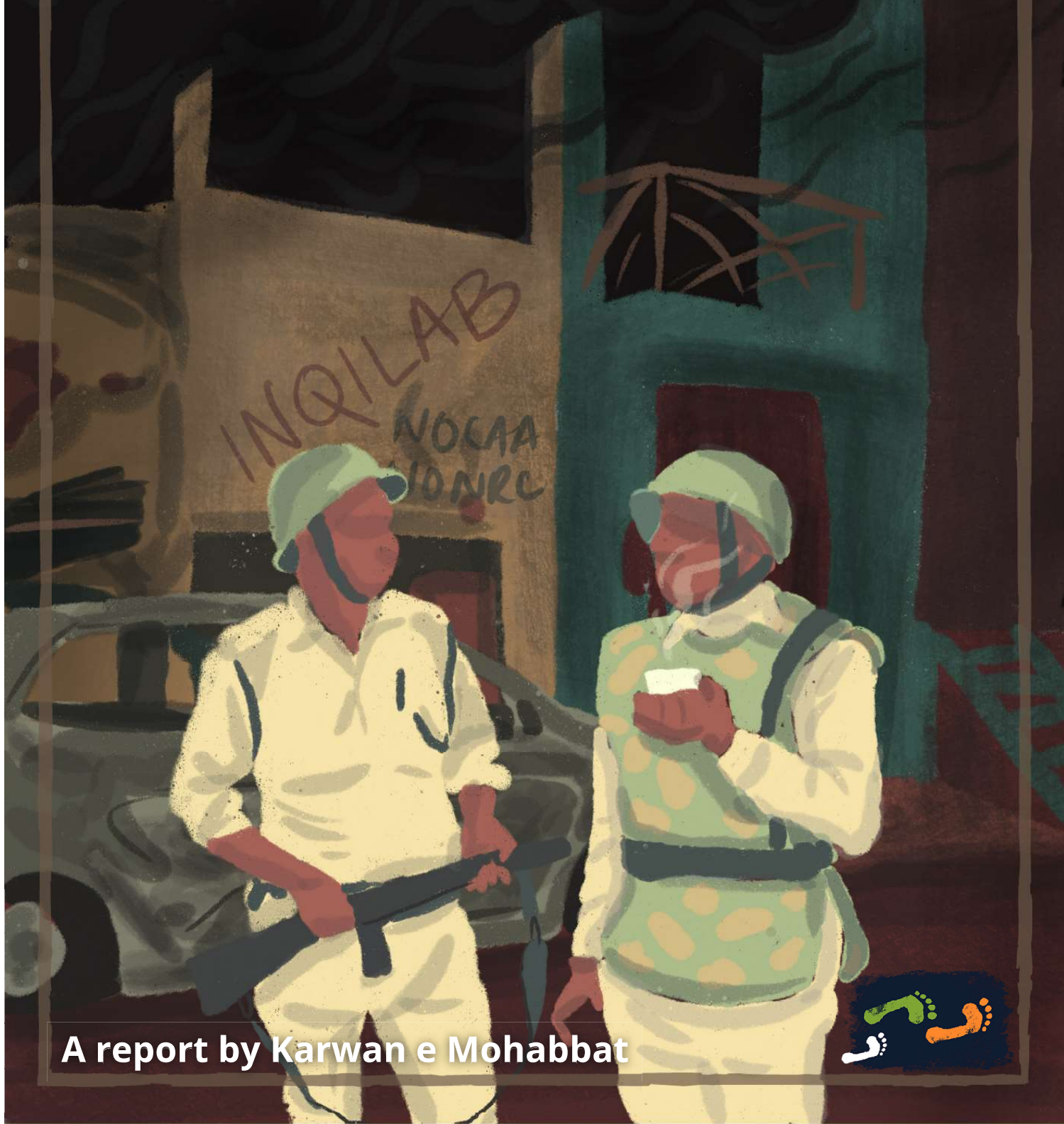


Chronicling Truth, Countering Hate:

Violence and state action in North-East Delhi in February 2020



A report by Karwan e Mohabbat



Chronicling Truth, Countering Hate

**Responding to the violence and state
action in North-East Delhi in February 2020**

A report by Karwan e Mohabbat

New Delhi, July, 2020



KARWAN E MOHABBAT

Karwan e Mohabbat (Caravan of Love) is a pan-India people's campaign devoted to the universal values of solidarity, equality, freedom, justice and compassion. We focus on human rights issues including communal violence, mob lynching, and citizenship. We support survivors of hate crimes and injustices with legal, social and livelihood assistance, and undertake research and advocacy. We also make short films to reflect our values.

