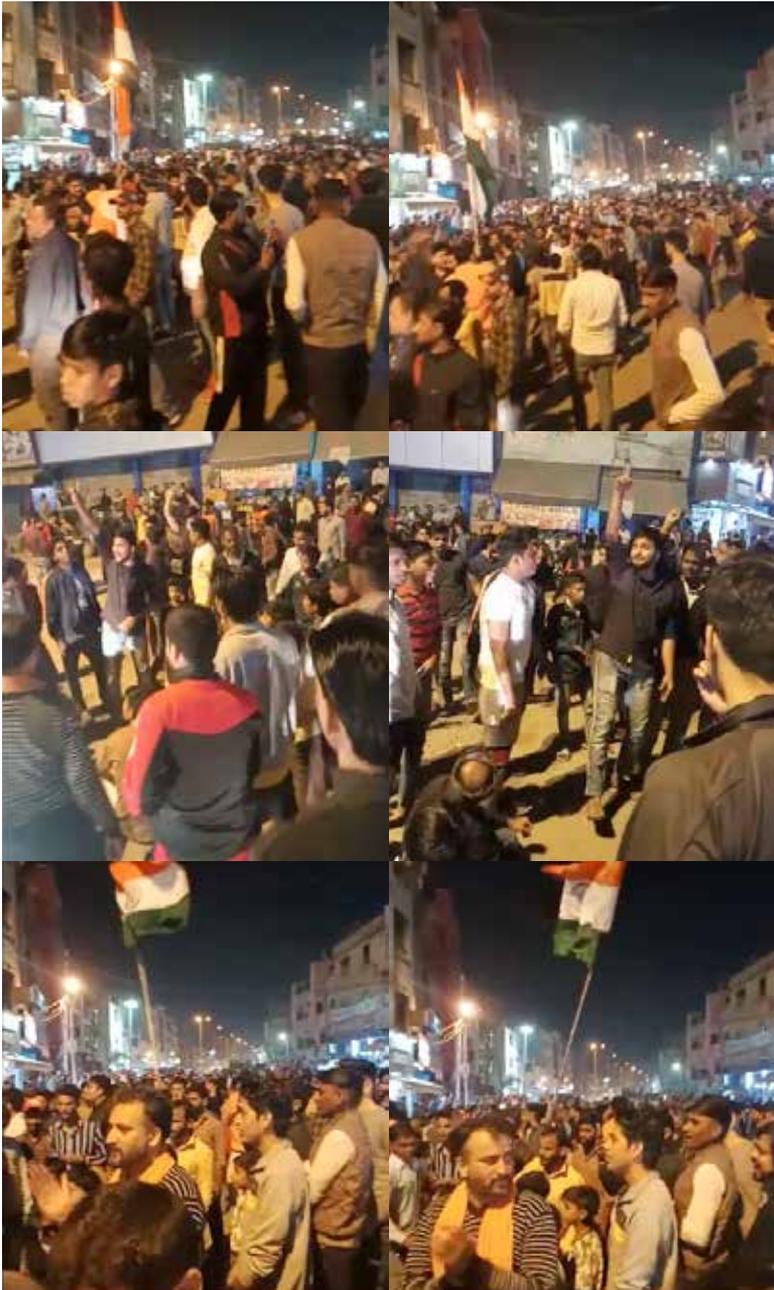
Police affidavit submitted to the High Court lists at least 6 wireless messages from policemen present on the spot (also see *TOI*, February 27, 2020). Intelligence was warning the top brass of the police of the danger of violence and of the urgency of requisitioning additional forces to stave off the threat of violence. The police affidavit explicitly mentions the calls made by intelligence sources. The Delhi Police top brass, presumably under the Home Ministry's direction, chose to ignore such warnings and desisted from deploying Rapid Action Force in the emerging hotspots to prevent any outbreak of violence.

Soon after Kapil Mishra's rabble rousing rants, there were pro-CAA mobilisations in Sherpur Chowk, Karawal Nagar, Ghonda and Bhajanpura. The crowds at Maujpur swelled. They moved towards the Jaffrabad protest site and started pelting stones. There was retaliation from the other side. Stone pelting started in several areas. The first incidents of arson occurred on February 23 at Sherpur Chowk at the juncture of Karawal Nagar, Dayalpur and Khajuri, mainly populated by Hindus. According to witnesses, Karawal Nagar BJP MLA Mohan Singh Bisht was not only present but reportedly gave a hate-filled speech and incited the crowds. In fact it is here that the actual violence started with shops belonging to Muslims being burnt at around 8 pm. Witnesses report that crowds were shouting what later became the battle cry of the Hindutva mobs: '*Desh ke gaddaron ko, goli maaro saalon ko*' ('Shoot the traitors to the nation').

The landlords here are mostly Hindus, while a large number of tenants, mainly unorganized and migrant workers, are Muslims. They were told by their landlords to leave the area immediately, not giving them time even to take their belongings. It appears that landlords were afraid that their property could be targeted by mobs because they housed Muslims. The crowds also burnt Muslim shops in Khajuri Extension and Chandu Nagar.

Up to this point – that is, from December 12, 2019, when CAA was passed in parliament, to February 23, 2020 – clashes, if any,

The Horrific Face of Communal Violence



Crowds shouting provocative slogans gather at Sherpur Chowk on the night of February 23. Screenshots from a bystander's phone video.

Section 2



Criminals on both sides. Shahrukh, who fired 8 rounds and pointed a gun at the police in Jafrabad, has been arrested (left); but the shooter firing into a Muslim populated lane in Vijay Park on February 25 has got police protection (right).

had been between anti-CAA protestors and the police. This was particularly true of UP, where the police tried to forcibly remove protestors from some sites. From February 23, the focus shifted to Delhi, where the BJP and its allied organisations succeeded in turning it into a communal clash, with the police on the side of the Hindutva forces.

In the following week, instead of the violence being controlled, it escalated. Crowds gathered from both sides. Criminals among them used guns, country made bombs, petrol bombs, acid, stones, and bricks to attack the other side. The role of agent provocateurs cannot be discounted. However, as surveys and interviews conducted by our teams show, the offensive was against minority-inhabited areas. There was also retaliation from the minorities at a few places. Almost as a rule, the police sided with Hindutva mobs. Without this partisanship, the violence could have been controlled.

The Chand Bagh Example: February 23–24

Chand Bagh is a colony inhabited mainly by Muslims. Across a wide avenue with a shoulder-high iron divider is Yamuna Vihar, adjoining which is Bhajanpura, both inhabited mainly by Hindus. Kapil Mishra had specifically targeted Chand Bagh in

The Horrific Face of Communal Violence

his speech at Maujpur. According to the police, Chand Bagh was one of the epicentres of the violence. Below are details provided by eyewitnesses which demonstrate how the violence was allowed to escalate.

On February 23, the anti-CAA crowd of protesters marching to Rajghat were barricaded by the police on the main road. This action of the police effectively created a chakka jam, since the protestors now sat on the main road. Their sit-in, however, was entirely peaceful.

After Kapil Mishra's speech, by evening, a mob of between 50 and 100 of his supporters gathered further down the road, a couple of hundred metres from this improvised protest site. Raising slogans inciting violence against the protesters whom they deemed 'traitors,' they engaged in multiple rounds of stone pelting, starting from 8 pm.

The organisers of the anti-CAA protest urged their followers on loudspeakers to peacefully clear the main road and return to the tent on the service road where the sit-in had been ongoing. The main road was cleared and the protesters returned into their tent on the service lane.

In the meanwhile violence began at Sherpur Chowk, on the other side of Chand Bagh. Here, some shops owned by Muslims were burnt down. At around 11:30 p.m., a battalion of heavily armed police started a flag march which went past the tent and turned right towards the Chand Bagh *puliya* (bridge) beyond which the violence had taken place. Soon after making the turn on to the *puliya* road, instead of going to Sherpur Chowk where shops owned by Muslims had been burnt by Hindutva mobs, the police started a lathi charge late at night in the minority areas. Several people were injured.

The flag march moved up the road across the bridge. Here a saffron flag had been hoisted, and a saffron scarves-wearing mob greeted the police with chants of '*Jai Shri Ram*' and '*Bharat Mata Ki Jai*'. The police responded enthusiastically to these slogans.

Section 2



Crowds from Bhajanpura cross over to the Chand Bagh side with help from the police (above left); mobilization on the Chand Bagh side (above right); police on the main road opposite Chand Bagh, backing the mob (right).

According to an eyewitness account, one person from this mob said to the police, '*Aaj ek-aadh ka toh kaam kar dena chahiye.*' ('Today at least one or two of them must be done for.') A policeman responded, '*Ek-aadh ko aazadi de hi denge. Bada shauq chal raha hai aazadi ka.*' ('They want freedom, don't they. One or two will surely get it today.') It was a clear sign of partiality of the police force.

Early next morning, on February 24, there was an uneasy calm in the area. The police had all but disappeared, which many thought was odd, given what had transpired the night before. But, according to multiple eyewitnesses, they arrived just before 11 a.m. accompanied by a crowd of masked men armed with rods and swords.

Two young protesters were beaten up and picked up by police from near the protest site at Chand Bagh that morning. The women protested against their detention. The first lathi charge by the police at the site that day was on these women.

The Horrific Face of Communal Violence



Miscreants using the roof of Mohan Nursing Home to hurl stones and shoot (above left); Rubina Bano (above right).

Chand Bagh residents mobilized in large numbers as well, coming out on to the streets, leading to clashes with the police. Multiple rounds of tear gas followed. Meanwhile, the crowd of masked men and those shouting '*Jai Shri Ram*' and communally offensive slogans had swelled. Alongside the police's tear gas, they hurled stones and bricks at the anti-CAA protesters.

On the other opposite side of the protest site, at about 1.00 p.m., a group of men, pointing their private parts lewdly to the women, shouted, '*Yeh lo azaadi*' ('Come, here's your freedom').

Violence escalated, and by around 2.00 p.m., a pregnant Rubina Bano was hit with a lathi and then struck on the head by a brick. She had to have 20 stitches on the nasty gash. There was chaos as a barrage of bricks and tear gas followed. There was stone pelting from both sides.

Chaos reigned. Women screamed as the mob ran wild, shouting obscene slogans. Stone pelting from both sides increased. Across the protest site, the roof of Mohan Nursing Home was used as a base from where stones and other objects were hurled, and shots fired.

Shockingly, in spite of the palpably rising tension and escalating

Section 2

violence, there was no additional deployment of the police or the Rapid Action Force to the Chand Bagh area. If this had been done, there is every chance that the tragic death of police personnel Ratan Lal could have been prevented. In the absence of additional deployment, a vastly outnumbered police force was caught in the stone pelting. DCP Amit Sharma was grievously injured. ACP Anuj Kumar was also injured. Head Constable Ratan Lal, who reportedly tried to save his superior officer, suffered severe head injuries in the stone pelting; he was also hit by a bullet, to which he later succumbed.

Around the same time, according to witnesses, Shahid Khan, an auto rickshaw driver, was shot from the roof of Mohan Nursing Home. He was taken to the hospital, where he succumbed to his injuries.

On the same day, Shahban, a welder by profession, had to pick up a welding machine from Chand Bagh. His motorcycle was stopped, he was shot in the leg, and was found lying near the pavement by a passing stranger, Zaved [sic], who took him to hospital, where he later died. Later, when Shahban's brother Faizan went to the Dayalpur police station, the police pointed to Zaved as the person who brought Shahban. Zaved had been arrested by the police for his good Samaritan act. Faizan is witness to the fact that Zaved was badly tortured by the police. Shahban's family have since tried to locate Zaved, but his phone is switched off.

Aquib Ahmed, aged 19, was caught by the mobs and brutally beaten. He suffered severe head injuries. He was taken to the hospital where he had a brain surgery. He died a few days later.

Four people died, then, around the same time. While the tragic death of policeman Ratan Lal on duty has been highlighted in the news media and on social media, the deaths of three Muslims have gone more or less unnoticed.

It should be noted that in Chand Bagh most of the 'action', be it from the police or by the pro-CAA crowds, was on the Muslim side of the colony. The other side, across the road, by and large did

The Horrific Face of Communal Violence

not suffer that degree of violence.

The major exception to this was the burning of the petrol pump on the Bhajanpura side of the road on the afternoon of February 24. Mobs from both sides were out confronting each other when it happened.

Video evidence exists of the burning down of the anti-CAA protest tent due to a flaming projectile even as it was attacked by bricks and stones amidst aggressive slogans. Houses, shops, and a godown, all in the vicinity of the protest site, also burnt down that afternoon. The police need to investigate impartially who was responsible for all these acts of arson.

Have any cases been registered against those clearly identifiable in the videos? Our survey teams were told that BJP's Jagdish Pradhan, who was MLA from Mustafabad before losing the election in 2020, was involved in organizing the attacks on Chand Bagh and other areas. Is there any investigation into his role?

Even though there was violence on February 23, why were adequate police forces not stationed in the area the next day to prevent violence? Why were pro-CAA mobs allowed to cross the road to go into the Muslim-majority colony? Why have no cases been filed against the owner of Mohan Nursing Home which was used as a base for attack, including with firearms?

Area Adjoining Chand Bagh

By evening of 24 February, the entire area around Chand Bagh was under siege. The signature bridge was closed by the police, while Hindutva mobs blocked the alternative routes. Even ambulances were not allowed to go through. The police were bystanders. Shops on the main road belonging to Muslims, including in Khajuri Khas, adjoining Chand Bagh, were burnt.

There are mainly three lanes (galis) in this area inhabited by Muslims: Gali nos. 4, 5 and 29. The attacks in these galis began on February 25. Terrified families called up the police, who made no attempt to disperse the mobs and quell the violence. A small

Section 2

group of policemen arrived and advised Muslim families that their houses would be burnt in any case; the best they could do was to escort them out of the area if they wanted to



Ankit Sharma's family with Brinda Karat.

save themselves. Most families chose to leave. A total of 52 houses owned by Muslims were burnt. The mobs knew exactly which houses to target. In Gali no. 5, for instance, the only Hindu house was spared; in Gali no. 29, only the Muslim houses were burnt. The locals here know of no arsonist being arrested. In fact, they have identified the owner of a local business, Govind Enterprises, as one of the leaders of the mob. This man was also seen firing. No action has been taken against him either.

All this happened on the afternoon of February 25. A few hours later, in the evening, an Intelligence Bureau employee, Ankit Sharma, was killed.

Ankit Sharma's death received widespread attention in the media and police briefings. His family lives a few lanes away from the scenes of violence, which had erupted at a time when Hindutva mobs were in control of the area. Ankit Sharma's family told our team that he reached home safely around 5 p.m. that day and parked his motorcycle. His mother said that he went out thereafter to prevent any local boys from participating in the violence. He never came back. His body, with at least 12 stab wounds, was recovered from the canal.

