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BEFORE MR JUSTICE RANGA NATH MISRA: ENQUIRY COMMISSION: NEW DELHI
A F F I D A V I T

I, Avtar Singh Vir, aged about 48 years, son of Late Dr Natha Singh, r/o 5217/6, Krishan Nagar, Karol Bagh, New Delhi 110 005 do hereby on solemn affirmation state and declare as under:-

1. That I am an Advocate practicing primarily at Delhi.
2. I alongwith my family members am residing in House No 5217, Streets No. 5 & 6 Krishan Nagar, Karol Bagh, New Delhi- 5 for the last more than 27 years. My residence is on first and second floor of the said house and I am having my office, library, study room, consultation room and record room on the ground floor of the said house, covering four rooms.
3. I say that my library of law-books is worth more than Rs 50,000/- (Rupees fifty thousand), apart from brisfs of numerous cases with important documents lying in my office.
4. That on 31-10-1984 upon the assassination of Mrs Indra Gandhi, I saw that non-sikhs started beating, and stonning the sikhs and their vehicles on Safdarjang Flyover freely, though a contingent of police was posted all near about and Police was not taking any action whatsoever.
5. That in the evening around 8-30 PM when I was watching the T.V programme, mob at All India Institute of Medical Sciences was shown in the recording which must have been done earlier in the day. , and slogans "KHOON KA BADLA KHOON SE LENGE" were raised by the non-sikh mob at AIIMS Hospital, New Delhi in the presence of Prime Minister, Mr Rajiv Gandhi. I say that Mr Rajiv Gandhi did not stop the mob from raising such type of slogans.
6. That as per news report published on first page , in coluan 8 bottom of the Times of India dated November 1, 1984, even the President's convoy heading for All India Institute of Medical Science was stoned and one of the stones hit the wind screen damaging a Car. An unsuccessful attempt was also made to set ablaze another Car which however escaped unaffected.

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7. That I say that it was announced by the authority at Delhi that prohibitory orders under Section 144 of the Criminal Procedure Code were imposed and Police patrolling was being intensified and reinforcement was being rushed to sensitive areas but in fact neither the said prohibitory orders were observed even by the Police nor any Police assistance was available at all to the sikhs .
8. That The Times of India dated 1st November, 1984 on the very first page stated that while no exact figures were available, more than hundred sikhs were admitted to various hospitals after being -beaten up by the mobs . The condition of some of them was described as serious. The News Paper further stated that all over Delhi slogans shouting bands of youths roamed the streets, pulling out people of one community (meaning thereby sikhs) from Buses, Cars, Scooter, Rickshaws and other transport. The News Paper further stated that while a section of mob beat up the men, others set fire to the vehicles. It stated that several shops in the market were also gutted. This news related to happenings on 31-10-84 and was based on UNI and PTI, reports.
9. That on 1-11-84 at about 10-30 AM, I alongwith my family members present in the house, suddenly heard noise outside and found that Tek Chand Sharma and his brother Rajinder, who are quite old Congress (I) workers, and who are residing in the corner house of Street No 6, Krishan Nagar, Karol Bagh, New Delhi-5, were talking to about 25 persons of the locality. I heard Tek Chand Sharma & Rajinder saying that it was to be seen and as to how the Sardars were to be taught lesson .
10. Within few minutes I heard noise in street No.5 Krishan Nagar, Karol Bagh, Delhi-5 and found that they were attacking the Car of Harbans Singh living in the fifth house in the street . I objected to this criminal act on their part and they were obliged to go back.
11. That within few minutes thereafter when I saw from the window of my house, in Street No.6 , I found that these miscreants were going to attack my Car No. 1932, Ambassador Model No, 1978 which parked in the Street.