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Responding to the violence and state action in North-East
Delhi in February 2020

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Communal Violence in North-East Delhi

Introduction

It was a winter of hope. The protests against the Citizenship (Amendment) Act and the proposed National Register of Indian Citizens were raging across the country. The two with the purpose of splitting the country along religious lines, were in fact beginning to unite people in defence of India's secular constitution. Shaheen Bagh emerged from the iconic struggle by women and caught the imagination of people around the country. Inspired by it soon there were Shaheen Baghs in every corner of the country. A colourful, lyrical and spirited movement to safeguard our constitutional ethos against the divisive agenda of the amended citizenship law filled the country. With women leading the way in a struggle to defend the very soul of India, students lent their voice of protest, the voice of resistance. They painted the walls with poetry, they sang the songs of justice and each protest echoed over and over again that there will always be singing, even in the dark times. Each protest sowed hope.

There was certainly reason to hope, as the movement was writing a new language of constitutional values to resist the attack on the soul of India. The sit ins became spaces where young people came together to speak out against the divisive agenda, and inspiring hope for a better, more democratic future built on the promise of equal citizenship. The young carried on their shoulders very ably the promise of defending, and defending peacefully, the constitutional values. The protests

produced a new narrative of equality of citizenship throwing a formidable challenge to the dominant narrative of communalism of the muscular state. They refused to be intimidated, carried no burden of the legacy of Partition, the young Muslim men and women claimed full citizenship to this country. The portraits of Ambedkar, Gandhi, Bhagat Singh, Savitribai Phule and Ashfaquallah Khan adorned the sit in sites. This was their legacy and they were there to claim it. They read the Preamble to the constitution every day, they waved the Indian flag, they sang the songs of unity.

Shaheen Baghs of the country became symbols of defiance. During the Delhi election campaign in this period, the BJP placed its bets on the citizenship issue to win the elections and crush the peaceful civic mobilisation. The Home Minister and senior BJP leader Amit Shah incited passion against Shaheen Bagh, "Press button with such anger that Shaheen Bagh feels current", "Your one vote will decide whether Delhi is with Shaheen Bagh or sons of Bharat Mata", he famously said. Another BJP Union minister of state, Anurag Thakur, in a widely circulated video allegedly urged a large crowd to chant the "goli maaro" - or shoot down traitors -- slogan clearly identified to be the Indian Muslim while campaigning for BJP in Delhi election. Only a day after this, a gun wielding man threatening to forcibly vacate Shaheen Bagh was caught at the venue of the protest.

The makers of these speeches were never held to account even when their political content was surely the moral equivalent of a threat to do violence, physical and psychological harm. The result was legitimisation of hate and equating the disagreement with and opposition to the CAA as seditious, as disloyalty to the nation, which should attract punishment.

The theatre of these hateful episodes was the North Eastern district of our national capital. In the afternoon of 23 February

2020, communal violence engulfed the densely populated working class settlements in North-East Delhi including Mustafabad, Jafrabad and Shiv Vihar. This continued unabated for several days, peaking between 24 and 26 February 2020. The violence left at least 53 people dead - although bodies continued to be dredged out of the drain running through the violence-torn settlements and many continue to be missing - rendering this the most grievous episode of Hindu-Muslim communal violence in the national capital after the Partition riots of 1947.¹ The

¹ From a list released by GTB Hospital, reports by credible sources and a list curated by The Polis Project, on 6 March, 2020, The Wire put out a list of the names of those who died in the violence <https://thewire.in/communalism/delhi-riots-identities-deceased-confirmed>. The names are:

1. Mubarak Hussain, a 28-year-old resident of Babarpur. He was shot in the chest at Vijay Park. A native of Darbhanga in Bihar, he worked as a labourer in Delhi.
2. Shahid Khan Alvi, 22 years. An autorickshaw driver, he was shot in the stomach near Bhajanpura dargah.
3. Mudassir Khan, also an autorickshaw driver and a resident of Kardampuri, he was also shot dead.
4. Nazeem Khan, a 35-year-old scrap dealer, was also shot dead.
5. Mohammad Furquan, a 30-year-old was shot dead when he stepped out to buy food in Bhajanpura area of Jaffrabad.
6. Mehtab, 22 years, and a resident of Brijpuri was burnt to death.
7. Ratan Lal, 42 years, a Delhi police head constable was fatally shot in Gokulpuri.
8. Rahul Solanki, resident of Babu Nagar near Shiv Vihar and a civil engineer by profession, stepped out to buy milk when he was shot in the neck, killing him.
9. Ankit Sharma, a 26-year-old security assistant with the Intelligence Bureau was a resident of Khajuri Khas. His body was found in the Chandbagh drain, severely injured.
10. Vinod Kumar, 45 years, was also beaten to death in Brahmपुरi when he was returning home.
11. Vir Bhan Singh, 48 years, was going to have food when shot dead.
12. Ashfaq Hussain, a 24-year-old electrician, was shot five times in Mustafabad. His body was kept at the Al Hind Hospital there.