Our team could not meet Ankit Sharma's father, who is on record holding AAP councillor Tahir Hussain responsible for the killing. It is alleged that Hussain stored arms, bombs, and stones on the roof of his house and encouraged the mobs that killed Ankit Sharma.

The Horrific Face of Communal Violence

However, police records show that Hussain's house, which is on the corner of the main road, had been attacked the evening before, on February 24. Police records further show that Hussain made 12 distress calls to the police, starting around 2 p.m. The attack lasted several hours, but the police claim they 'could not reach there due to a large gathering of rioters.'

Tahir Hussain was finally rescued by the police after 11.30 p.m. He handed over the keys to his house to the police, who transferred him to a safer location. The police didn't find any incriminating material there at the time. He attempted to go back to pick up some stuff the next morning, February 25, after informing the police, but found a hostile crowd outside and so returned without entering his home.

All this throws a puzzling light on the narrative of Tahir Hussain having stockpiled arms and incendiary materials, and of his being responsible for Ankit Sharma's death. Clearly, only an impartial and fair investigation can reveal the truth.

Then there's the statement by Ankit Sharma's brother to the *Wall Street Journal*. He is quoted (*WSJ* February 26, 2020) as saying that a mob raising 'Jai Shri Ram' slogans killed his brother. Later he backtracked and denied this, but *WSJ* has stood by its story, saying that it is based on a recorded interview (*Republic World*, March 02, 2020). The family did not repeat this when our team met them, only saying that there were violent mobs roaming freely in the area.

We should mention that in the same lane where Ankit Sharma lived, a Hindu man gave shelter to a Muslim neighbour and her sick son for several days. Such humanity and courage in the midst of hatred and poison shows the sense of solidarity that still prevails among common people of both communities.

Four more men were killed the same day as Ankit Sharma, in the Karawal Nagar area, adjoining UP, barely a kilometer away. Md. Shahbaj, who worked as a painter, and Suleimani, a construction worker, were both killed by violent mobs which most likely

Section 2

included people from UP. Mohsin Ali, who rented out generators, was accosted, and his car set on fire with him in it. Monish, a daily wage earner, was also killed by a mob. It was reported by local residents that the BJP MLA from Loni (UP), Nand Kishore Gujjar, along with his party leaders from Karawal Nagar, was involved in this violence.

Escalating Violence in Other Areas

Kardampuri

The main violence was directed at the anti-CAA protest sites. One of these was Kardampuri. It is mainly a Muslim-inhabited area and was attacked from two sides. One mob came through the neighbouring colony of Kabirnagar and the other from the main road. On February 24, mobs shouting communal slogans started pelting stones at the women-led protest site.

Kardampuri is where the infamous ‘national anthem incident’ took place on February 24. The police forced five young men – Faizan, Wasim, Rafiq, Kausar Ali, Md. Farhan – onto the ground, beat them up, and forced them to sing the national anthem (*AltNews*, February 25, 2020). One of them, Faizan, later succumbed to his injuries. Our team met his mother Kismatoon, as well as the other young men.

Many of the younger men in this area work in the Gandhinagar area in small textile units. Monday is the weekly day off, and many of them were at home. They heard of the mob attacking the protesters at the anti-CAA protest site, where their mothers and sisters were sitting in protest. The mob was trying to enter the Kardampuri area, just as they were doing in Chand Bagh. Here again the people of the locality mobilized to prevent the attacks. There was stoning from both sides. The police sided with the attackers and started firing tear gas at the anti-CAA protest site.

Kismatoon was at the protest site when mobs started stoning the site. The women dispersed. Wasim, whose mother Shamim had been at the protest site, and Faizan separately rushed to the

The Horrific Face of Communal Violence

Faizan, Wasim, Rafiq, Kausar Ali, Md. Farhan – the five young men who were forced to sing the National Anthem by the police in Kardampuri. Faizan, who died due to the injuries he received in police custody, can be seen lying on the left, face away from camera.



site to bring their mothers home. Here they were caught by the mob, beaten up, and made to lie on the ground. Rafiq, returning home from work was also similarly caught and beaten up.

The police beat them up and forced them to sing the national anthem. They also taunted them with the azaadi slogan. When the mob attempted to drag away Rafiq, the police intervened, put the five in the van to purportedly shift them to the hospital, but shockingly locked up them up in the thana. Here they were stripped and badly beaten again by the police. Later they were released. Faizan died due to the gravity of the injuries he had sustained. Faizan's death is a case of custodial killing.

Md. Furquan died when he was shot on the chest and thigh at the protest site on 24 February. Eyewitnesses claim that the bullets were fired by the police. The names of the eyewitnesses were communicated to the police by the brother of the victim. However, there is no mention of this in the FIR. On the contrary, four Muslims have been named as being responsible for his death.

Instead of clearing the mobs trying to enter Kardampuri, the police became party to the stoning of those trying to guard the colony. The police fired tear gas shells at them and even opened fire.

Our team met many who were injured. Fajain, aged 14, was returning home when he was caught in the crowd which was fleeing from police actions near the Kardampuri road market. He felt a burning sensation and fell down unconscious. He was rushed to a local clinic. The doctor told the team: 'He was bleeding

Section 2

profusely. I did what I could to stop the bleeding with dressings.' He was shifted to Guru Tegh Bahadur (GTB) Hospital where they extracted the bullet. He was unable to walk for several months.

Even after the violence of February 24, the police failed to disperse the attacking mobs which led to more deaths the following day in the area between Maujpur and Kardampuri. Mudassir, a scrap dealer who left his Mustafabad home on the morning of February 24 in connection with his work, got caught in Kardampuri. He stayed over, but the next morning when he managed to leave the area to go home, he was caught by the mob and killed. Ishtiyaque Khan and Mubarak Hussain were beaten to death in areas adjoining Kardampuri on February 25. Deepak was also killed on the same day near the Maujpur road. Amaan was killed on 25 February in the same area.

In Ashok Nagar, the mosque was burnt and a saffron flag hoisted on top of it. A nearby mosque in Gokulpuri was burnt down on February 25. The mobs, helped by the police, beat up people near the mosque, threw 6-8 CNG cylinders inside, and set the mosque on fire. One cylinder burst outside the mosque, damaging the outer wall. A madarsa housed inside the mosque was badly damaged. Students were rescued from the fire. Most of them were from Bihar. The Gokulpuri tyre market and nearby Muslim shops were burnt and looted on the night of February 25. Shopkeepers reported multiple rounds of arson.

Mustafabad and Neighbouring Areas

Mustafabad was another protest site which was attacked. Women were on dharna in a place close to the Farooqia Masjid. On February 24, the site was attacked by crowds from Brijpuri, a neighbouring colony with mainly Hindu inhabitants, resulting in a clash. The next afternoon, on February 25, the marauding crowds came back. This time they were accompanied by the police. Witnesses stated clearly that the police played an active role in the attack on the masjid. The women were lathicharged and there was

The Horrific Face of Communal Violence

teargas shelling. Our teams were told that the police accompanied the mob that burnt the mosque using gas cylinders.

Our team met the 85 year-old maulvi Abbas, who had been hit on the head. He burnt his hands trying to save the Koran and Javed, a 21 year old whose hands and legs were injured in the attack. Two young men, Zakir and Mehtab, were killed near the mosque. Several were seriously injured. In the neighbouring madrassa, 18 children between the ages of 8-11 years along with 12 teachers present were caught in the arson. They managed to escape from the roof of the madrassa.

That day, February 25, the mobs killed Ashfaq Hussain, a young man who had got married just ten days earlier. He was shot five times – three bullets in his chest, two shots to his head, and sword wounds on his neck and nose. It was a brutal killing. While there was an angry reaction to Ashfaq's murder, his father did not allow it go out of hand. There are a few Hindu houses in the lane where Ashfaq lived. It was his grieving father who went to each Hindu home assuring them of their security.

On the same day in this area, the mobs also killed Zamir. Ultimately in the absence of the police and other security forces who were not answering distress calls, the minorities had to fend off the attacks and resist the violence themselves. This resulted in escalation of violence and more incidents.

Rahul Thakur, who lived in the Brijpuri area from where the marauding crowds had come, was killed. His father told our team that the young man had gone out hearing the slogans. He got caught in the clashes and was shot.

The team visited the family of Prem Singh. A rickshawpuller, he had left the house on February 25 to get milk for the children. When he did not return by late evening his wife started searching for him. It was only on February 29 that she found out that he had been killed. Later it was found in the FIR that he was killed near Maujpur.

Another grave consequence of the inexcusable delay of the

Section 2

Ashfaq Hussain, 22

Son of Agaaz Hussain, resident of Mustafabad

Killed February 25

Ashfaq had got married ten days before he was killed.

His wife, 20, sits alone with the Quran in a room where she will stay for the three-month iddat period (waiting period in Islam after a woman marries or divorces, during which time she cannot marry again). Next to her on the floor is the album of photographs of her as a bride. Ashfaq's mother shows us the photographs of the wedding, of her smiling son and his beautiful bride. She breaks down, unable to speak. The family belongs to the Shia community. Agaaz speaks of his son and of that terrible day.



Ashfaq and his father Agaaz

Ashfaq was an electrician and he ran his shop in a ground floor room of his residence. His work partner and friend was a young man called Rohit Sharma. There is nothing unusual in this partnership and friendship, Agaaz says. There has never been a Hindu-Muslim issue here before. Ashfaq and Rohit also used to do free maintenance electrical work for mandirs and

masjids in the area. They had got a contract for Holi decorations and were busy with that. Ashfaq was popular in his area among both communities.

On February 25, he had gone out for some work in Brijpuri. On his way back he saw crowds attacking the women's protest site. He rushed there and came face to face with the mob. He was brutally killed – one shot to the head, three to the chest, a sword wound on his nose and neck. He was taken to the hospital, where he was declared dead on arrival.

His family got to know of his death later that evening. His younger brother Mudassir describes the absolute shock in the entire area. People started coming out of their houses into the lane expressing their grief and anger. Agaaz, devastated with the news, realized that if he did not intervene, there would be violence directed against the 20 Hindu families living in the area. He appealed to everyone to remain peaceful. He went house to house in his lane assuring the Hindu families of their safety. There are two small mandirs in the area. He gave responsibility to some people to protect the mandirs. His actions prevented what could have been a terrible, violent retaliation.

What an extraordinarily courageous father and human being.

The Horrific Face of Communal Violence

Prem Singh, 30

Son of Nathu Devi, husband of Sunita

Killed on February 25

Sunita, 25, is eight months pregnant. She is surrounded by a group of women, her sympathetic neighbours, her sisters-in-law, and Nathu Devi, her grieving mother-in-law. Nathu Devi is a widow and narrates how as an agricultural worker in her village in UP, she worked hard for the survival of her family. She came to Delhi hearing of the tragedy that befell her family, the killing of her son. Sunita's mother is also a widow. She too struggled to help her family survive. Sunita is the third widow in a family where girls outnumber boys. Sunita and Prem have three daughters, the youngest three years old. In a patriarchal society where girls are considered burdens, Nathu Devi speaks of this aloud, the burden of a widow.

Sunita, frail and weak, burdened by her sorrow, says Prem Singh left the house at around 8 a.m. on February 25 to get milk for the children. He was a rickshaw puller and he had never faced any problems in his work. When he did



Prem Singh and his wife Sunita

not return, Sunita thought he had taken shelter somewhere as she had heard that there was violence on the streets. But when he did not return till night, she started calling up relations and friends to check, in case her husband was with them. The next day she went to the police station to file a missing person's report but the police asked her to come later. It was only on February 29 when the police contacted her and asked her to identify a body. It was her husband.

But she is puzzled. The police tell her that her husband's body was found two kilometres away, near the Maujpur crossing. Why would he have gone there? She has no idea.

Home Ministry in deploying adequate police forces to quell the mayhem was that it enabled anti-social elements to wreck havoc. It was in this area of Brijpuri that Arun Public School, owned by a former MLA of the Congress party, Bhishma Sharma, was totally burnt and all records destroyed.

Section 2

Shiv Vihar Tiraha

From February 24, this area became a centre of serious clashes and killings. According to reports from locals, pro-CAA crowds started gathering at Anil Sweet House which is situated at the corner.

The first killing here was on February 24. Salman, an embroiderer working in Shiv Vihar, was returning home when he was shot in the head. He was taken to the hospital, where he died on February 27. His parents came to know of his death through social media when someone uploaded his picture. They did not know where he was attacked. The police showed Salman's father a video of his son's dead body lying at the *tiraha* (trijunction) where the Anil Sweet Shop signboard could be clearly seen.

This killing led to clashes. Two schools – Rajdhani School owned by a Muslim, and the neighbouring DPR school owned by a Hindu – were seriously damaged and all records destroyed. Some shops owned by Hindus were also burnt. There was heavy stone pelting and firing from both sides. In the early evening of the February 24, Rahul Solanki was shot and died on the way to the hospital. Initially, his father blamed Kapil Mishra for provoking violence (*Indian Express*, February 26). Later, when our team met him, he said that his son was shot from those on the roof of Rajdhani School.

Why were the schools targeted? Our teams tried to find out. Rajdhani School is the tallest building in the area, and so is strategically important as a vantage point. It appears that both sides tried to take control of it. Ultimately, though, as a local person put it to our team, 'When violence is generated, there is no reason, no explanation.'

On the night of February 24–25, a young employee of Anil Sweet Shop, Dilbar Singh Negi, took shelter in a godown owned by his employer when the shop was attacked. The godown was burnt down. His mutilated body was found inside. Another young man, Dinesh, was with the crowds near Anil Sweet House. His brother

The Horrific Face of Communal Violence

had rented a neighbouring shop. He was killed in the clashes. Another person to be killed was Vir Bhan. A close relative of his told our team, *'We are puzzled as to how he got killed. The place where he was shot is about 100–150 metres away from where the Muslim crowds were, so only a long-range firearm could have killed him at that distance. Our relation in the police said he was killed by a "katta" [country made pistol] which*



Dilbar Singh Negi.

would not have that range. There was firing from both sides. We can't say what happened.' Alok Tewari, a worker, was at home that day. His wife and her brother told our team that Alok had been called out by crowds shouting slogans and warning that Muslims were coming into the area so all men should come out to defend the colony. At first Alok was hesitant to go, but eventually decided to join them. He was killed that day. His wife said, *'The men who came to our house earlier were eager and insistent that he should join them, but when he was dying no one came to help him.'*

In many areas where Hindu men were mobilized, our teams got reports that rumours spread via WhatsApp messages and telephone calls. The violence was not spontaneous. It was planned.

Shiv Vihar

Shiv Vihar (on the other side from the tiraha where Anil Sweet Shop is located) saw the most extensive violence against Muslims. According to details gathered by our teams, 135 shops and homes were looted; 42 houses and 23 shops were burnt; seven people were killed. Two mosques were badly damaged, one almost completely burnt. Many people were injured.