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12. I tried to stop them from damaging the Car, but Tek Chand Sharma and Rajinder asked the non-sikh mob with them to set my Car on fire. Two persons, whose names came to my knowledge and addresses subsequently as Kailash r/o House No 4666, Gali No 50, Reharpura Karol Bagh, Delhi-5 and Jatinder Kumar brother-in-law of Rajinder Sharma r/o 5255, Street No.6 Krishan Nagar, Delhi -5 (brother of Rama Devi wife of Rajinder Sharma), came forward with helmets on their heads and set ablaze my Car. The flames were put off twice by my family members.
13. I say that all of them including Tek Chand Sharma and Rajinder and others whose names are mentioned hereinafter and many more persons whose names are not known to me, raised loud voice that they should attack my house, set the same on fire and also kill us.
14. That at this we were attacked by them with brick bats, bricks, stones and some other type of missiles.
15. That I and my two sons Daljinder Singh and Satinder Pal Singh M.B.B.S (Intern) Safdarjung Hospital, New Delhi remained defending ourselves with all our might.
16. That two persons out of these assailants tried to set my main door gate on fire several times, but every time I put off the fire. Subsequently, I came to know their names as Ravinder Kumar r/o St No.54, Reharpura, Karol Bagh, New Delhi, and Raj Paul son of Moti r/o 45, Reharpura, Karol Bagh, New Delhi- 5.
17. I say that one Jhaman tried to set the door of my house in street No.5 on fire alongwith another person whose name subsequently came to my knowledge as Hukma r/o St No. 46 Reharpura, Karol Bagh, New Delhi-5, but this fire was also put off, but big portion of the door was burnt.
18. That the door of my main entrance in Street No 6 was partially burnt and then broken by the assailants collectively. The door of my office-cum-library in Street No. 5 was also broken by them by use of criminal force.
19. That many of the assailants used big bamboos with small iron rods fixed at the top and which are used for fixing the tents, to break the door of main gate of my house, apart from using bricks and big stones, which were struck against the doors.

20. That the fire at the door of my office cum-library in Street No 5 was extinguished by my son Daljinder Singh. The assailants tried to enter my house forcibly but we always prevented them from doing so.
21. I say that in this riot Tek Chand Sharma, Rajinder brother of Tek Chand Sharma, Jatinder Kumar, brother-in-law of Rajinder Sharma all the three resident of house No 5255, Street No.6, Krishan Nagar, Karol Bagh, New Delhi, Hari Ram, Khub Ram alias Imli, both sons of Yad Ram, r/o 4852, Gali No 44, Rehgarpura, Karol Bagh, New Delhi- 5, Bir Pal add Vinod, both sons of Mangal Nai, Gali No 44 /45 Rehgarpura, Karol Bagh, New Delhi-5, Uttam Kumar son of Tej Ram r/o R-426, JJ Colony, Mangolpuri, Delhi, Raj Pal son of Moti r/o St.No. 44/45 Rehgarpura, Karol Bagh, New Delhi, Hukma r/o House No 4727, Gali No.46 Rehgarpura, Karol Bagh, New Delhi-5, Jugli alias Jugal Kishore brother of Yad Ram mentioned above, Raja alias Raja Ram alias Harinder Kumar r/o 4782, Street No.45, Rehgarpura, Karol Bagh, New Delhi-5, Ravinder Kumar r/o Gali No 54, Rehgarpura, Karol Bagh, New Delhi- 5, Kailash r/o House No .4666, Gali No 50, Rehgarpura, Karol Bagh, New Delhi-5, Jham alias Jhaman Singh presently in custody in case FIR No 867 dated 28-11-84 of Police Station Karol Bagh, New Delhi-5 and about ten persons from Street No 44, Rehgarpura, few persons from streets No 42 & 43, 45 and 46, Rehgarpura, Karol Bagh, New Delhi- 5 and several others non-sikhs who took part in this conspiracy and attacked me and my family on 1-11-84 with a bid to kill us, to loot us and to cause unlawful injuries to our lives and property. I can identify most of them whose names are not given above.
22. I say that I and my two sons Daljinder Singh and Dr. Gurbinder Pal Singh received injuries on our faces and other parts of our bodies at the hands of these assailants. The details of the injuries are given in the Medical Certificates issued by Dr. Mrs Manju Kapoor M.B.B.S, E-23, Narain Vihar, New Delhi. The Original medical certificates are in the custody of Karol Bagh Police.
23. That I say that we had snatched two big bamboos for fixing tents which were used by these culprits against us. These bamboos were supplied to the culprits by Tek Chand Sharma and Rajinder Sharma for attacking us.