13. Deepak, a 34-year-old from Mandoli, who died of stab wounds.
14. Ishak Khan, a 24-year-old living in Kabir Nagar, who was shot.
15. Shan Mohd from Loni, 34, was also shot.
16. Pravesh, a 48-year-old from Maujpur, succumbed to gunshot wounds.
17. Dilbar, 20-year-old who died of burn injuries.
18. Rahul Thakur, a 23-year-old from Brijpuri, was killed in an "assault", according to the hospital.
19. Aman, 17 years old.
20. Maruf, 32 years old.
21. Salman, 24 years old.
22. Faizan, a 24-year-old.
23. Alok Tiwari, 34 years old.
24. Babbu Salmani, 33 years old.
25. Akbari, 85 years old, a resident of Gamri village in Khajuri Khas.
26. Ayub Shabbir, 60-year-old scrap dealer.
27. Monis, 21-year-old resident of Mustafabad.
28. Aamir Khan, 30-year-old jeans factory worker and father of two.
29. Hashim Ali, 19 years old, Aamir Khan's brother.
30. Aqil Ahmad, 40 years old.
31. Aftab, 18-year-old from Bijnor.
32. Mohsin Ali, 24 years old.
33. Nitin Kumar, 15 years old.
34. Prem Singh, 27, shot to death.
35. Anwar Qassar, 58 years old, burnt to death.
36. Dilbur Negi, 20 years old.
37. Arshad, 22-year-old who lived in Karawal Nagar.
38. Dinesh Kumar, 35 years old.
39. Mohammad Shahban, 22, resident of Mustafabad.
40. Mohammad Yusuf, 52 years old.
41. Musharaff, 35, residence of Kardampuri, killed in Gokalpuri.

violent attacks inflicted gruesome killings, grave injuries, sexual violence, widespread arson of homes, vehicles and commercial properties, and the destruction and desecration of 16 mosques.

Leading scholar of communal violence in India, Ashutosh Varshney characterises the first day of Delhi violence not as a pogrom but instead observed it fits the classic description of a riot, defined “as a violent clash between two groups or mobs, in this case one in favour of the Citizenship Amendment Act and another against”. But the next two days “began to look like a pogrom, as the police watched attacks on the Muslims and was either unable to intervene, or unwilling to do so, while some cops clearly abetted the violence”. During these two days, revenge was sought on the Muslim community where life and property was destroyed with impunity. This pattern of violence and police behaviour was observed in western UP, just about two months before the violence in Delhi.² A People’s Tribunal on police action in UP

held in Delhi also found evidence pointing towards a deliberate strategy to target, threaten and terrorize the Muslim community in UP.³ As the fact finding report had found, the police forces in UP operated with total impunity as the Chief Minister of the state, Mr. Yogi Adityanath, called for ‘revenge’ and ‘strict action’ against violent protestors.⁴

Many observers believe that the spark for the communal conflagration in North East Delhi was supplied by a speech inciting hatred by BJP leader Kapil Mishra on 23 February 2020, where he spoke out in a rally against the anti-CAA protesters, in the presence of the DCP of North East Delhi district, Ved Prakash Surya. But the climate of hate had been building up for longer, during the most divisive election campaign to the Delhi assembly. But supporters of the ruling party, the BJP, and the Delhi Police which reports to the union government, have an entirely different version of the communal violence, charging it to be a planned conspiracy by those

42. Parvez Alam, 50-year-old social worker shot in the stomach in Ghonda.

43. Sanjeet Thakur, 32, stoned to death in Chand Bagh.

44. Suleiman, 22.

45. Sayid, 19.

46. Zakir, a 24-year-old from Mustafabad who died of stab injuries.

47. Aqib, 18, died of a head injury inflicted while he was out to shop for his sister’s wedding in Bhajanpura.

48. Naresh Saini, 32, died of bullet injuries

49. Jamaluddin, 30 years old

50. Hamza

51. Bhure, 25 years old

² Karwan e Mohabbat, (2020) *A State at War with its People: A report on state action in UP targeting dissent and Muslim minorities*. February. Available at: <http://karwanemohabbat.in/wp-content/uploads/2020/06/A-State-at-War-With-Its-People-KeM-Feb2020.pdf> (Accessed 8th July 2020). This independent citizen’s Fact-Finding Report on UP violence had confirmed that the

police violence in UP was unprecedented. See also PTI. (2020) ‘NHRC Issues Notice to UP DGP Over Police Action During Anti-CAA Protests’ *The Wire*. 26 December Available at: <https://thewire.in/government/nhrc-issues-notice-to-up-dgp-over-police-action-during-anti-cao-protests> (Accessed 8th July 2020).