Violence started in the area in the afternoon of 24 February with sounds of gunshots being heard. By 8.00 p.m., a crowd of around 200 people armed with lathis, bats, mini gas cylinders

Section 2

and petrol cans started selectively targeting, looting and burning houses. Where the property belonged to Hindus but the tenants were Muslims, the belongings were brought outside and burnt. Most of the residents started fleeing from the locality.

The violence continued the next day. Mobs came across from the Shiv Vihar 'shamshan ghat' (cremation ground) bridge, wearing helmets and their faces covered with scarves. They were shouting 'Jai Shri Ram' and anti-minority slogans. Locals said that they were mobilized from UP. The district leader of the BJP minority cell who lived in a corner house called the police several times but was told to fend for himself. His house too was burnt.

In Shiv Vihar there is a factory making coolers owned by a Hindu, but run by a Muslim contractor with Muslim workers. Hearing the slogans, the terrified workers called the contractor for help. At his intervention, four or five policemen arrived. The workers were not confident of going with them, but one of them, Aftab, left with the police at around 10.30 a.m. His body was recovered from the drain. His family told our team that he was snatched from the police by the mobs, killed, and his body thrown into the drain. No case has been registered against the irresponsible police personnel.

Terrorised residents of Shiv Vihar fled their homes, leaving behind all their belongings. Among those who stayed was Md. Wakeel, who had a shop on the ground floor of his home. Hindus in his area had assured him and his family that they would be protected. He believed them as there had never been a single communal incident in the past. At around 4.30 p.m. on February 25, the electricity in the area was cut. The crowds had already entered the area, and burning and looting had begun. Md. Wakeel locked up his shop and went upto the first floor of his house. At around 8.30 p.m., the mobs entered his lane. He stepped out on to the balcony to see what was afoot, where he was spotted by the mob. They targeted him with acid bottles. He lost both his eyes to acid burns. His shop was burnt and looted. In the darkness he

The Horrific Face of Communal Violence

stifled his cries of pain and waited for the crowd to pass. His family took shelter in the upper floors of a masjid further up their lane. This too was attacked, and the ground floor vandalized and burnt. The family managed to escape at 3.00 am.

There were two more killings in Shiv Vihar on February 25. Md. Anwar used to sell goods on a *rehri* (handcart). He also kept goats. He lived in a jhuggi in Shiv Vihar. He was burnt to death by the mobs that evening. Sharif Khan was at home when the mobs set his house on fire. He died in the fire.



Md. Wakeel.

On February 26, Arshad, a painter, was returning from work. He was caught by the mob in Shiv Vihar and killed. His family had already left the area, and had no idea what had happened to him. They began a search, and only learnt a week later that he had been killed.

By February 26, the minority-inhabited lanes of Shiv Vihar resembled an abandoned war zone. Families had fled and many took shelter in neighbouring Chaman Park. Once the Delhi government set up a relief camp, these families shifted to the Idgah relief camp.

Our teams met several Hindu families living in Muslim-majority areas in Shiv Vihar who said they were frightened but safe. In most cases, these families, unlike the Muslim families, did not find it necessary to leave their homes. Our team met Vikram

Section 2

Singh Baghel, whose house was attacked. He was away and his frightened family had to escape from the roof. His shop was looted.

Even on February 27, mobs continued to be on the rampage. That day Jamaluddin Mansuri, who had been away in his village, returned to check on his home, accompanied by his brother Nizamuddin. They were attacked as soon as they entered Shiv Vihar. Nizamuddin suffered multiple fractures on his arms and legs. Jamaluddin was hit by iron rods on his head. They were left for dead. The police later took them to the hospital. Jamaluddin died of his injuries a few days later.

There was one more death the following day. Ayub, a rag picker, was out looking for rags and waste materials when he was caught and killed.

Eight people were killed in Shiv Vihar as the mobs had control of the area for over four days.

Johripur Pulia

Johripur Pulia was one of the roads through which mobs entered Shiv Vihar. From the evening of February 24 to February 26, the areas around the Pulia, including Ganga Vihar, witnessed intense violence by rampaging mobs shouting Hindutva slogans. Running through the area is a big open drain called the Bhagirathi Vihar nala. As our teams started meeting families of the killed, we heard stories which raise serious questions about the role of the police and central government functionaries.

Crowds of men had gathered at the pulia on the evening of February 24. They were stopping people, checking their religious identity, and beating up those who were Muslims. Reports were made to the police. In one case, a Hindu man travelling on his motorbike was stopped by the mob to check his religious identity. He was pushed off his bike and he fell down. When he got up, his bike was missing. He went to the police station to report his missing bike. He reported that there were crowds on the move, 'shouting Jai Shri Ram, Har Har Mahadev and beating up Muslims'

The Horrific Face of Communal Violence

(FIR 104/20). The police told him, 'we can't do anything now, come back tomorrow'. The crowds increased the next day. They would stop people and beat up those they identified as Muslim.

There is a ghastly monotony to the accounts of how people were killed.

On February 25, at around 4.30 p.m., Mursalin, travelling on a motorbike, was killed by the mob and his motorbike set on fire. His body was thrown into the drain.

On February 25, at 7.30 p.m., Aas Mohammed, walking home, was caught near the Pulia, killed, and his body thrown into the drain.

At 8.00 p.m. the same day, mobs started going into colonies dominated by Hindus, looking for Muslim tenants. Musharraf was dragged from his home, killed, and his body thrown into the drain.

On February 25, at 9.30 p.m., Aamin was killed on Brijpuri Pulia, and his body thrown into the drain.

On February 26, at 10.30 a.m., Bhure Ali, while walking past Brijpuri Pulia, was beaten to death, and his body thrown into the drain.

On February 26, at 9.15 p.m., Hamza was killed while walking to Bhagirathi Vihar, and his body thrown into the drain.

On February 26, at 9.30 p.m., Akil Ahmed, coming from Loni on foot, was killed and his body thrown into the drain.

On February 26, at 9.45 p.m., two brothers, Hashim Ali and Amir Khan, while returning from Noida on their motorbike, were stopped at the Pulia, killed, and their bodies thrown into the drain.

The dead bodies of these nine men were recovered after several days. The distraught families found it difficult to identify them. They were highly mutilated, with numerous cuts and injuries. Some were identified by their clothes, others by a ring on a broken hand or a scar on a leg, still others only through a DNA test of separate body parts.

That mobs could be so wantonly on the rampage, destroying property, looting, killing, on public thoroughfares, in the vicinity

Section 2

Musharraf, 34

Husband of Mallika, resident of Bhagvati Vihar

Killed on February 25

Mallika, 30, is a mother of three. The youngest, a boy, is three years old. A migrant worker, she lost touch with her natal family years ago. She sat with the Quran in one hand. Her son was on her lap, looking up at her. Every time her eyes filled up, his little hand would reach out and wipe the tears away.

Her husband Musharraf was a driver. They lived on the third floor in a building owned by a Hindu. There were other tenants too, both Hindu and Muslim. On February 24, mobs started roaming the streets in her area shouting 'Jai Shri Ram'. The landlord advised the Muslim families to stay indoors.



Musharraf, Mallika, and their children

On the evening of February 25, the mob came into their lane. They went house to house looking for Muslims. Mallika had put out the lights. However, a group of men with faces covered and helmets on threatened to set the room on fire if the men didn't step out.

Mallika had hidden her husband in the box-bed, under a pile of clothes. The men opened the bed and prodded the clothes. Her husband stayed silent. When they hit the pile with iron rods, Musharraf screamed in pain. He was dragged out, assaulted, and pushed down the stairs.

That was the last Mallika saw of her husband.

The other male tenants somehow managed to escape. Sapna, Mallika's neighbour, tried to help her. She put sindur in Mallika's hair parting and a bindi on her forehead to make her look like a Hindu. At around midnight Mallika and two other women and children left the house trying to make their way to a friend's house in New Mustafabad. On the way she was stopped by a mob. They snatched her boy and checked to see if he was circumcised. As it happened, he was not. The family passed off as Hindu. Imagine – checking a child's genitals to decide whether or not he should be killed.

Mallika found Musharraf in the morgue of GTB hospital two days later, covered with mud. He had been brutally killed and his body thrown in Brijpuri nala.

The Horrific Face of Communal Violence

Hashim Ali, 19, and Amir Khan, 24

Sons of Babu Khan

Killed on February 26

Babu Khan makes his living as a tailor. His two sons, Amir and Hashim, worked in a textile factory, making jeans. Amir got a better job as a driver and shifted to Ghaziabad with his wife Samina and his younger daughter. His elder daughter continued to stay with her grandparents in Delhi where she went to a neighbourhood school. On Sunday February 23, Hashim took Amir's daughter to meet her parents in Ghaziabad. Babu Khan says 'I heard there was a lot of trouble on the streets so I rang up my sons and told them to stay in Ghaziabad.' He further says, 'Three days later I saw on TV that police officials had assured that everything was safe. [National Security Advisor] Ajit Doval had visited our area and assured us safety. I believed him and told Hashim he could come home. I also



Hashim, Amir and his wife, and their father Babu Khan

told them that schools were closed.' On February 26, Amir was driving his brother Hashim back home on his motorbike. Through the ride, Hashim was in touch with his father. The last call was when Hashim told Babu Khan they were near Gokulpuri. After that there was no contact.

The Hindutva mobs stopped their bike on the bridge, burnt it, dragged them both off, and killed them. Their bodies were thrown into the drain. The following day, Babu Khan and his daughter went to the Dayalpur police station to find out about his sons. They were sent to Gokulpuri police station. Finally they were sent to the GTB morgue. He saw the brutalized bodies of his beloved sons, recognizable only by the clothes they were wearing. He says 'We are poor, that is why we become easy targets. I don't want any parent to suffer like I am doing, with the loss of my sons. No one should face this, whether Hindu or Muslim.'

Samina, with her mother-in law Asgari next to her, is too overcome with grief to speak. She has two little girls. They keep asking her about their father. She looks away, and says to no one in particular, 'He could not live away from his girls, now he will be permanently away.'

Section 2

of multiple police stations, is nothing but evidence of State culpability.

National Security Adviser Ajit Doval visited North East Delhi with a big contingent of Home Ministry officials and police officers late at night on February 25. He returned the next evening. He told the press: 'The situation is totally under control' (India.com, February 26, 2020).

Under whose control? Hindutva mobs backed by the police? In fact, even as he was in the area, mobs were looting and killing in Shiv Vihar and Johripur Pulia.

The police claimed in the High Court that, 'by late evening of 25th [the crowds] were largely dispersed [and that] there was a de-escalation of violence. . . . No major incident of violence reported from the night of 25/26' (police affidavit, para 65). The events in Shiv Vihar and around Brijpuri Pulia expose this blatant lie. As documented above, violence and killings continued for the next two days.

Some Other Cases

Among those killed was a woman, Akhbari. She was 85 years old. Where she lived in the village of Garhi Mendu, there were only two Muslim families. Her house was looted and burnt on February 25. While other members of her family managed to escape, Akhbari was burnt to death. On the other side of the village there were around 24 Muslim families. Every single one of their houses was burnt.

Irfan lived in Kartar Nagar Ghonda. He had gone to fetch milk. He was caught by a mob and attacked with swords. This happened in front of his mother. She has identified the local RSS and BJP leaders as those responsible for this.

Parvesh was a social worker, living in North Ghonda. On February 25, he was trying to calm down the crowds. He was shot dead in the presence of local BJP leaders who have been identified by eyewitnesses.

The Horrific Face of Communal Violence

Nitin Paswan, 15, was the youngest of those killed. He lived in Gokulpuri in the Hindu-dominated area. His father is a handcart owner who transports goods, and his mother a domestic worker. On February 26, during the curfew, since the area appeared to be peaceful, Nitin had stepped out to get chowmein from a street vendor not far from his home. It was his favourite food. He returned home safely, but stepped out again to get some for his elder brother. It was then that he was either hit by a teargas shell or shot – his family is not sure. His father told our team that eyewitnesses said that the police killed his son. His statement, however, has not been included in the FIR.

Extent of Violence

According to the police reports to the court, 53 persons lost their lives, of whom 40 were Muslim and 13 Hindu. Our survey has found that there were 54 killings, of whom 41 (76%) were Muslims.

The one killing left out in the police list is that of Sikander. Sikander was an autorickshaw driver. On February 27 morning, he was driving his rickshaw on the road below the Signature Bridge near Khajuri Chowk. He was caught and bludgeoned to death. The MLC and post-mortem report show that he suffered serious head injuries. Why has the police not included his name in those killed?

As far as the injured are concerned, according to the police reports, 581 persons were injured, of whom 108 were police personnel; this means 473 were civilians. Most of these injuries are from incidents of stone pelting. Surprisingly the extent of injury is not mentioned, except for those suffered by the DCP and ACP in the Chand Bagh incident. But in most reports, including in FIRs directed against the minority community, the police admits that the injuries were sustained as ‘mobs pelted stones on each other community and on police which tried to control them’ (para 65 police affidavit).

Among the 473 civilians who suffered injuries, there were

Section 2

Nitin Paswan, 15

Son of Ram Suharg

Killed on February 26

Nitin was the youngest victim in the communal violence in Delhi. He lived with his family in a rented room in Gopalpuri. He studied in class eight in a local government school. His father Ram Suharg has a handcart to transport goods from one place in the city to another. His mother is a domestic worker.

On February 26, Nitin went out of the house to buy chowmein from a street vendor just a lane away. He returned and shared it with his brother Gobind. The brothers decided it was tasty enough to get some more. So Nitin went back the second time. This was about 3 p.m. After a while when he didn't return, his family started contacting his friends and relatives in case Nitin was with them. By 5 p.m. when they could not find him, they went to the Gokulpuri police station to report him missing. They were told



to check in nearby hospitals. After a frantic search, Ram Suharg says, 'I looked for him everywhere in that big hospital. Then a kind nurse told me to go to the emergency room on the third floor. It was there that I saw my poor boy, lying on the bed unconscious. I reached out to him and said son, I am here, don't worry. But there was no response. His face had blood on it. When I lifted

Nitin and his father, Ram Suharg

him I saw that he had an injury of about two inches on the back of his head which had been bleeding. I was told he had been hit by a tear gas shell.'

Nitin died later that day. Since then the grieving father says he tried to find out the circumstances of his son's death. Why had the police fired a tear-gas shell when there were no mobs on the streets that day? He asked the police but got no answers. He has not been given the postmortem report.

He says, 'My son was killed by the police. But people who came to visit me, like those from the RSS, asked me to say that he was killed by Muslims.

Why should I say that? There is only a small number of Muslims who live in our area. They were so scared that they fled their homes on the 24th itself. No Muslim mobs came to this area. My son was killed by the police. I want to know why.'

The Horrific Face of Communal Violence

15 women and a baby. Of them, 9 women and the baby were Muslim, while 6 women were Hindu. Of the 473 civilians listed, going by the names, around 253 were Muslim. However, this is an underestimation. Our teams found that a large number of injured Muslims were afraid to register their injuries, as the police were randomly picking up Muslim youth to implicate them as rioters.