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24. That the old Duris were also supplied to the culprits by Tek Chand Sharma and Rajinder Sharma to set my house on fire. Half burnt Duris so used are handed over by me to the Karol Bagh Police.
25. I say that old Tyres and Mobile Oil were supplied by Uttam Kumar culprit. The Tyres were set on fire and were thrown in my Car and one burning Tyre was placed beside the rear wheel of my Car. This is how my Car was set on fire by them.
26. I say that burnt pieces of wood of my doors, some brick bats and other articles of case property were taken by the Police in their custody in case FIR No.867 dated 28-11-84.
27. I submit that about a truck load of brick bats, stones, broken pieces of porcelain sewer pipes etc were thrown by the culprits upon us, in order to kill us and damage the property. The police have taken into custody only few brick bats as specimen.
28. I say that this stone throwing, breaking of doors and burning of property went on at the hands of culprits upto about 1 PM. This barbarious criminal attack of the assailants came to an end when a Police was brought by one gentleman and the Police fired shots in the air.
29. That the culprits have caused damage to the property for more than Rs 60,000/-. Almost all the window pans of my house were broken by the culprits. Doors and windows are damaged, plaster from the walls fell down at various places, wire gauge fixed on the windows on ground floor was also badly damaged, asbestos sheets on a shed on first floor and another shed on second floor were broken and ventilators of the house were also substantially damaged by the culprits. One big table glass in my office worth about Rs 500/- was also broken by them.
30. I say that I can identify almost all the persons who took part in the commission of serious crimes actively with common intention and common motive and acting in concert with each other.
31. I and my family members were threatened time and again by these culprits on 1-11-84 evening and night and several time on 2-11-84 and 3-11-84 and 4-11-84.

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32. On 1-11-84, I many times telephoned to Flying Squad Controll Room, but no Police Van ever came for my rescue. Number of times I reported the matter at Police Station Karel Bagh, but no help was given to me on that date., nor any Police Official came, except the three Police Officials who were brought by one gentleman at about 1 PM as mentioned above. They also showed their inability to take down my report at that time.
33. That finding serious danger to our lives and property I contacted over telephone British Broadcasting Corporation Office at Delhi on 1-11-84 itself. The official of BBC heard my complaint and then gave me one telephone number of Additional Commissioner of Police and asked me to contact him and get my report recorded there.
- 27/12/85 34. That many times I telephoned to the Additional Commissioner of Mr Jatav , but the official attending the telephone didnot permit me to talk to Mr Jatav and he always told me discourteously that no help could be given to me and the phone was always disconnected by him in this matter.
35. There had been announcements on behalf of the Government that curfew had been imposed in Delhi. In fact neither the curfew was there nor the military was at all seen at Karol Bagh. Obviously, this was a false propaganda.
36. I telephoned to the President of India, Giani Zail Singh at telephone No. 375111 and his PA responded the call. When I asked him as to why false propaganda was being made regarding alleged imposition of curfew order and marching of the Military in the City on Radio and Television, he told me that necessary orders had already been issued and would check it up from the Home Minister.
37. That on Television, the following telephone numbers were given upon which it was stated that riots victims could seek help:-
262791, 2666782, 268043, 692423, 262021
but when dialed, none of the above telephones was available. It seemed that the receivers of these telephones were put off deliberately so that the ^{calls} could not come in