³ People’s Tribunal on State Action in UP: Citizenship, Democracy and Protest, held in New Delhi on 16 January, 2020.

⁴ Karwan e Mohabbat, (2020) *A State at War with its People: A report on state action in UP targeting dissent and Muslim minorities*. February. Available at: <http://karwanemohabbat.in/wp-content/uploads/2020/06/A-State-at-War-With-Its-People-KeM-Feb2020.pdf> (Accessed 8th July 2020). See also CJP Team. (2020) ‘Is UP at war with its own people?’ *CJP*, 25 February. Available at: <https://cjp.org.in/is-up-at-war-with-its-own-people/> (Accessed 8th July 2020).

opposed to the amendments in the Citizenship Amendment Act 2019, mostly Muslim students and youth leaders and senior left and liberal intellectuals and activists who prominently participated in the mostly peaceful protests against the Citizenship Amendment Act.

In Jaffrabad, in North East Delhi, a sit-in by mostly Muslim women against India's Citizenship (Amendment) Act, 2019 was under way for several days and nights. On 23 February 2020, a leader of the ruling Bharatiya Janata Party (BJP), Kapil Mishra, made a provocative speech in the presence of a senior police officer who made no effort to restrain him, in which he called upon the police to clear the streets (by forcefully removing the protesters from Jaffrabad and Chand Bagh), and threatened to do this himself with his supporters if the police failed to do so.

Soon after his speech, violence erupted. For the first 24 hours, there were pitched battles - attacks, killings and arson - by men of both communities (although there was no damage to any Hindu shrines even on this first day). But this changed from 25 February, from when the attacks shifted to Muslim neighbourhoods and Muslim homes and shops in Hindu neighbourhoods. One of the first citizen's Eyewitness Report from North East Delhi which came out on Feb 27, observed that the targeting of Muslims in North east Delhi reminded one distinctly of the targeting of Sikhs in Delhi in 1984 and of Muslims in Gujarat 2002. Though the death toll was far less, but the

targeting was truly frightening - where one shop is burnt, but the two adjacent shops on either side are not, observed the report. The report also noted that Across the board, among Muslims and Hindus, there was enormous fury at the Delhi Police for just not being there when they were needed. "We heard repeatedly of frantic calls to the 100 line that went unanswered, for 48-72 hours. Everywhere we heard accounts of the police facilitating mobs. In one place as a police platoon arrived in police jeeps, we saw people run in the opposite direction. It is a force to be feared. There is zero trust", the report had noted.⁵ Similarly, a report by *Lawyers Against Atrocities* noted the spate of arrests of Muslims, police marches in localities and raids after the conflagration made people more scared rather than confident.⁶

Of the 53 people killed, there was one police officer and another intelligence officer and around a dozen other Hindus. Over two-thirds of those killed were Muslims. The killings were by gunshots, daggers or bludgeoning, and bodies were often thrown into open drains. Victim survivors report large mobs of men armed with daggers, sticks, stones and sometimes firearms, shouting slogans on a rampage for two days. There are reports of Molotov cocktails being flung on Muslim properties and Masjids, and sometimes walls being blown up by gas cylinders. If homes or shops were taken on rent from Hindu owners, the properties were generally spared, but the materials in them looted and

⁵ Singh, N., Naqvi, F., Chander, N., Sarojini, N. (2020) *LET US HEAL OUR DILLI: Eyewitness Report from North East Delhi*. 29 February Available at: <https://phmindia.org/2020/02/29/let-us-heal-our-dilli-eyewitness-report-from-north-east-delhi/> (Accessed 8th July 2020).

⁶ Lawyers Against Atrocities. (2020) *Delhi: Fact Finding Report*. February Available at: <https://www.groundxero.in/2020/03/06/delhi-riots-fact-finding-report-by-lawyers-against-atrocities/> (Accessed 8th July 2020).

burned in large bonfires. Women also report sexualized violence, with attackers taunting them by displaying their genitals, and sometimes attacking them. One of the fact-finding reports noted that the Hindu mob in Shiv Vihar was chanting slogans like “*Shiv Vihar jayenge, burq e wali layenge*”, as it went on a rampage.⁷

Fact-finding reports, like the one prepared by National Confederation of Human Rights Organisations, clearly concluded that what took place was ‘organized Anti-Muslim violence.’⁸