One example will make this clear. Our team met the father of Shadab Alam, who worked at a medical shop owned by a Hindu, Mr. Ghai. Shadab Alam was arrested on February 24. Mr Ghai told our team that when crowds started collecting, he pulled down the shutters of his shop and gave protection to his Muslim workers. The police came in from the back, refused to listen, identified Muslim employees, and took them away, despite Ghai's entreaties. They were locked up in Dayalpur thana. Ghai went several times over the next week pleading with the police to allow his employees to go. In fact they were illegally locked up in the thana along with twenty others. They were beaten in custody. After a week in illegal custody they were produced before a magistrate and sent to jail. They got bail only after four months, in May. Thousands of Muslim youth were randomly picked up by the police. It is hardly a surprise that injured Muslim youth were afraid to report their injuries.

Many Muslims who suffered serious injuries were rushed to a neighbourhood hospital called Al Hind which was ill-equipped to deal with such cases. However, attempts to shift them to Government hospitals were thwarted, since the main roads were blocked by Hindutva mobs who were not allowing passage of any vehicles, including ambulances. This is why an urgent petition had to be moved in the Delhi High Court on the night of February 25 which led the Court to issue directions to the police to ensure safe passage for victims who had to be shifted to better equipped hospitals. At that time there were 22 victims with serious injuries, according to the statement of owner of Al Hind hospital, Dr. Anwar.

Among the injured was Khurshid, a 37 year-old carpenter who our team met later. He was returning home and was near the

Section 2

Farooqui masjid when he was caught by the crowd. On identifying him as a Muslim they started beating him up. He was hit with the butt of a gun by the police and fell unconscious. He was taken to Al Hind hospital but doctors there said he was in a serious condition and needed treatment in a bigger hospital, but the ambulance was not allowed to pass. Later he was shifted to Guru Nanak hospital. His skull was damaged and he required 15 stitches on his forehead. He has not received any compensation yet.

Our survey teams found that 171 victims had been treated in Al Hind hospital. Most had not received any compensation. This is because their cases were not registered by the police. This gives an indication that the numbers injured on the side of the minority community are much higher than the police records show.

Similarly, as far as property damage is concerned, police records are shocking in their underestimation and undercounting. The property damage is presented in the form of a table giving police station-wise damage to temples, mosques, houses, shops and vehicles (which are further classified as 2-, 3-, and 4-wheelers). In all, 14 police stations are listed, but three of them have no incident. In other words, the violence was not confined to one area but had spread across 78% of the district. The tabulation has some errors of totalling in it, which is bizarre considering the police submitted the document to the High Court.

According to the police report, 14 houses of Hindus, 50 houses of Muslims, 42 shops belonging to Hindus, and 173 shops belonging to Muslims were damaged. While even these faulty statistics show that the main violence was directed at Muslim-owned property, the underestimation is glaring – in Shiv Vihar alone, 177 homes and shops of Muslims were damaged.

Besides, the data presented has some glaring lacunae. No breakup between Hindu and Muslim owned houses/shops is given for two police stations – Khajuri Khas and Karawal Nagar. These witnessed considerable violence and have 42% of the damaged houses and 31% of shops damaged between them. This is another

The Horrific Face of Communal Violence

area where properties owned by Muslims suffered great damage. Delhi Police are brazenly misleading the court with false data.

The police report says that 13 mosques and 6 temples were damaged. However, temple damage data seems questionable. On 9 June, Delhi Police said that 2 temples and 11 Muslim religious places (8 mosques, 2 madrasas and 1 dargah) had been damaged (see Aditya Menon and Shadab Moizee, 'Delhi Riots: 11 Muslim, 2 Hindu Places of Worship Damaged Say Cops', *The Quint*, June 29, 2020; also see: Scroll.com, March 12, 2020). Our survey shows that 14 mosques were damaged. At the ground level our teams could not locate or get details of any damaged temple in the areas mentioned in the police affidavit.

The overall conclusion is inescapable. The violence was largely one-sided. Even going by the deficient police records, more Muslims died or suffered injuries, more Muslim houses were damaged, more Muslim shops were damaged, and more Muslim religious places were damaged. Delhi Police has concocted a tale according to which Muslims conspired to attack Hindus, and the violence was the culmination of that plan.

The Role of the Home Ministry

The Delhi communal violence is the result of a combination of two interlinked factors: the political communal agenda of the ruling party at the Centre; and the extremely dubious role of the Home Ministry and the Delhi Police, which works under its direction.

The detailed accounts of eyewitnesses that form the basis of this report show that in most places, Hindutva rioters were helped directly or indirectly by the Delhi Police. Yet there is no investigation into the partisan role of the police.

The role of the Home Ministry under Mr. Amit Shah was in substantial measure responsible for the escalation of the violence. On March 11, 2020, Mr Shah informed Parliament that he had been in constant touch with top police officials in Delhi, monitoring

Section 2

the situation. The question is, why was curfew not imposed from February 24, when violence escalated? Why was the army not deployed? Even the additional deployment of Delhi Police and Rapid Action Force personnel was not only grossly inadequate, but also extremely delayed. Below is the table submitted to the Court by Delhi Police.

Police and Central Forces Deployed	
Feb 22	450
Feb 23	1393
Feb 24	1399
Feb 25	4291
Feb 26	4635
Feb 27	4756
Feb 28	4248

The police were reportedly using drones, which would have enabled them to continuously monitor the entire violence-hit areas of North East Delhi. The police should have been aware, in real time, of the gathering of mobs at various places. Why did the police fail to intervene promptly to disperse the mobs? Why was police or central armed police forces' deployment held back at this crucial time? When communal violence erupted in North-East Delhi, the police was short-handed, with the chain of command missing and utter silence from the top officials of the Home Ministry. Why? There were 13,200 distress calls to police helplines in the area over four days. According to a news report:

'Over the four days of the violence, from February 23 to 26, the number of distress calls to the police control room rose sharply, from 700 on 23rd (Sunday), to 3,500 calls on the 24th, peaking at 7,500 calls on the 25th, before coming down to 1,500 calls on the 26th, matching the rise and dip in the intensity of the rioting on those days.' (NDTV, February 29, 2020)

The Horrific Face of Communal Violence

The Delhi Fire Service (DFS) apparently attended to 218 calls.

‘DFS data accessed by HT shows that Tuesday [February 25] was the worst day of the riots and alone witnessed 89 incidents of arson. While Wednesday [February 26] saw 57 incidents of arson, 23 took place on Monday [February 24]. Fourteen incidents of arson also took place between midnight and 8 am on Thursday [February 27], the data shows.’ (*Hindustan Times*, February 28, 2020)

The DFS data, which effectively debunks the Home Minister’s claim of having ended the carnage within 36 hours (a baseless claim which the Delhi Police continues to propagate), is, of course, based on reported cases of arson. But all those who our teams spoke to, whether Hindu or Muslim, said there was little or no response to their distress calls. The complete failure on the part of the police to promptly respond to distress calls in the capital city of Delhi, when they had all the means and the wherewithal to do so, is nothing short of criminal negligence. Clearly the top officials in charge of law and order in the Capital allowed this to happen. Yet none of them have been held responsible. Is it because they were instructed by the Home Ministry to remain silent and indifferent to the goings-on?

In this regard, the above details about the manner of deployment of police and central forces in the district of North East Delhi between February 22 and 28, 2020, are revealing. On February 22, about 450 police personnel were deployed, which appear to be the strength of the police force normally deployed in the district’s 14 police stations spread across 62 sq. kms area and populated by over 26 lakh people.

The next day, i.e. on February 23, several hours before Kapil Mishra’s provocative speech, CAA supporters began to gather close to the anti-CAA protest site near Jaffrabad Metro Station,

Section 2

which appeared alarming. As mentioned earlier in this report, the Intelligence Wing of the Delhi Police issued at least six alerts to Delhi Police Headquarters and to the Union Home Ministry to warn them about the volatile situation and about the need to deploy additional forces to prevent outbreak of violence, which appeared imminent. As a result, the strength of police personnel deployed was increased from 450 to 1,393, purportedly to prevent a confrontation between pro- and anti-CAA groups. However, soon after Kapil Mishra held out his open threat, the situation deteriorated rapidly and confrontations between the two groups broke out. On February 23, concerned residents made 700 distress calls to the police helpline but evoked no response because too few police personnel had been deployed to take effective action.

Although the Home Ministry had been alerted in advance, it found it prudent to deploy merely 6 more on duty on February 24, thereby raising the total police personnel deployed in the area to just 1,399. This was despite communal violence breaking out and Section 144 being promulgated all over North East Delhi at around 4 p.m. Firstly, why was Section 144 not used on February 23? Secondly, through its decision to deploy merely 1,399 police personnel to restrict the movement of over 26 lakh people residing across 62 sq. km. of area of North East Delhi, the Home Ministry made it clear that it neither had the will nor the inclination to allow the police to enforce Section 144 or to let it respond to distress calls. In short, even the delayed imposition of Section 144 all over North East Delhi turned out to be a complete farce. As a result, on Feb 24, despite 13 people, including a policeman, being killed and over 150 people, including two senior police officers, sustaining serious injuries, blatant violation of Section 144 by rioters went on unabated while the police chose to respond to just a few of the 3,500 distress calls.

On February 25, Chief Minister Arvind Kejriwal and the then Police Commissioner of Delhi, Amulya Patnaik, were compelled to bring to the notice of the Home Ministry the grave shortage

The Horrific Face of Communal Violence

of security forces in the violence-hit areas which became public through a PTI report (*News Nation*, February 25, 2020; also *The Hindu*, same date). Later that evening Patnaik was relieved of his responsibility over North East Delhi. Instead, S.N. Shrivastava, designated as Special Commissioner of Police, was entrusted with that task at around 9.30 p.m. (*The New Indian Express*, February 25, 2020). Was Patnaik's removal by the Home Ministry linked to his complaint of inadequate deployment of forces?

The deployment of police and central forces in the area was raised from 1,399 to 4,291 on February 25. Police reports in affidavits given to the court show that arson, attacks and clashes continued throughout the night of February 24–25. So, the authorities knew very well that even this tripling of the strength of the security forces was inadequate to tackle the magnitude of the law and order problem on the ground. Why was the Army not called in then? On February 25, as many as 29 people were killed and scores more injured. If the Army had been sent in, or the deployment of central police forces increased to higher numbers, these lives could have been saved. No less than 7,500 distress calls remained unattended, while arson and destruction of houses, shops and religious places went on unchecked.

Again on February 26, there was just a token increase from 4,291 to 4,636 in the number of security personnel deployed, while 1,500 distress calls remained unattended, and 8 more people were killed. Subsequently, on February 27, deployment was increased by another 121 personnel.

By deploying too few security personnel on the ground, the Home Ministry ensured that Delhi Police were effectively left with no means either to enforce Section 144 or to respond to distress calls, which allowed the marauding mobs to roam free. Thus, it is all too apparent that the Home Ministry neither took effective steps to prevent the violence from breaking out, nor took prompt action to end it. Does this not show a wider conspiracy to permit the anti-minority violence to continue?

Section 2

Annexure H of the police affidavit shows the number of calls the police registered from intelligence. On February 23 the police centres received 39 calls from intelligence at various times of the day giving details of where crowds are collecting. But surprisingly, on February 24, when violence was at its peak, only 6 calls from intelligence were registered. On February 25 only one call, and none thereafter. Why did the intelligence not report? Or did the police centres deliberately not register the information they were getting from field reports from their intelligence? This could either be colossal failure of intelligence or a diabolical plan to allow the violence to happen and suppress the information that was coming in from intelligence sources of the rampaging Hindutva mobs.

Shockingly, curfew was not imposed in the area in spite of the escalating violence. On the morning of February 25, the Delhi Minority Commission appealed to the Lieutenant Governor Anil Bajjal to impose curfew and ensure safe passage to those who wanted to leave the area. But it was only late in the evening that curfew was imposed and that too only in the four areas of Maujpur, Karawal Nagar, Chand Bagh and Jaffrabad. Why was the imposition of curfew delayed?

Home Minister Shah misled Parliament that everything was under control by the evening of February 25. As we have seen, this is a lie. Killings and violence in different areas continued till the February 27 and incidents were reported even after that.

Here is an instance of violence on February 28. Naim, a worker in a garment factory, was returning from home when he was stopped by a crowd at Vijay Park. They pulled him into a car and took him to a secluded spot in Dayalpur. Abusing him in filthy language they started beating him with bricks. Naim said he was saved because a police car was coming down the road. The police took him to GTB hospital and left him there. He did not know if any FIR had been filed, no statement has been taken from him.

While the role of Delhi Police in siding with the Hindutva forces has been reported and also formed part of petitions filed in

The Horrific Face of Communal Violence

Court, the role of the Home Ministry under Amit Shah has escaped adequate scrutiny. The shocking record of leaving thousands of distress calls unattended; the deliberate, inadequate deployment of security forces; the refusal to call in the Army; the unwillingness to strictly enforce Section 144; the undue delay in imposition of curfew and that too in a very limited way – all this raises serious questions about the motive and aim of the Home Minister of India.

In Gujarat in 2002 the genocide took place when Mr. Amit Shah was the state Home Minister. At that time, as documented by numerous reports and also significantly by the National Human Rights Commission of India, the police allowed the violence against the minorities to continue for over three days after which the army was called in. Was this a method used in North East Delhi? Is it for this reason that police deployment was so low and even those sent were not being deployed in the areas where mobs ruled for several days? Was it to teach a lesson to the minorities for their support to the anti-CAA struggle? Was it to suppress and silence that struggle permanently?

The reports from different areas reported here point in that direction. These are questions that require an independent judicial inquiry. But the Central Government has refused to set up such an inquiry and are pedalling manufactured stories blaming the violence on the main victims of that violence, the minority community.

SECTION 3

THE AFTERMATH

The Conspiracy Behind the 'Conspiracy'

Even before the embers of the communal fires lit in North East Delhi could subside, the contours of the conspiracy hatched in the corridors of power started becoming clear. As early as March 6, even before any investigation into the violence could begin, the wheels of injustice started moving, engineered by the Home Ministry.