38. On 2-11-84, throughout the day I had been trying to contact various Police Officers including Flying Squads and Police Station Karol Bagh for help from time to time. At about 2-30 PM on that date SHO Police Station Karol Bagh, came to my house and told me that he was sorry that he could not help me earlier but he would help me henceforth.
39. I also contacted Major General Jhamwal, GOC Delhi Cantt on telephone and Mr Jhamwal told me that the Military could not take over the city without written orders from the Government. He told me that no orders were received by him till by the evening of 2-11-84 for taking over the law and order ~~and~~ administration.
40. I say that on 3-11-84, Mr Jhamwal told me that the Military would take over by the evening of that date. While in difficulty on 2-11-84 and 3-11-84 and again on 4-11-84 I even several times contacted Military Control Room at telephone number 391956 and informed Col. Kapoor on duty about my plight and requested for protection. I also contacted Military Control Room at phone No. 393117 & apprised Col. Bakshi on duty about the situation and danger prevailing around me. When the Military took over and as and when the danger arose, I even informed the Army Camp Officers at Karol Bagh from time to time.
41. I had to keep strict vigil 24 hours from 1-11-84 to about 10-11-84 around my house.
42. On account of the injuries received by me and my sons and in the absence of any medical treatment available, we were suffering. My son Dr. Satinder Pal Singh treated us at home with few drugs available at my house.
43. On 4-11-84, I had sent one written complaint to Police Station Karol Bagh in this behalf. ~~My~~ I did not get any medical treatment nor we were got medically examined by the Police from any Government Hospital despite my requests and letter dated 5-11-84 to SHO, Police Station, Karol Bagh.
44. However, I could get treatment from Dr. Mrs Manju Kapoor, who could come to my house only on 5-11-84. My son Daljinder Singh suffered grievous ~~and~~ hurts apart from simple injuries. His five teeth were broken and a grievous hurt in the right shoulder.
45. My complaint was not investigated by the police for more than

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45. 20 days . Then the case was registered on 28-11-84 vide FIR NO 867 , Police Station Karol Bagh.
46. I say that some of the accused like, Babu Lal, Vinodh Kumar, Ravinder Kumar, Rajinder Kumar, Jugli and Kalash are not as yet arrested and prosecuted.
47. I say that this attack on me was organised and well planned by Congress (I) Leaders and other workers of the ruling party.
48. I state that on 5-11-84 Dharam Dass Shastri, the then Congress (I) M.P had a clash with SHO Karol Bagh and he was asking the Police not to arrest any person who had looted the goods of sikhs but the police could take away the looted articles. This incident was published on the first page of Indian Express dated 6-11-84. I had also seen Dharam Dass Shastri with other workers of the ruling party meeting the looters in my area.
49. I further state that Tek Chand Sharma and Rejinder Sharma the above named culprits are very old Congress (I) workers and Dharam Dass Shastri, the then MP of ruling party visited their house quite often. A national flag is hoisted in front of the house of Tek Chand Sharma every year on 15th August by Dharam Dass Shastri, GO where other Congress (I) members of the area used to be general present at the flag hoisting ceremony. Both Tek Chand Sharma and Rejinder Sharma had always been taking leading part in convessing work of Congress (I) during every election.
50. I say that during Noember Riots, shops of sikhs were looted by non-sikhs even in the presence of Police Constables in my area without any objection from the police. I even received telephone messages that the sikhs have mixed poison in the water on 1-11-84. This was a well organised conspiracy hatched out by Congress(I) and the Government against the entire sikh community.

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51. I say that stern action should be taken against the culprits and necessary compensation be paid to me for my entire loss.

Atul Singh
DEPONENT.

VERIFICATION:

Verified at Delhi, this 6th day of Sept' 1985 that the contents of paragraphs No. 1 to 5, 7, 9 to 47, 49 & 50 are true to my personal knowledge and those of Paras 6, 8 are believed to be true on information received from Times of India dated 1-11-84 and Para 48 is believed to be true on the basis of News Item published in Indian Express dated 6-11-84. Last para is prayer to this court.

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Atul Singh
DEPONENT.

Sworn before me by the deponent who is personally known to me. The affidavit has been read out in full to the deponent, who has signed it after admitting it to be correct on this 6th day of September, 1985 at New Delhi.

Pradeep Kumar
OATH COMMISSIONER, NEW DELHI

Witness
Date