This often occurred under the tolerant eye of the police who did nothing to restrain them. Police themselves are also charged with sometimes joining the rioters, and this is visible in many⁹ videos of the violence. From collusion to abdication, the police even refused to allow humanitarian and medical relief by blocking ambulances for hours even as people with gruesome injuries bled. This blockade opened up only after a midnight order from the Delhi High Court directed them to do the needful, i.e., their duty. A group of former civil servants who visited the violence affected areas noted with alarm the lapses allowed by the

police, in their open letter to the President of India.¹⁰

A number of citizen and media investigations reveal the partisan role of the police, including taking no preventive measures against those, including Kapil Mishra, who made hate-speeches, refusing to respond to thousands of calls on police helplines for help,¹¹ blocking ambulances and medical assistance, stopping the media and not protecting them when they were attacked, and worse, actually assisting and directing mobs to Muslim settlements and properties, and participating in some of these attacks.

In the Delhi High Court, in a petition seeking immediate filing of FIRs against senior leaders like Kapil Mishra and Anurag Thakur filed by Harsh Mander and Farah Naqvi, Justice Murlidhar expressed “constitutional anguish” at the delay in filing these FIRs. The police responded that it did not think the time was fit for filing these FIRs. Three months later, it is apparent that the suitable time to register these complaints had not arrived for the Delhi Police. However, even during the lockdown, they found it fit to arrest several

⁷ Youth for Human Rights Documentation. (2020) *An Account of Fear & Impunity Preliminary Fact-Finding Report on Communally-Targeted Violence in North-East Delhi*, February.

⁸ National Confederation of Human Rights Organisations. (2020) *Fact Finding Report on Delhi Violence*, <https://www.nchro.org/index.php/2020/03/14/delhi-violence-nchro-fact-finding-report-published-its-not-a-riot-but-a-targeted-anti-muslim-brutality-colluded-by-delhi-police/> (Accessed 8th July, 2020).

⁹ For instance, Youth for Human Rights Documentation. (2020) *An Account of Fear & Impunity Preliminary Fact-Finding Report on Communally-Targeted Violence in North-East Delhi*, February, and Human Rights Watch. (2020) “*Shoot the Traitors*” *Discrimination Against Muslims under India’s New Citizenship Policy*.

¹⁰ Constitutional Conduct Group (2020) ‘AN OPEN LETTER TO THE PRESIDENT OF INDIA: DELHI VIOLENCE AND ITS AFTERMATH – RECOMMENDATIONS OF A FACT FINDING MISSION’, *Constitutional Conduct*, 18 March. Available at: <https://constitutionalconduct.com/2020/03/18/an-open-letter-to-the-president-of-india-delhi-violence-and-its-aftermath-recommendations-of-a-fact-finding-mission/> (Accessed 8th July 2020).

¹¹ Ellis-Petersen, H. & Rahman, S.A. (2020) ‘Delhi’s Muslims despair of justice after police implicated in riots’, *The Guardian*, 16 March. Available at: <https://www.theguardian.com/world/2020/mar/16/delhi-muslims-despair-justice-police-implicated-hindu-riots> (Accessed 8th July 2020).

hundred others, mostly young student and youth leaders who had been active in protesting the citizenship law amendments, and ordinary residents including some victims of the violence.

When the matter was heard instead by a bench led by the Chief Justice, the court admitted many impleadment petitions which alleged that hate speeches were made by Congress party leaders Sonia Gandhi, Rahul Gandhi, and Priyanka Gandhi, AAP MLA Amanatullah Khan, AIMIM leaders like Akbaruddin Owaisi, Asaduddin Owaisi, and Waris Pathan, actress Swara Bhaskar and the petitioner Harsh Mander. The High Court bench with the Chief Justice issued notices to the local and central governments seeking their responses on registering FIRs against them on the charges of delivering hate speeches.

Early civil society investigations also severely indicted the partisan role of medical personnel during the violence. The Jan Swasthya Abhiyaan (JSA), a public health advocacy group, reported many instances of deliberate negligence, denial of treatment, destruction of evidence by not ensuring the required medico-legal case documentation, and not supplying reports of the injuries and autopsies to the victims

and their families. Victims were subjected to openly discriminatory behaviour, breaking their faith in the fairness of the public health system.¹² A fact-finding report by *Progressive Medicos and Scientists Forum* iterated, “The experience of this violence directed primarily against the Muslim minority, actually shows that dominant social and political attitudes can make health institutions inaccessible to the suffering masses even though these may be physically located right in the midst of the people.”¹³

The media too came under fire from the violent mobs and in all probability from the police as violence swept parts of North East Delhi. Several reporters and photojournalists were severely injured in the line of duty as noted by a joint statement issued by Press Council of India and Indian Women’s Press Corps.¹⁴