Thus it was that on March 6, 2020, an inspector with the Narcotics Cell of the Crime Branch filed a complaint to the Crime Branch in which he claimed that an (unnamed) *mukhbir khas* or police informer had told him that 'the communal violence in Delhi happened because of a pre-planned conspiracy which was hatched by Umar Khalid, and his associates from various organisations.' The obvious question is: what has the narcotics cell got to do with such issues? The so-called informer said that 'conspiracy involved provoking and instigating people to protest against the CAA and take to the streets during US President Trump's visit to India on 24–25 February.' The informer's complaint says, 'People were directed to collect firearms, bombs, acid bottles and stones, and on 24 February crowds of women and children took to the streets, blocked roads and started the violence.' On the basis of this 'complaint,' an FIR (No.59/2020) was filed with 'Police Station Crime Branch.' This FIR was the seed from which the whole conspiracy theory against the anti-CAA activists was later built up, ultimately leading to the filing of a chargesheet in the court of a special judge on 17 September. It named 15 persons; three others, named as suspects,

The Aftermath

Those arrested under UAPA charged with inciting the 'riots':

Meeran Haider, Safoora Zargar, Shifa-ur-Rehman, Asif Iqbal Tanha (Jamia Milia Islamia)

Natasha Narwal, Devangana Kalita (Pinjra Tod)

Ishrat Jahan (former Congress councillor)

Tahir Hussein (suspended AAP councillor)

Khalid Saifi (United against Hate Campaign)

Umar Khalid (JNU, United against Hate)

Sharjeel Imam (MSJ- Muslim Students JNU)

Gulfisha Fatima Khatoon (MBA student, anti-CAA protester)

Tasleem Ahmed, Saleem Malik, Md Saleem Khan, Athar Khan, Shadab Ahmed (all locals from NE Delhi)

were arrested and released on bail. Subsequently, two more have been arrested. A supplementary chargesheet is expected. All 17 accused are in judicial custody at the time of writing, except one, who is out on bail. They have been charged with a raft of serious crimes including rioting, murder, causing injuries, conspiracy, etc. under IPC and other crimes under the Arms Act, etc. In addition, charges of carrying out unlawful acts, terrorist acts, raising funds for terrorist acts and conspiracy have been added by invoking the draconian Unlawful Activities (Prevention) Act.

How Amit Shah Pre-Empted an Impartial Probe

How did this extraordinary theory that a group of students and activists caused one of the most horrendous bouts of communal violence emerge? To understand this, one has to also take note of the debate in Parliament on the violence that shook the capital. On 11 March, barely two weeks after the communal carnage in Delhi, Home Minister Amit Shah delivered a lengthy statement in Parliament, because law and order – and police – in Delhi are under his jurisdiction.

Shah put forward an alternative narrative which avoided all troubling questions about what led to the carnage, what was its

Section 3

nature, and why security forces failed to check it. According to him, the violence – which was supposedly symmetrical, with communities suffering equally – was the result of Opposition parties' leaders' speeches misleading the minority community. He patted the police on the back for controlling the violence and arresting 2,600 people and filing over 700 FIRs. Before any investigation was done, the Home Minister laid down its findings. The subsequent investigation was only to substantiate and validate this narrative.

Shah dismissed the well-documented speeches by BJP leaders that called for shooting traitors or alleging that members of the minority community will invade homes of Hindus to rape and kill. Then he went on to describe what he thought were the real hate speeches. He said that Congress leaders gave hate speeches on December 14, 2019, at a rally calling upon people to come out on to the streets because it was a do-or-die battle. With this he not only sought to build the version that it was really the Opposition that incited violence, but more significantly, he blamed the minority community for the violence. Forgotten were the hate speeches of central minister Anurag Thakur and BJP MP Parvesh Verma. Forgotten was the infamous speech by former BJP MLA Kapil Mishra, who, standing next to a senior police official, threatened to take to the streets and act against anti-CAA protesters – which is widely, and correctly, perceived as the spark that set off the incendiary violence.

Remember that it was Shah himself who gave the green signal to spread toxic communal hatred by leading and managing the BJP campaign for Delhi's Assembly elections, held two weeks before the communal carnage erupted. This campaign saw a relentless barrage of poisonous and divisive speeches including the ones by Thakur and Verma.

Shah asserted – with no evidence – that money from abroad had poured in, that Opposition parties had incited members of the minority community, which was misled into opposing CAA, etc. So, the narrative was decisively inverted. What Shah had done was

The Aftermath

to crudely transform the Delhi carnage into a riot, and then to a riot engineered and led by anti-government elements and carried out by members of the minority community. Simultaneously, he depicted the government as diligent, proactive, and fair, yet firm, in dealing with rioters.

Guided by this framework, Delhi Police went about the task of filling in the details. Two Special Investigation Teams (SITs) were formed, headed by DCP Rajesh Deo and DCP Joy Tirkey respectively. Both are known to have sympathies towards the BJP. Deo was in-charge of investigating the Jamia violence of 15 December 2019. He had been removed from Delhi election duty by the Election Commission after being warned for making comments about an investigation with 'political connotations' that had 'consequences on the holding of free and fair elections' (*Indian Express*, February 5, 2020). This was after he told reporters that Kapil Gujjar, the gunman who fired shots at the women's dharna in Shaheen Bagh on February 1, belonged to Aam Aadmi Party.

Tirkey was involved in probing the violence that occurred at JNU campus on the night of January 5, 2020 when masked persons, many of them identified as members of the RSS student wing Akhil Bharatiya Vidyarthi Parishad (ABVP), entered and vandalised the campus and attacked students, including the JNU Students Union (JNUSU) president Aishe Ghosh. On January 10, instead of apprehending the real culprits, Tirkey named nine persons, including Aishe Ghosh, who had sustained head injuries from the attack, as suspects. Tirkey also listed four Left outfits – SFI, AISE, AISA and DSF – as responsible for the attack (*Indian Express*, January 11, 2020).

Under the guidance of such senior officers, the police probe could go only in one direction. Here is a summary of what Delhi Police considers the 'conspiracy' behind the communal carnage in Delhi in February 2020, based on the chargesheet filed in September 2020 after over six months of investigation.

Section 3

Anti-CAA/NRC Protests Part of Conspiracy

The chargesheet claims that the conspiracy to cause communal riots started from the protests against the CAA/NRC which erupted after it was approved by the Cabinet on 4 December, and passed by both Houses of Parliament on December 9 and 11, 2019. One of the epicentres of these protests was Jamia Milia University and its surrounding localities. From December 13 onwards, there were clashes between police and students which included a brutal police attack on the students inside the campus on December 15. The police lodged several FIRs regarding these incidents, concealing their own illegal entry into Jamia campus and the assault on innocent students, including charges of molestation of students, both girls and boys (*The Print*, August 11, 2020). In December itself, the police claim, protesters turned violent at several locations in North-East Delhi too.

In January, dharnas were started by anti-CAA protesters at 23 places across Delhi, in addition to Shaheen Bagh. The chargesheet candidly says that 'for the anti-CAA/NRC protests' 14 FIRs were registered at various times before the communal violence. In the usual exaggerated police style, these FIRs claim damage to public property, etc.

This narrative completely ignores the fact that thousands of secular people from all communities and walks of life, and dozens of organisations, including political parties, trade unions, women's and students' organisations participated in the numerous protests in the capital, which were certainly not limited to the few mentioned by the police. The Constitution guarantees the right to participate in protests. To brand it as a conspiracy is a ludicrous travesty. By focusing only on certain protests and ignoring their wide sweep, the purpose is to falsely show that protests, mainly involving the minority community, and centred around Jamia Milia, were the launching pad for the subsequent violent events.

The Aftermath

FIRs Registered in N-E Delhi

In all, 751 FIRs registered during and after the communal violence incidents from February 22, 2020 have been included in the conspiracy chargesheet. These were registered in 11 police stations in the North East district. Five police stations – Gokulpuri, Jaffrabad, Karawal Nagar, Khajuri Khas and Dayalpur – have 516 FIRs between them, reflecting the worst affected areas. These FIRs weave a tragic tale of arson, looting, brutal beatings and killings by mobs, despite the fact that they are written in typical anodyne police-speak. Later reports indicate that those who complained to police found that many of these FIRs did not reflect the whole truth as narrated by them. In several cases, people complained that names of witnesses were omitted or changed, or key facts omitted or altered.

Note that these are not all the FIRs related to the communal violence that were registered in the area. There are several others for which separate chargesheets have been filed. The ones included in this conspiracy chargesheet appear to be the common ones, probably to show that these are the kind of events that happened. An important consequence of this will be that the actual culprits of each of the criminal acts recorded in these 751 FIRs may go scot-free because the finding of the ‘investigation’ is that at least 15 people who organised the anti-CAA protests are responsible of all the crimes. That may neatly close all these other cases.

The ‘Conspiracy’

The summary of the ‘conspiracy’ that is ‘revealed’ is as follows : ‘that the accused, with the help of various organisations like the Jamia Coordination Committee, Pinjara Tod (a women students’ group), AAJMI (Alumni Association of Jamia) and others, and using the public influence of some of the accused like Tahir Hussain (former AAP corporator), Ishrat Jehan (former Congress corporator), coordinated and instigated the protests against CAA/NRC and subsequently, escalated these dharnas into “chakka

Section 3

jams” (road blockage) and finally during Trump’s visit, they used the prepared arms and ammunition, and the mobilised people (mostly of the minority community) to launch an all round attack on Hindus, in order to create large scale violence that would attract international attention.’

Some remarkable features of this ‘conspiracy’ theory are evident:

1. Linking the broad-based movement against CAA/NRC to the communal violence

This is a wild leap of the imagination, which the Delhi Police had to make because the Home Minister had already outlined it in Parliament, as mentioned above. The movement undoubtedly mobilised a large number of people from the Muslim community, but it was definitely not confined to them. Large numbers of people from other communities were also part of the protests. And, the movement was for the defence the Constitution, its secular principles, the rule of law, including equality before law. To project this movement as being anti-Hindu or to imagine that its objectives would be met by inciting communal violence is monumentally erroneous. Yet, the police theory enshrined in the chargesheet does precisely that, using their ‘anonymous witnesses’ to say so, putting the same words in the mouths of all accused in their ‘disclosure statements’, and even in testimonies of police personnel.

In the process, in the UAPA chargesheet ‘disclosure statements’ several political leaders including Brinda Karat (CPI-M), Salman Khursheed (Congress), Yogendra Yadav (Swarajya Party), Kavita Krishnan (CPI-ML), Prashant Bhushan (eminent lawyer and activist), Rahul Roy (eminent film maker) and others are mentioned as addressing the participants in dharnas or attending solidarity meetings. In another chargesheet, Sitaram Yechury (General Secretary, CPI-M), and others have been identified as

The Aftermath

leaders who ‘made provocative speeches’ at the anti-CAA protest in Seelampur in the ‘disclosure statement’.

A solidarity group on WhatsApp called the ‘Delhi Protest Solidarity Group’ (DPSG), has been branded a part of the ‘conspiracy’ although its members were a wide range of people including from CPI(M) and CITU, and other people’s organisations. The group was used to inform people about various protests and there was nothing clandestine or conspiratorial, leave aside criminal about it. The Mahila Ekta Yatra consisting of 30 women’s organisations as well as its leaders including Maimoona Mollah (AIDWA), Annie Raja (NFIW) have been named.

Participation in a movement is a democratic right guaranteed by the Constitution and to link such participation to communal violence is to criminalise solidarity and dissent. It flows from the authoritarian thinking of the Modi government that any protest against the government is by definition an anti-national or criminal activity.

2. Linking fund collection for the anti-CAA movement to ‘financing terror’

This is another part of the police theory, where they allege that Rs.1.62 crore were funnelled into organising and running dharnas, and that this a criminal act. First of all the evidence for this is not established; it is merely a trumped-up charge. As every person who has participated in public events knows (including the Sangh Parivar/BJP themselves) that all public activity involves expenditure. For that, various persons are tapped. There is nothing wrong in collecting money from supporters to organise public events. If any money is collected and spent for, say, procuring arms or harmful illegal material, then evidence has to be offered for that. If substantiated, the guilty can be charged. But to present the mere fact of collection of money by public figures as criminal activity is a bogus charge that amounts to nothing.

Section 3

3. Complete omission of BJP hate speeches

The conspiracy chargesheet argues that the whole chain of events begins back in December 2019 after the Citizenship Amendment Act (CAA) was passed. Taking the same cue, it should be the duty of any impartial investigation to look at other events in Delhi which could have contributed to communal polarisation and conspiracies to foster violence. Delhi Police has not bothered to do so. There were several instances of various BJP leaders making grossly provocative and inflammatory statements in public during the election campaign for Delhi Assembly elections which were held on 8 February (*India Today*, January 30, 2020). Some of the most well-known ones have been mentioned in this report.

In the conspiracy chargesheet filed by the police in September, it is recorded that Kapil Mishra denied making any provocative speech and claimed that he was only talking to DCP Surya and telling him that if the streets were not cleared he and his supporters would sit on dharna. Despite the video record, this sanitized version is recorded by the police and nothing has been done about the clear incitement to violence.

Apart from these well-known and well-documented cases, various Hindutva groups had been actively propagating hatred towards Muslims earlier, but with much more gusto during the Delhi election campaign. These and other newly formed groups, especially on Facebook and WhatsApp, were reported to have served to mobilise Hindus who wanted to create violence in North-East Delhi. A few of them have been documented in some FIRs/chargesheets filed by Delhi Police in connection with the violence but usually portrayed as defensive groupings, though their violent intentions are very clear from the records.

However, Delhi Police has persisted in putting the whole blame on so-called 'urban naxals' and 'jehadi elements'.

How 'Evidence' Was Manufactured

The police had to work hard to collect material for this

The Aftermath

‘conspiracy’, questioning dozens of people, recording statements, collecting mobile phones, checking social media group chats, etc. But this labour has turned up rather bizarre ‘evidence’ that is unlikely to be accepted in a fair trial. Here are some of the notable features of this ‘evidence’:

Anonymous ‘protected’ witnesses

It appears from the chargesheet that apart from the ‘disclosure statements’ of the 15 accused, and statements of dozens of police personnel, the police is relying on some 39 anonymous or ‘protected’ witnesses to build its case. This device is available to the police because of the draconian UAPA. Section 44 of this law empowers the concerned court hearing the matter to allow the identity of witnesses to be kept undisclosed, and if necessary, hold the proceedings in camera.

While most of these anonymous witnesses have had their statements recorded under section 164 CrPC before a court, some statements have been recorded only by the police under section 161 CrPC, which would not be admissible in court. But the crucial issue is that the testimony of these witnesses may be heard in camera. There is no hard evidence yet, but some defence lawyers have alleged that some of these anonymous witnesses may have been threatened with dire legal consequences if they do not make statements that the police want. This fear has arisen because earlier, there have been complaints to the National Human Rights Commission (NHRC) by some people that they were beaten up by policemen in police stations and forced to give certain statements.

These anonymous witnesses have a crucial role to play in the building of the case against accused persons by identifying them, placing them in certain places, revealing their financial transactions, revealing their planning process, allegedly procuring acid and bottles for violent use, inciting people for violence, running communication channels like WhatsApp groups, and so on – all of which are nothing but false claims.

Section 3

Considering that the bulk of the other named witnesses are police personnel themselves, and other testimonies include those of the accused, these anonymous witnesses are the foundation of this conspiracy case.

Coercion and violence to give statements

It has been reported that many young people, mostly from the minority community, were repeatedly summoned to police stations, often kept waiting for hours, even till late into the night, and were asked to sign on pre-drafted texts of 'confessions' (See, for example, *The Wire*, September 2, 2020). Some refused and some succumbed under pressure. This happened not only with the conspiracy chargesheet but also in many other cases.

In some cases, persons were kept in illegal custody, beaten and tortured, and then implicated in cases, only because they were Muslims. For instance:

In a complaint to National Human Rights Commission (NHRC) on March 16 (Diary No.2875/IN/2020), Shadab Alam, 27 years, resident of Mustafabad, was unlawfully detained by the police and beaten several times a day during illegal custody of four days at PS Dayalpur, New Delhi (24.02.2020 to 28.02.2020). Thereafter, on 28.02.2020, he was falsely accused and arrested by the police in connection with FIR No. 57/2020 registered at PS Dayalpur. This happened despite eyewitnesses giving testimonies that he was not involved in any rioting. The police selected him from a group of Hindu and Muslim employees after asking for their names, he alleged.

In another complaint to NHRC on March 17 (Diary No.2901/IN/2020), Athar Khan, 25 years, resident of Chand Bagh, said that he was beaten mercilessly with lathis and slaps, by four unidentified men in plain clothes in a room behind the office of Inspector Gurmeet Singh at the ACP office of the Crime Branch, located opposite PS Chankayapuri, on 16 March. The men abused him, called him a 'gaddar' (traitor) and asked why he doesn't go to Pakistan. He was

The Aftermath

released at 8 p.m. and told to return the next day for recording his statement. Athar Khan is now an accused under UAPA.

Other ways of targeting Muslims or ignoring their complaints are chillingly seen in the case of Hasim Ali, 60, resident of Shiv Vihar (Scroll.in, November 15, 2020). He filed an FIR at PS Karawal Nagar stating that his two houses, tailoring shop, and other items were burnt by a mob on February 25. He identified three of his Hindu neighbours who were in the mob. His FIR was clubbed together with that of Naresh Chand who lives two lanes away, who had complained that his house was burnt by a mob and valuables looted. Later Hasim Ali was picked up by the police, questioned, and then arrested – under his own FIR which was now clubbed with Naresh Chand's. Hasim Ali remained in jail till May 15 when he was granted bail. Similar cases have been reported from some Hindu complainants too, where they come up against a powerful person, even if he is a co-religionist.

Shahrukh Khan, a 24-year old motor mechanic lost vision in both his eyes because he happened to be passing through an area where a mob was firing. When he went to PS Jaffrabad on March 5 to register a complaint (hoping to get government compensation), he was beaten up and arrested. He was made to sign some papers which he couldn't read (*The Hindu*, July 1, 2020). It turned out to be a confessional statement 'admitting' that he was part of the rioting mob that killed Amaan. There are nine other accused in the chargesheet filed by the police, including Devangana Kalita and Natasha Narwal, activists of Pinjra Tod, who are also named in the main conspiracy case. According to media reports Shahrukh claimed that he doesn't know who these others are, nor has he ever heard of Pinjra Tod. Yet he has been named as a co-conspirator.

Identical statements

These lies inevitably find reflection in the FIRs or chargesheets. Some examples (see Scroll.in, July 19, 2020) of this mockery of due process and subversion of rule of law are:

Section 3

In chargesheet related to killing of Intelligence Bureau employee Ankit Sharma, based on FIR 65/20 registered at PS Dayalpur, four of the 'confessional' statements are identical.

In the chargesheet related to killing of head constable Ratan Lal based on FIR 60/20 PS Dayalpur, seven 'witnesses' have given identical statements.

In the chargesheet related to FIR 50/20 at PS Jaffrabad there are ten identical statements by 'witnesses'.

In the chargesheet related to the killing of Dilbar Negi (FIR number 39/20; PS Gokulpuri), nine out of twelve confessional statement are near verbatim copies of each other (*Indian Express*, July 2, 2020).

In chargesheet related to FIR No.84/20 at PS Dayalpur, six Muslim men were arrested for the death of Shah Alam, who was shot. The police claimed they had three eyewitnesses as well as confessional statements from the accused. Media investigation found that not only did the accused deny their involvement, the three eyewitnesses (all Hindus) too denied identifying the accused. They said the police had fabricated the matter.

Identical FIR templates

Right from the time that FIRs were registered in various police stations, their 'fixing' was evident. It was all orchestrated, with set descriptions to achieve a pre-defined end. For instance, if Muslim men were to be targeted, they were first accused of carrying out armed mob violence; then different FIRs were registered against them to show how it was precisely such men that were apprehended.

- In dozens of cases, an almost identical template was used to file an FIR and people (mostly Muslims) were picked up and fitted into it. In other cases, no person was named but subsequent investigation inevitably led to arrest of Muslim persons.
- For instance, in FIR Nos. 66, 67, 69 and 70 filed at PS

The Aftermath

Dayalpur, the narrative is a template: a police personnel is on duty at XYZ location, he sees a 'suspicious man' hiding behind something or quickly walking away, he apprehends the man and allegedly finds a gun. In this way, Md. Shoiab, Shahrukh, Athar and Faiz Ahmed were respectively arrested.

- Analysis of 21 FIRs lodged with various police stations in the area showed uncanny similarities in the narration of events. While it is possible that some similarities were there in some cases but the numbers are too large, the events too similar and the result too identical to be real. These include the FIRs without any names, which end up with the police picking up people arbitrarily and without any reason, and putting them into the frame. Since these cases were being handled locally, and the arrested people were poor and powerless, with no access to legal help, they are now part of the rioters' universe, staring at a long and costly legal battle.

This is the result of a police force which was already communalised and which was provided the direction given by the Home Minister himself in his speech in Parliament.

Complaint of victims' family not registered

Nitin Paswan was killed on February 26 by a police teargas shell. Eyewitnesses have given evidence. His father Ram Sogarith Paswan has given this statement to the police. However FIR 45/20 does not reflect this. The family has not yet been given the chargesheet so the family do not know who has been accused of Nitin's death.

Md. Furqan was also killed in point blank police firing in Kardampuri. FIR no 53/20 is a totally false version of what happened. The FIR records that Furqan's brother Imran was on a scooter, saw Furqan near the bridge, and called out to him. When

Section 3

Furqan turned hearing his brother's voice, he fell. Someone picked him up and took him to GTB hospital. Imran followed on his bike. He saw his brother falling but does not know where the bullet came from. In fact Imran had said 'I was not there at all. I was informed that my brother has been shot and is in GTB and I went straight there. When I reached I found my brother had been shot dead. I was in shock. At that time the police wrote out a statement and asked me to sign, which I did. They said without my agreeing that I was a witness, and that no post mortem could be done.' Shockingly, the chargesheet following the FIR has named four persons as responsible for Furqan's killing, namely Anwar Hussain, Kasim, Md. Imran and Khalid Ansari. Thus four innocent persons have been named for the murder of Furqan who, according to eyewitnesses, was shot by the police.

Further, three of the four – Anwar Hussain, Kasim and Khalid Ansari – have been named in FIR 54/20 in the killing of Deepak. Thus they have been charged with two murders on the basis of a concocted statement.

In the case of Mahroof Ali, FIR 66/20 only states that he was killed by gunshot injuries. His brother Haroon Ali is an eyewitness who, on April 20, in a statement addressed to DCP, Crime Branch, Yamuna Vihar, stated that although he had identified those who had killed his brother, their names have not been included in the FIR or any document connected to the case. The names he mentioned were Ram Singh, Luv Kumar, Bobby, Lala, Mohit, Abhishek, and some others. He said that Sonu had fired the shot that killed his brother. But no action has been taken on his complaint by the police. Later because of the intervention in Court, the names were added but reportedly they have all been given bail.

Hindu Fanatic Gang Only 'Reacted'

In a strange twist, the open-and-shut case of a 125-member gang communicating through a WhatsApp group called 'Kattar Hindu Ekta' (Fanatic Hindu Unity) which appears to have

The Aftermath

murdered at least nine Muslims has been described by the police as reacting to Muslim violence, which was taking place because of anti-CAA protests under a planned conspiracy. Chargesheets have been filed on the basis of FIR Nos. 102/20, 103/20 and 104/20 filed at PS Gokulpuri and nine persons arrested. The killings took place near Bhagirathi Vihar on February 25 and 26. The gang roamed around for two days. According to the chargesheets, 'they were actively involved in rioting and attacking other community people belonging to different religion i.e. Muslim and during riots, they killed many people by attacking them. Their modus operandi was, they used to catch the people and ascertain their religion by asking name, address and by their document i.e. Identity Card and they were forcing them to call 'Jai Shri Ram' many times. The person who was not calling 'Jai Shri Ram' and carrying the identity of a Muslim, they were bluntly attacked and thrown into the Main Ganda Nala, Bhagirathi Vihar, Delhi.' The WhatsApp chat record shows open claims of killing and preparedness with arms and ammunition. Several persons involved in the gang have not been arrested despite being identified by Nisar Ahmed, one of the eyewitnesses who had lodged a detailed complaint with the police. He alleges that local BJP councillor Kanhaiya Lal was also there, but he doesn't figure in the list of accused.

Role of Police in Violence

This report, in the second part, gives several examples of direct police participation in the violence against minority communities. In addition to eyewitness accounts, there are videos and photographic evidence including the video which shows how the police forced a group of young injured men from the Muslim community to sing the national anthem as 'proof' of their patriotism. One of these young men, Faizan, later succumbed to injuries received during the police beating.

However, all this evidence has been completely ignored. No FIR has been filed against any police person for what are clear

Section 3

violations of law. On the contrary, in its affidavit the police has said that 'so far' the investigation does not show any such role of the police. This is a brazen attempt not only to protect police personnel from criminal charges but it is also a move to tilt the narrative in the way it has been done. If police personnel were participating in stone throwing with Hindu fanatic mobs, if they were beating up Muslim men, if they were shouting communal abuse, including sexual abuse, then the role of Hindu fanatic elements in the violence would also come under scrutiny. It would vitiate the official narrative that the violence was largely planned and carried out by those from the anti-CAA movement. Hence this illegal concealing of the role of the police.

Another dimension of this conspiracy to create an imaginary narrative is that all the other evidence available in the public domain as well as CCTV and drone footage which are available with the police finds no mention anywhere in the conspiracy chargesheet. This is rather bizarre, considering that in the initial days after the violence abated, the central government enthusiastically publicized the availability of such videographed evidence. It was declared that culprits will be identified from these videos, and that face recognition software would also be utilised for the purpose (the legality and efficacy of which is questionable). Six months later, there is no mention of all this.

Selective Use of Footage

Neither has the police attempted to collect all the videos recorded on personal phones, or on media cameras. These have been widely circulated on social media and even on news media websites. They include videos of mobs indulging in violence, using various kinds of weapons, indulging in arson, looting, ransacking homes and shops, shouting provocative and violent slogans, chanting religious slogans, etc. All this is evidence. Whoever are the culprits, why didn't the police use the available material and take suitable legal action on that? Instead they have been extremely

The Aftermath

selective about the video footage they have used.

Arrests

According to the figures of those arrested given by the Delhi Police to the Courts (Police Affidavit July 13) there were 1,430 arrests. The community-wise breakup was not given. However on June 7, in a press conference, Delhi Police said of the 1,303 people arrested, 683 were Muslims and 620 were Hindus (*Hindustan Times*, June 7). On September 22, in response to a letter by former Mumbai Police Commissioner Julio Ribeiro, Delhi Police Commissioner S.N. Shrivastava put the number of arrested at 1,571 and claimed 'almost equal number of both communities' had been arrested. The attempt of Delhi Police to show that they have been even handed in the arrests falls flat in face of the simple fact that, while 76% of those killed and approximately 80% of the damage to property has been borne by the minority community, there have been more arrests from that community. The credibility of Delhi Police is further compromised if one considers the order dated July 8, by Special Commissioner of Police (Crime) Praveer Ranjan. Citing 'intelligence inputs' he said arrests of 'Hindu youth' from riot-hit areas in Northeast Delhi had caused a 'degree of resentment among the Hindu community' and cautioned senior officers leading the investigation to 'suitably' guide its team members. In other words, political pressure from the BJP was a reason not to arrest the guilty.

The numbers of those detained was much higher than the figures given by the police. On March 12 Amit Shah told Parliament that 2,647 people had been arrested (*TOI*, March 12, 2020), while a PTI report quoting the police claimed that 3,400 had been arrested (*Economic Times*, March 14, 2020). Who were they and for how long were they detained? The police, in flagrant violation of the provisions of the Sec 41C of the CrPC, refused to put up lists of those detained and arrested, by whom, and on which offence, outside the police control room of the district. A petition filed on

Section 3

this in the High Court (WP 570/20) is still pending. So the unjust large number of arrests mainly of minority community youth has been passed over by legal processes and till date no one has been held accountable for violating these statutory rules.

Biased Prosecution

In a blatant move to put pressure on the legal processes, the Central Government directly interfered in the process of appointment of prosecution lawyers in the various cases before the courts through the Lt. Governor, its appointee. He overrode the cabinet decision of the Delhi Government which in a resolution had stated on July 29, 'Keeping in mind the principles of the criminal justice system and the need to ensure independence between the investigation and the prosecution the Delhi Cabinet has directed the Home Department to form an impartial panel of the best possible lawyers in the country for the cases related to the Delhi riots' (*The Wire*, July 29, 2020). However, the Delhi Government chose to accept the Lt. Governor's decision instead of challenging it in Court. The prosecution is now to be headed by Solicitor General of India Tushar Mehta, who will fulfil his role to defend the manufactured chargesheets and every indefensible criminal act of Delhi Police.

Compensation

Delhi Government announced a compensation package of varying degrees for death, injuries, and property damage. In the first instance, Delhi Government gave one lakh rupees out of the ten lakh declared to the next of kin of those killed. However the remaining amount of nine lakh rupees has not as yet been given to at least four families namely, the family of victims Md. Anwar, Md. Shahbaj, Aqib and Mursalin. Those with severe injuries also have not received the full payment. For example, Md. Vakeel lost both his eyes in an acid attack. He should have got Rs five lakh for severe injury category. Instead he has got Rs 1.80 lakh. Vinod

The Aftermath

was killed in Brahmपुरi, and his son suffered head injuries. He has not received any compensation. Sikandar's death has not been included in the official list and his family denied compensation. There are other such examples.

The compensation for property damage has not been given to most of the affected people.