The Union government, on the other hand, from the start interpreted the violence entirely differently. It endorsed a fact-finding report called *Delhi Riots 2020: Report from Ground Zero*, based on a one-day visit by a team comprising a Supreme Court lawyer, who is a standing counsel for JNU, and four Delhi University faculty on February 29.¹⁵ As reported by

¹² JanSwasthya Abhiyan. (2020) *The Role of Health Systems in Responding to Communal Violence in Delhi*. 4 March. Available at: <https://phmindia.org/2020/03/04/the-role-of-health-systems-in-responding-to-communal-violence-in-delhi-jsa-delhi/> (Accessed 8th July 2020).

¹³ Progressive Medicos and Scientists Forum. (2020) *An Inquiry in to the Anti-Muslim Violence in Northeast Delhi*. March Available at: https://kafila.online/2020/03/20/an-inquiry-in-to-the-anti-muslim-violence-in-northeast-delhi-progressive-medicos-and-scientists-forum/amp/#aoh=15931583449273&csi=1&referrer=https%3A%2F%2Fwww.google.com&_tf=From%20%251%24s (Accessed 8th July 2020).

¹⁴ Sahay, A.K. and Bagaitkar, A. (2020) ‘What Role Did the Media Play During the Delhi Riots?’ *The Wire*. 13 March. Available at: <https://thewire.in/media/delhi-riots-media> (Accessed 8th July 2020).

¹⁵ Web Desk. (2020) ‘Group of Intellectuals and Academicians submit report on Delhi anti-Hindu riots to Home Ministry - Exposes the forces behind the “Dharna to Danga” model’ 11 March. Available at: <https://www.organiser.org/Encyc/2020/3/11/Group-of-Intellectuals-and-Academicians-submit-report-on-Delhi-anti-Hindu-riots-to-Home-Ministry.html> (Accessed 8th July 2020).

Newslaundry, the report concludes that the Delhi “riots” were the outcome of the anti-CAA protests, and linked the protests at Jamia Milia University, Aligarh Muslim University, Shaheen Bagh and then the Muslim-dominated areas of North East Delhi. It is here that “Jihadi mobs” ran riot, indulging in unabated violence for five days, funded and organised by “Urban Naxal-Jihadi outfits” with ‘links across the border’ and “Universities”. It maintained that AAP legislator Amanatullah Khan by questioning the Citizenship Amendment Act indulged in “hate speech”, not BJP leader Kapil Mishra’s who was merely “asking” the police to clear public spaces of protesters.

Subsequently another report was submitted to the Home Minister on May 29, 2020, which claimed that the “Tukde-Tukde Gang”, and “radical groups such as Pinjra Tod, Jamia Coordination Committee, Popular Front of India (PFI), and the local politicians from AAP” were responsible for the violence that killed 53 people in the national capital in February.¹⁶ On 13 June, Alt News after reviewing the report found that the report could not be categorised as a ‘fact-finding’ report because of the torrent of misinformation it carries on account of facts, misleading sequence of events, one-sided and sourcing dubious website for information.¹⁷

Three months later, this seems to be the official narrative of both the Delhi Police and the union Home Ministry to which they report that the violence was provoked by

the protestors. Under the cover of the pandemic lockdown, where the pandemic has become the pretext for sliding back of democracy, trampling of rights and deepening authoritarianism, hundreds of mostly Muslim youth leaders, young women, students of Jamia Milia Islamia, residents including victims of violence in Delhi, and young women leaders of Pinjra Tod (who were visibly active in supporting the anti-CAA-NRC-NPR protests in Delhi) have been arrested, and several charged even under the stringent sedition or UAPA, in which even bail is difficult to access. It seems the state is seeking revenge and punishing the best young women and men citizens of our country for daring to stand up and resist and keep hope alive.

Each episode of communal violence creates formidable challenges for the possibility of justice, because of a long almost unbroken tradition of impunity for perpetrators of hate crime in India. However, there are highly fraught moments when the prospects for justice become even more remote, such as during the anti-Sikh violence of 1984, Bhagalpur communal violence of 1989 and the Gujarat communal massacre of 2002. But it can be argued that the outlook for justice is even more distant after the Delhi communal conflagration of 2020.

This is because in 2002 (as in 1984) although the highest executive was seen to

¹⁶ Report Of Fact Finding Committee On Riots In North-East Delhi During 23.02.2020 to 26.02.2020 <https://drive.google.com/file/d/1kVpYkYz0RsUJP3-RcpOS-PrgPoaS36UO/view>

¹⁷ Mehta, A. (2020) ‘Delhi riots ‘fact-finding’ report accepted by Amit Shah replete with false,

unsubstantiated claims’ *altnews.in* 13 June. Available at: <https://www.altnews.in/delhi-riots-fact-finding-report-accepted-by-amit-shah-replete-with-false-unsubstantiated-claims/> (Accessed 8th July 2020).

be allegedly complicit and culpable in enabling the violence, other institutions of the state rose to the occasion. In 2002, the Supreme Court passed a series of landmark judgements to advance justice for the survivors of the violence, and the National Human Rights Commission stewarded by Justice Verma became a beacon for defending the constitutional rights of those felled by the violence. India also had then a far more independent and outspoken mainstream media. Large sections of civil society were vocal in their anguish and solidarity with the survivors.

All of these are completely missing in action in 2020. The Supreme Court has refused to hold the executive accountable in any way for the climate of hate that was allowed to be built up, for failing to control the violence, for the partisan role of the police, and the manifest failures of justice. The Delhi High Court briefly held the executive to account, but the judge who displayed concern immediately received transfer notification.¹⁸ The National Human Rights Commission and the National Commission for Minorities have done all they could to ensure their absolute irrelevance.¹⁹ Most of the mainstream media remains complicit, by either actively supporting and noisily relaying the communalised anti-Muslim and anti-liberal “alternative facts” of the government establishment, or self-censoring critical reporting and opinions. Sadly voluntary self-censorship extends also to large sections of a civil society which justifiably

prided itself in the past for its unruly diversity of opinion and voice, and in its taking side with the disadvantaged against power.

Indian civil society indeed has long nurtured a rich tradition of independent fact-finding into episodes of communal, caste and gender violence, and these have carried more credibility than the official versions; and with the decline of the independent media than the media versions. With all the erosion of a vibrant civil society, this tradition endures.

This is a collection of articles that together form a civil society report on the events of communal violence in NE Delhi in late February 2020. But this report is different from the independent fact-finding reports of the past, which have mostly been steered by senior judges, lawyers, journalists, human rights defenders and retired civil servants. This articles in this report have been authored by an entirely different demographic, of young people mostly between the ages of 20 and 35 years.

They came together spontaneously after early terrifying reports of communal violence started pouring in, and a rash of desperate calls came from people trapped in their homes by violent, slogan-shouting mobs, begging for rescue for their lives to be heard. It became quickly apparent that the state would do nothing to save the lives, properties and shrines of the targeted community.

¹⁸ Sivaswamy, S. (2020) ‘Justice Muralidhar reveals sequence of his transfer’ *Rediff.com India News* 6 March. Available at: <https://www.rediff.com/news/report/was-told-of-transfer-on-feb-17-justice-muralidhar/20200305.htm> (Accessed 8th July 2020).

¹⁹ Must note the witch-hunt that the Delhi Minority Commission chairman Zafarul Islam Khan is facing for speaking out. He had an FIR registered against him under sections 124 A (sedition) and 153 A (promoting enmity between different groups on grounds of religion, race, place of birth) of the IPC for making a ‘controversial’ social media post.

A call was made for volunteers to run a rescue helpline, and around 30 young people responded within hours. Some were fellows of Karwan e Mohabbat, others of Not in My Name and Hum Bharat ke Log. Others were independent young people, including lawyers, doctoral scholars and university students. Most did not know each other earlier. But within hours they organized themselves to receive and respond to distress calls. They did what government officials should have done those nights, but did not.

Several volunteers did not return home that night and several nights thereafter, and survived with a round of toothbrushes bought the next morning, and many rounds of coffee and simple snacks.

When dire reports poured in of a steady stream of injured people and two dead bodies at Al Hind Hospital, and ambulances being blocked from reaching larger hospitals by mobs uncontrolled by the police,²⁰ lawyers reached out to a judge of the Delhi High Court. He called them just after midnight for an urgent hearing in his home, and in what has already become legendary, passed detailed instructions to the Delhi Police to ensure safe passage to the ambulances. Not just the 20 gravely injured people, the police then cooperated with this group in responding to their distress calls with rescue teams. Several hundred lives were saved that night, and in the next two days.

The team of young people just did not disband even after the first critical nights of

days of rescue. In the coming days and weeks, they organized legal assistance; help in filing police complaints and compensation claims; medical camps and assistance in getting injured people into hospitals; setting up relief camps and a place of safety for children; documenting their testimonies; and offering solace and comfort.