Conclusion

This report of the communal violence in Delhi and its aftermath leads to the following conclusions:

1. *Not a riot:* It is incorrect to describe the communal violence as Delhi riots. 'Riots' describes a situation where both sides are equally participatory. However as the facts detailed in Part 2 conclusively show, the offensive was from the Hindutva mobs while the other side, in the main, was desperately trying to save themselves from such attacks. Not only were the greatest losses borne by the minority community but the offensive was almost completely on minority dominated areas. The areas were chosen by the Hindutva mobs based on where the women's protest sit-ins were taking place.
2. *Police role:* The communal violence continued for five days from February 23 to 27 with some incidents on the sixth day too because of the role of the police. In almost all areas there is video evidence of the police siding with the Hindutva mobs. The serious injuries to the DCP, the ACP, the killing of Ratan Lal, all of these condemnable, are being used by the Delhi Police to cover up the openly blatant and partisan role of the police against minority communities and in support of the aggressive actions of the Hindutva mobs including direct participation in the violence.
3. *Amit Shah's role in police deployment:* In addition to the factors listed above, the communal violence spread and continued because there was a totally inadequate deployment of central forces or the army. This is directly the responsibility

Section 3

of the Home Ministry under Amit Shah. There has been no answer from him or his ministry as to why adequate security forces were not deployed from February 23 onwards. The population of North East Delhi in 2020 is approximately 26 lakh. However the total number of police personnel deployed when the communal violence was raging ranged only between 1,393 and 4,756 (FIR 59/2020 quoted in Section 2 of this report). By not deploying adequate forces, the Home Ministry deliberately left 13,000 distress calls to the police by frightened citizens unattended. If the 'jihadist mobs' as alleged were on the rampage why did the avowedly 'pro-Hindutva' Central Government fail to promptly end the mayhem? Or did the Home Ministry refrain from taking action because it well knew that it was the Hindutva mobs which were running amok? This points to a political conspiracy at the highest level to let Delhi burn as part of a political agenda.

4. *Political agenda:* This report underlines the political agenda of the BJP after its losses in the Delhi elections, its determination to put an end to the anti-CAA protests, and to teach all dissenters, and minorities in particular, a lesson. The aim was also to demonise the anti-CAA protests and criminalise all protests. This is clearly shown in the use of UAPA to arrest a group of activists and to concoct a conspiracy theory which would be laughable if it did not have such drastic consequences. In addition the effort is to create communal divisions which are an intrinsic part of the BJP agenda.
5. *Subversion of justice:* The violence has shown how the BJP subverts the processes of justice by using its positions in government to brazenly protect its own functionaries and those of the Sangh Parivar in spite of prima facie evidence of their direct involvement in inciting and leading violence. The pressure it is putting on the courts in these cases to subvert justice is a matter of deep concern.
6. *Majority want peace:* Even though it is true that hundreds

The Aftermath

were involved in the mob violence, it is equally true that the vast majority of people were deeply disturbed by the violence and did not participate in it. There have been many positive examples of Hindus saving their Muslim neighbours and vice-versa.

7. *Compensation:* The suffering of the affected families continues in different ways including the inordinate delay in receiving the full compensation. The AAP Government has not followed up on its initial payments of compensation.

Actions that Require to be Taken for Justice

The need for an independent inquiry into the Delhi communal violence headed by a retired High Court judge whose record of impartiality in upholding the Constitution is undisputed.

The inquiry should include the role of the Home Ministry and the deliberate delay in deploying adequate security forces to prevent the violence.

Immediate prosecution and arrest of BJP leaders involved in incitement and participation in violence.

Investigation and action against all police personnel involved in the violence.

The setting up of an impartial panel of lawyers for the prosecution as suggested by the Delhi Government.

Full compensation and assistance to be given to victims of the violence based on the actual extent and severity of the injuries and damages suffered.

Annexure 1

List of the Killed

February 24, 2020

1. Aakib, 18, helped his father sell bangles. Assaulted near Bhajanpura. Survived by father, mother, two siblings.
2. Aftab, 21, from Bijnor, Uttar Pradesh, worker in a cooler factory in Shiv Vihar. Assaulted at night near Shiv Vihar.
3. Dilbar Singh Negi, 21, from Uttarakhand, waiter in a restaurant. Burnt to death at Shiv Vihar Tiraha.
4. Faizan, 24, tailor. Mercilessly beaten up by the police, first at Kardampuri Puliya, later inside Jyoti Nagar Police Station. Survived by widowed mother, siblings.
5. Firoz Ahmed, 38, tailor. Assaulted near Karawal Nagar. Survived by wife, four children.
6. Md. Furqan Ansari, 30, vending box designer. According to eyewitnesses, shot dead by the police at Kardampuri Puliya. Survived by wife, two children.
7. Naresh Saini, 32, vegetable vendor. Shot at night near his house in Brahmpuri, Ghonda. Survived by wife, two children.
8. Rahul Solanki, 26, student. Assaulted at Shiv Vihar Tiraha. Survived by father, mother, siblings.
9. Ratan Lal, 53, head constable in Delhi Police. Sustained injuries in stone pelting and shooting at Chand Bagh. Survived by his wife, three children.
10. Salman, 24, daily wager who did embroidery. Shot at Shiv Vihar Tiraha. Survived by father, mother, siblings.
11. Shahban, 25, mason and welder. Shot at Chand Bagh. Survived by father, mother, siblings.
12. Shahid Khan, 22, auto driver. Shot at Chand Bagh. Survived by pregnant wife.
13. Vinod Kumar, 42, ran a DJ shop. Assaulted at Brahmpuri. Survived by wife, son.

February 25, 2020

14. Aamin, 17, from Uttar Pradesh, factory worker. Assaulted near Ganga Vihar Pulia, Bhagirathi nala.
15. Aas Mohammed, 30, resident of Shakti Vihar, collected scrap and owned a rehri for the purpose. Assaulted near Ganga Vihar nala. Survived by wife,

List of the Killed

three children.

16. Akbari, 85, the lone female among the dead. Asphyxiated after her house in Garhi Mendu was set on fire.
17. Alok Tewari, 32, worker in a cardboard factory. Shot at Shiv Vihar Tiraha. Survived by wife, two children.
18. Amaan, 17, school student. Shot at Jafrabad. Survived by father, mother, two siblings.
19. Ankit Sharma, 26, Inspector in the IB. Assaulted at Khajuri. Survived by mother, father, siblings.
20. Ashfaq Hussain, 22, electrician. Shot near Brijpuri Pulia. Survived by parents, wife, brother.
21. Babbu, 32, autorickshaw driver. He was injured in stone pelting at Khajuri flyover. Survived by wife, three children.
22. Deepak, 34, factory worker in Jhilmil. Assaulted and shot at Kardampuri. Survived by wife, two children.
23. Dinesh, 35, driver. Shot at Shiv Vihar Tiraha. Survived by wife, two children.
24. Jamil, 26, daily wager. Assaulted near Brijpuri Pulia. Survived by wife, two children.
25. Maroof, 32, electrician. Shot near his house in Subhash Mohalla, Ghonda. Survived by wife, two children.
26. Mehtab, 22, daily wager. Assaulted and burnt to death near Brijpuri. Survived by mother, siblings.
27. Mohammed Anwar, 58, traded in poultry and goats. Assaulted and burnt to death near Shiv Vihar. Survived by daughter, grandchildren.
28. Mohammed Shahbaz, 24, painter. Assaulted near Pushta Road, Karawal Nagar. Survived by father, mother, siblings.
29. Mohammed Yousuf, 53, carpenter. Assaulted near Ganga Vihar Pulia. Survived by wife, seven children.
30. Mohsin Ali, 22, generator operator. Assaulted and burnt to death at Pushta Road, Khajuri. Survived by pregnant wife.
31. Monish, 25, daily wager. Assaulted at Yamuna Vihar. Survived by wife, two children.
32. Mubarak Hussain, 28, daily wager. Shot near Kardampuri. Survived by parents, three younger brothers.
33. Mudassir Khan, 35, scrap dealer. Shot at Kardampuri. Survived by wife, eight children.
34. Mursalin, 30, rag picker. Assaulted near Ganga Vihar Pulia. Survived by wife, two children.
35. Musharraf, 34, driver. Assaulted in his house in Bhagirathi Vihar. Body dumped in adjacent nala. Survived by wife, three children.
36. Parvesh, 48, property dealer and social worker. Shot near his house adjacent to Jama Masjid, North Ghonda. Survived by wife, children.

Annexure 1

37. Prem Singh, 30, rickshaw driver. Assaulted at Kardampuri. Survived by wife, four children.
38. Rahul Thakur, 25, student. Shot at Brijpuri. Survived by parents, brother.
39. Sharif Khan, 90, asphyxiated after house in Shiv Vihar, Karawal Nagar, set on fire. Survived by son, his family.
40. Suleimani, 45, construction worker. Assaulted at Pustha Road, Karawal Nagar. Survived by mother, four siblings.
41. Vir Bhan, 40, small factory owner. Shot at Shiv Vihar Tiraha. Survived by wife, three children.
42. Zakir, 27, welder by profession. Assaulted near Brijpuri. Survived by wife, two children.

February 26, 2020

43. Akil Ahmed, 26, car painter. Assaulted at Ganga Vihar Pulia. Survived by wife, three children.
44. Amir, 28, tailor. Assaulted at Ganga Vihar Pulia. Survived by wife, three children.
45. Arshad Raja, 22, did odd painting jobs. Assaulted at Karawal Nagar, Pushta Road. Survived by father, mother, siblings.
46. Bhure Ali, 30, daily wager. Assaulted at Ganga Vihar Pulia. Survived by two children. His wife predeceased him.
47. Hamza, 25, shop worker. Assaulted and shot near Ganga Vihar Pulia. Survived by father, mother, siblings.
48. Hashim Ali, 24, tailor. Assaulted at Ganga Vihar Pulia.
49. Irfan, 25, daily wager. Assaulted near his house in Kartar Nagar, Ghonda. Survived by wife, two children.
50. Nitin, 15, school-going child. According to eyewitnesses, killed by teargas shell fired by police at Gokalpuri. Survived by father, mother, brother.

February 27, 2020

51. Ishtiyag Khan, 24, motor winder. Shot at Kardampuri. Survived by wife, two children.
52. Jamaluddin Mansuri, 30. Assaulted at Shiv Vihar. Survived by wife, three children.
53. Sikandar, 30, daily wager. Assaulted at Khajuri flyover. Survived by three siblings.

February 28, 2020

54. Ayub, 60, rag picker. Assaulted at Shiv Vihar, Karawal Nagar. Survived by son.

Annexure 2

Analysis of Data from the

Survey of Delhi Communal Violence Victims

Delhi Solidarity Relief and Rehabilitation Committee

Coverage of the Survey

The survey covered a total of 402 families. The largest number of communal violence victims covered were from Karawal Nagar/Shiv Vihar area (198 families) and Khajuri Khas/Chand Bagh area (108). A vast majority of victims in the violence were Muslims. This is also reflected in the composition of families covered in the survey: over 93 per cent of surveyed families were Muslim.

Table 1: Number of families covered in the survey, by locality

<i>Location</i>	<i>Families surveyed</i>
Karawal Nagar/Shiv Vihar	198
KhajuriKhas/Chand Bagh	108
Mustafabad	29
Gokalpuri/Brijpuri	17
GarhiMendu Old Village	21
Vijay Park/Kabir Nagar/Babarpur	8
Other localities	21
Total	402

Table 2: Number of families covered in the survey, by religion

<i>Religion</i>	<i>Families surveyed</i>	<i>Per cent</i>
Muslim	375	93.3
Hindu	27	6.7
All	402	100

Occupations

The survey captured basic details of 1,842 individuals. Of these, 1,042 individuals (57 per cent) were in the age group 15–59 years. The survey data show that unemployment was a huge problem among these households even before

Annexure 2

the communal violence hit them. Of the working age persons covered in the survey, 81 per cent women and 40 per cent men were not employed in any gainful activity. Among those who had some employment, self-employment of various kinds was most important. About 35 per cent men and 10 per cent women in the working age were engaged in some form of self-employment. Among these, the largest number is of shopkeepers (16 per cent men and 5 per cent women). The shops include groceries, eateries, bakeries, automobile workshops, garment shops and printing workshops. A number of men were self-employed as drivers, driving e-rickshaws, auto-rickshaws and cycle rickshaws. Another important category is of street vendors (7 per cent men, 1 per cent women). About 4 per cent working age men and an equal proportion of women were engaged in tailoring. While most of these were self-employed, women tailors were mainly home-based workers.

About 10 per cent men and 4 per cent women worked as casually hired workers. Only 10 per cent working-age men and 1 per cent working-age women had regular jobs. Most of these were private jobs and included shop assistants, salespersons and factory workers.

Widows are a particularly vulnerable group. The survey collected information on 36 widows. Of them, 26 were less than 60 years of age, and 6 were less than 30 years of age. Only 28 per cent of these women were employed in any economic activity and a majority of them were economically dependent on others.

Table 3: Percentage of working age population in different occupational categories, men and women aged 15-59 years

Category	Women	Men
Self-employed	10	35
Regular hired worker	2	10
Casual hired worker	4	10
Non-worker: Student	3	5
Non-worker: Unemployed	81	40

Destruction of business property

A total of 46 per cent of sample families reported destruction of property related to their businesses. The average value of loss from destruction of such property is estimated at Rs. 3.7 lakhs. Of households that reported damages to property related to their businesses, 20 per cent lost their shops, 15 per cent lost their *rehris* or street vending carts, 4 per cent lost their factories or workshops, and 5 per cent lost other commercial establishments (such as godowns). In 2 per cent of the cases, the damage was because of looting/burning of supplies and stocks. The average value of loss is estimated at Rs. 3.8 lakhs for those who lost their shops, Rs. 7.4 lakhs for those who lost their factories/workshops, Rs. 40,444 for those who lost their rehris/street vending carts, Rs. 10 lakhs for those who

Survey of Riot Victims

lost godowns and warehouses, and Rs. 2.2 lakhs for those whose supplies were looted/destroyed.

Across different locations, Khajuri Khas/Chand Bagh area had the highest destruction of business properties with 55 per cent families affected and an average loss of Rs. 6.3 lakhs. Widespread destruction of business-related properties took place in Gokalpuri, Brijpuri, Mustafabad, Vijay Park, Kabir Nagar, Babarpur and Garhi Mendu village. In Shiv Vihar, business-related properties of 33 per cent families were destroyed with an average loss estimated at Rs. 2.3 lakhs.

Table 4: Number and per cent of sample families that have lost their business establishments and the average estimated value of loss (in Rupess), by type of business

<i>Type of business</i>	<i>No. of families</i>	<i>% of families</i>	<i>Average loss</i>
Shop	79	20	3,82,437
Factory/Workshop	16	4	7,41,875
Street vendor	62	15	40,444
Other business establishments	22	5	9,90,318
Supplies looted/destroyed	7	2	2,20,643
Total	186	46	3,65,169

Table 5: Proportion of families that lost their businesses and average value of loss, by location

<i>Locality</i>	<i>Proportion of families</i>	<i>Average loss</i>
Karawal Nagar/Shiv Vihar	33	2,31,909
Khajuri Khas/Chand Bagh	55	6,29,742
Mustafabad	55	2,04,688
Gokalpuri/Brijpuri	71	1,75,450
GarhiMendu Old Village	52	2,69,455
Vijay Park/Kabir Nagar/Babarpur	100	6,27,625
Other localities	71	1,55,150

Destruction of houses

A substantial part of the population living in the violence-affected areas was of migrant workers. These workers typically lived in rented rooms and were engaged in various kinds of manual labour, artisanal work or very small businesses (such as street vendors and e-rickshaw drivers). Of all the families covered in the survey, information on type of residence was collected for 81 per cent of the families only. Of them, 43 per cent lived in their own houses while 39 per cent lived in rented houses. Most of the tenants were poor and rental arrangements with house owners were informal. A large number of them were living in the Eidgah relief camp as they did not have relatives to whose houses they could shift after the violence.

Annexure 2

Table 6: Percentage of families living in owned and rented houses

Category	Per cent
House owner	43
Tenant	39
Unspecified	19

In all, houses of 53 per cent of house owners covered in the survey were damaged. The destruction of houses was highest in Shiv Vihar, where the survey team enumerated 74 families whose self-owned houses were damaged. In Khajuri Khas/Chand Bagh area, 44 houses belonging to 60 per cent of the house owners enumerated to have been damaged. In Garhi Mendu village, 9 houses or 69 per cent of the houses covered in enumeration were damaged.

Table 7: Percentage of tenants among survey households, by locality of residence

Locality	Tenants
Karawal Nagar/Shiv Vihar	38
KhajuriKhas/Chand Bagh	33
Mustafabad	43
Gokalpuri/Brijpuri	50
GarhiMendu Old Village	40
Vijay Park/Kabir Nagar/Babarpur	50
Other localities	75
All	39

Table 8: Number and percentage of house owners whose houses were damaged, and average reported value of loss

Locality	No. of house- owners whose houses were damaged	% of houseowners whose houses were damaged	Reported value of loss (Rs. lakhs)
KhajuriKhas/Chand Bagh	44	60	16.3
Vijay Park/Kabir Nagar/Babarpur	1	20	-
Karawal Nagar/Shiv Vihar	74	60	8
Gokalpuri/Brijpuri	3	38	2.5
Mustafabad	0	0	-
Other localities	1	12	-
Garhi Mendu Old Village	9	69	7.1
All families	132	53	10.5

Survey of Riot Victims

Loss of household durables

About 47 per cent of families reported looting and destruction of household durables, about 30 per cent reported loss of ornaments, and about 36 per cent reported looting of significant amounts of cash. Looting and destruction was more widespread in Shiv Vihar, where 60 per cent of surveyed families reported loss of domestic durables, 39 per cent families reported loss of ornaments, and 53 per cent reported looting of cash.

A large number of families were unable to estimate value of the loss. Nor was the survey team trained to estimate loss with any precision. However, the data still provide us with some ball-park figures of average value of loss. As per the reported data, average value of domestic durables lost by a family was Rs. 3.6 lakhs. This included, on average, furniture worth Rs. 89,000. In addition, families reported loss of electrical equipment such as refrigerators, TVs, washing machines, etc., kitchen equipment, and other kinds of assets. About 30 per cent households lost ornaments. For these households, the average value of the ornaments lost was reported as Rs. 1.8 lakhs per family. Similarly, some households had kept cash at home for weddings and other upcoming needs. These cash looted from such households averaged at Rs. 1.25 lakhs per family.

Table 9: Proportion of families which reported looting/destruction of ornaments, cash and household durables, by locality

Locality	Ornaments	Cash	Domestic durables
Karawal Nagar/Shiv Vihar	39	53	60
Khajuri Khas/Chand Bagh	25	25	44
Mustafabad	3	10	10
Gokalpuri/Brijpuri	12	29	24
GarhiMendu Old Village	38	24	48
Vijay Park/Kabir Nagar/Babarpur	0	0	25
Other localities	19	19	19
All	30	37	47

Table 10: Average value of loss reported by families from whom ornaments or cash were looted or household durables destroyed

Type of goods	Average loss
Ornaments	1,78,390
Cash	1,25,554
Furniture	89,220
Domestic durables (all)	3,61,450

Annexure 2

The Role of Police

The role of police in abetting rioters against the minority community has been widely reported in the media along with videographic evidence of police encouraging or even joining the rioters. Many respondents talked of police apathy in providing them protection while communal violence was raging, as well as the active role of the police in opening the way for the violent mobs. This kind of one-sided position of the police was also seen in reluctance to file FIRs of the victims. Until the time of the survey, only 21 per cent families had managed to file FIRs. In fact, most of these FIRs also got filed towards the later days of the survey because of the efforts of the legal support teams organised by Delhi Solidarity Relief and Rehabilitation Committee and other organisations.

Table 11: Proportion of victim families who had managed to file FIRs until the time of the survey.

<i>Locality</i>	<i>Per cent</i>
Karawal Nagar/Shiv Vihar	19
Khajuri Khas/Chand Bagh	18
Mustafabad	28
Gokalpuri/Brijpuri	12
GarhiMendu Old Village	29
Vijay Park/Kabir Nagar/Babarpur	50
Other localities	29
All	21

Survey of Riot Victims

Table 12: Percentage of working age population in different occupational categories, men and women aged 15-59 years

<i>Category</i>	<i>Sub-category</i>	<i>Women</i>	<i>Men</i>
Self-employed	Rehri/Street Vendor	0.7	7.2
Self-employed	Scrap dealer	0.2	1.7
Self-employed	Self-employed Technician	0	1
Self-employed	Self-employed manual worker	0.9	4.8
Self-employed	Self-employed non-manual worker	0.2	0.9
Self-employed	Shop/Business: Automobile-related	0	0.9
Self-employed	Shop/Business: Bakery	0	1
Self-employed	Shop/Business: Garments/Cloth	0.4	2.7
Self-employed	Shop/Business: Grocer	1.5	2.4
Self-employed	Shop/Business: Miscellaneous	2.6	8.9
Self-employed	Tailor: Home-based	2.8	0
Self-employed	Tailor: Self-employed	0	0.3
Self-employed	Tailor: Unspecified	0.2	3.1
Regular hired worker	Factory worker	0.2	2.4
Regular hired worker	Regular hired manual worker	0	4.3
Regular hired worker	Regular hired non-manual worker	0.7	3.1
Regular hired worker	Tailor: Hired-worker	0.9	0.7
Casual hired worker	Casually-hired manual worker	0.9	9.4
Casual hired worker	Casually-hired non-manual worker	0.2	0.3
Casual hired worker	Home-based work	3.3	0
Non-worker: Student	Student	3.1	5.3
Non-worker: Unemployed	Non worker	81.2	39.7

Annexure 3

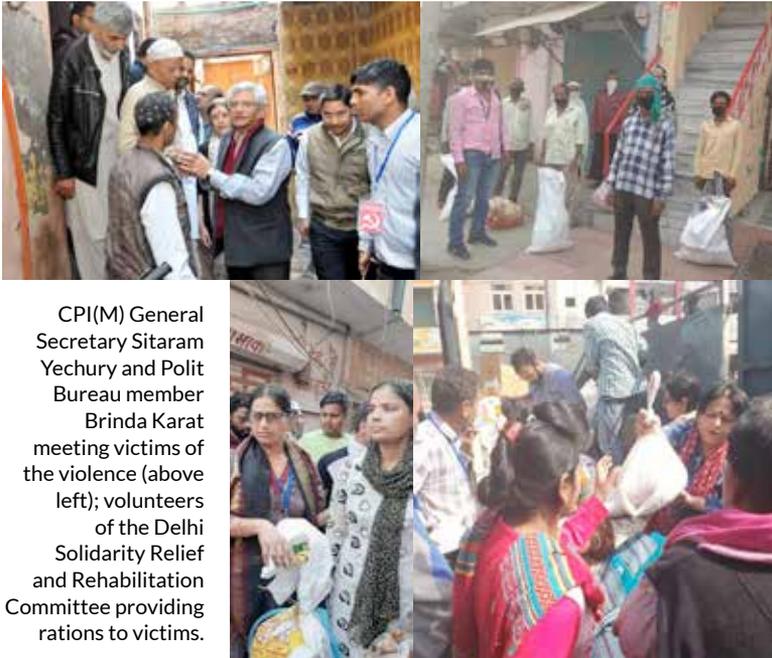
Solidarity and Relief Work

The communal violence in North-East Delhi led to a tragic loss of lives and extensive destruction of livelihoods, homes and property. The areas where the violence took place had a large population of the working class, mainly from the unorganised sector and lower middle class households of both communities. Thousands became victims of the violence in different ways, and suffering and distress were widespread. Considering the urgency to provide relief, rehabilitation and legal aid for the distressed people, the Polit Bureau of the CPI(M) gave a call for collecting relief fund to all its state units and appealed to common people to donate generously to this fund. The response from all sections – party units, workers’ and employees’ organisations, and individuals from different professions, including artists, professors, lawyers, etc. – was extremely positive. Delhi Solidarity Relief and Rehabilitation Committee was formed to undertake relief operations aimed at reaching out to all sections of the affected people. Wajahat Habibullah (former Chairperson, National Minorities Commission), Harsh Mander (Director, Centre for Equity Studies), Brinda Karat (Member, Polit Bureau, CPI(M)), among many others, associated themselves with this committee, which had K.M. Tewari (Secretary, Delhi CPI(M)) as its Convenor. The Committee also cooperated with the Delhi Government in distributing relief to the affected people. Voluntary efforts such as this can only provide additional relief. It is the government which is mandated to do so. However, in this case, the Delhi Government was extremely slow in providing relief and setting up relief camps.

It was crucial to conduct a survey among the affected, to be able to establish a database for further follow up. More than 250 volunteers were involved in the different aspects of the relief work. Unfortunately, because of the lockdown from March 24, this work was affected. However, local volunteers continued to provide relief. Once the lockdown was lifted, a second survey was conducted of all families who had lost a loved one in the violence, and their problems identified. In what is an ongoing process, a programme of rehabilitation focusing on livelihoods was worked out.

Relief work had started on March 1. Immediate needs – dry rations, utensils, clothes, medicines and legal help – were addressed at the first stage; financial assistance was offered to families of the deceased and those grievously injured at

Solidarity and Relief Work



CPI(M) General Secretary Sitaram Yechury and Polit Bureau member Brinda Karat meeting victims of the violence (above left); volunteers of the Delhi Solidarity Relief and Rehabilitation Committee providing rations to victims.

the second stage; and rehabilitation in terms of livelihood help and scholarship to children at the third. The fourth stage is a project to provide skill development and training through the setting up of a centre in the area scheduled to start by early 2021.

The direct relief effort reached out to a total of 6,130 persons from 1,126 families. This does not include individuals and families in the Idgah relief camp who were provided food and clothes. Later, when the government insisted on taking over the distribution, one truckload of relief materials was handed over to the officials of the camp. In this period, hundreds of individuals have been assisted to access government schemes. Unlike some political parties who reached out to only certain communities, the relief effort led by the CPI(M) reached out to all those affected irrespective of their religion.

The relief team supplied weekly ration kits (consisting of 5 kg wheat flour, 2 kg rice, 1 kg sugar, 1 kg salt, 1 kg dal, 100 gms masala, 200 gms tea, 1 toilet soap and 1 litre cooking oil) to affected families in Khajuri Khas, Chandu Nagar, Shiv Vihar, Mustafabad and Chaman Park before the lockdown started in Delhi on March 24. In some cases there were several rounds of such assistance. Teams would deliver the assistance to the household in house-to-house relief work. This also helped to bring confidence to affected families. Helpline numbers were also provided for emergency assistance. In cases where household items had been

Annexure 3

destroyed, kitchen items and utensil kits were provided to around 190 families. Over 100 families also received 5 kg gas cylinders with burners, as well as buckets and mugs. Distribution of new clothes, bed sheets, blankets and sandals was also done on a wide scale. Most of these items were procured from in and around Delhi with the support of women and youth organisations, trade unions, and individuals.

A legal team from the All India Lawyers' Union (AILU) set up an office at Gali No. 14, Mansingh Nagar, Old Mustafabad, from March 2 onwards, and helped affected people file complaints regarding looting, arson, damages to houses and rioting, as well as register claims of compensation for the loss of life, goods and property. A habeas corpus petition was also filed to know the whereabouts of a missing person.

Teams led by CPI(M) Polit Bureau members Sitaram Yechury, Brinda Karat, Prakash Karat, Subhashini Ali, Tapan Sen and Hannan Mollah, met families of the deceased and gave cheques of Rs 1 lakh to each family. Every single one of the 54 families, except one, have been met by our teams; or, in the case of the families out of Delhi, have been contacted and assisted. In addition, a similar amount of financial assistance was given to two victims who had lost their vision entirely in acid attacks. Financial assistance ranging from Rs 5,000 to Rs 20,000 was given to 17 families of the injured as well. K.M. Tiwari, Anurag Saxena, Brijesh Kumar Singh, A.N. Damodaran and Aman Saini were part of the teams.

Relief effort continued during the lockdown period as well. Dry rations were distributed to more than 2,100 persons, and children were given milk. Volunteers also arranged for milk distribution from government sources. The distribution of clothes, gas cylinders, ceiling fans and sanitary napkins continued. Besides this, the Al Hind hospital in Mustafabad, which catered to victims during the violence, was supplied with generic medicines by the relief committee. It was found that a large number of people do not have ration cards or access to government schemes, including widow pensions. A large number of construction workers living in the area are not registered with the Welfare Board. Volunteers have been enrolling people for various schemes. However, the process on behalf of the Delhi Government has been very slow.

A large number of rehris (handcarts) used by street vendors were burnt in the violence. The rehabilitation plan included enabling these vendors to restart their livelihood by providing 50 rehris so far to vendors in Khajoori Khas, Karawal Nagar, Kardampuri and Gokulpuri whose rehris were either burned or damaged in the violence. New rehris were given to the affected in a function organised by the Centre of Indian Trade Unions (CITU) on July 9, 2020.

The second survey of families of those killed during the violence, conducted in September 2020, had two aims – to identify livelihood options for the widows, and educational needs of children. In the first round it was found that 13 widows wanted sewing machines. Two required help to start their own small retail shops.

Solidarity and Relief Work

52 children in 28 of the affected families required help for their education. Each of these children will be given Rs 6,000 as an annual scholarship for the next two years.

The first trimester installment of this scholarship was handed over to the children in a function held at Old Mustafabad on October 13, 2020, by Brinda Karat on behalf of the CPI (M). Sewing machines were also given to 13 widows on the same occasion by the All India Democratic Women's Association (AIDWA). Similarly, school-going children from those families who lost their bread earners were handed over a kit consisting of school bag, tiffin box, pet bottle, 10 notebooks and a pouch of writing aids from the Students' Federation of India (SFI) and Democratic Youth Federation of India (DYFI).

The rehabilitation programme will continue. A committee of teachers has been formed to follow up on the educational requirements of children. Mass organisations like AIDWA, DYFI and CITU are continuing their work in the area and are in regular contact with the families. A training centre in various skills for local youth and women living will be set up. It is hoped that this will have a lasting benefit for the area. This will also require enlisting volunteers who can give help in a sustained way. We hope to start this project by early 2021.