The Covid-19 pandemic intervened suddenly and calamitously, but most volunteers still stayed enmeshed closely in the lives and suffering of the survivors of the violence and their families, organizing food relief. The Delhi Police chose to arrest large numbers of residents under the shadows of the lockdown, when lawyers were not permitted to step out of their homes; but the lawyers stayed in touch and tried to assist them as effectively as they could. Some kept in regular touch with the victim survivors on phone, offering them comfort as they endured the double whammy of the carnage and then the punishing lockdown. Several continued to visit them in the lockdown with ration supplies. Some could not bear their suffering, and braved the fears of being infected, moving in to live in one of the apartments of the victim survivors, so that they do not feel abandoned and alone.

This is their report, what these young people saw, heard and felt in those tumultuous weeks and months. Most were too young to have lived through a comparable communal carnage. At a time when the government is inventing cock and bull stories and are desperately attempting

²⁰ Sharma, J.P. (2020) 'Delhi Riots: Hospital Owner In Letter Alleges Police Threatened Him For Telling Truth' <https://www.outlookindia.com/>. 28 June. Available at: <https://www.outlookindia.com/website/story/india->

[news-delhi-riots-hospital-owner-chargesheeted-in-murder-case-wrote-to-crime-branch-pm-modi-on-police-threats/355577](#) (Accessed 8th July 2020).

to invent fiction to harass secular voices, at a time when the regime is trying to distort the narrative and are turning the victims into villains, when the learned Judge of Delhi High Court tells a young activist while rejecting her bail plea on the allegation that she delivered an inflammatory speech, ‘when you choose to play with embers, you cannot blame the

wind’, it is important to keep the records straight for both the present and posterity. They shared their trauma of profound loss, betrayal and injustice. This is the story of the communal carnage in Delhi as seen from their eyes and hearts.

Seventy-Two Hours of blood and fire in the city

Rescue efforts at the time of a grave humanitarian crisis

Once disconcerting news started flowing in from the North Eastern quarters of Delhi, a ragtag bunch of largely young men and women had gathered together with a shared sense of responsibility and humanitarian ethos. The purpose being to help or facilitate the police force in the process of rescue. In the initial hours, the police remained largely inert and passive in responding to the rescue calls. It is after a dramatic midnight hearing of a petition by Justice Murlidhar that finally opened the doors not just for the entry of ambulances, but also for rescue. The hearing gave us access to the Joint Commissioner of Police (North East Delhi) which improved the rescue team's ability to coordinate with the police and press upon the deployment of forces for rescue operations. Glimpses of it follow.

On the fateful night of 25th February. We spoke to a family from Shiv Vihar at 9:13 PM in response to distress call. It was one amongst the several such distress messages we received from across North East Delhi on that night. Some were trapped on their terrace while rioters prowled in the *galis*. Some could see houses in their neighbourhood being torched. Kamran* said that about 20 of them were trapped in a house, nine of them kids. He spoke in a hushed voice while he tried to tide over his panic.

It needed constant follow up for the next eight hours or so by the rescue team to keep track of their whereabouts and to coordinate with the police to organize a rescue. The police finally was shaken into action after a dramatic mid-night [petition](#) heard by the Delhi High Court.

Even as six-seven security personnel were attempting to escort them to safety, the rioters tried to attack the group which had grown in numbers as more of those distraught had huddled along. We heard that they had to retreat and were hiding near a *shamshanghat* as the force requested for reinforcement. Finally, at 5:34 AM we received confirmation from Kamran* that they had reached safe grounds under

protection. By then, the group had swelled to nearly five to six hundred distraught souls. Kamran* was crying in relief and disbelief as he made it to Chaman Park unharmed.

We spoke to Afreen* the next morning, the 26th at 8:55 AM. She was anxious and spoke very softly. Two families remained in hiding right above a vandalised shop. For the whole of 24th and 25th day and night they did not move, didn't make a sound, didn't switch on their lights and barely ate just so that the goons wouldn't notice. Her father had over the course of the last two days made frantic calls to the police over and over again, but to no avail.

When we spoke to her on 26th morning, she was panicking as she suspected that the outsiders had noticed their presence and they wanted immediate evacuation. We dialled 100 at 9:10 AM and immediately took this on priority basis with the DCP. Since the court hearing the night before, we stayed in close touch with the DCP and he supported us in facilitating several of the rescue efforts thereafter. In this instance, at 9:48 AM all 16 of them were rescued and brought to the Police Station. When we called them last on 5th March, they had gone back only to see their flat, but they still

preferred to stay the night at their relative's place at Chandbagh out of fear.

While we saved some of these lives from imminent danger or prolonged agony, but what lingered nonetheless was fear. And these are just a few glimpses of the 160 odd cases we followed up over the course of those 72 hours. It is rather overwhelming these days as to how one tragedy follows so closely on the heels of the other and also subsumes the preceding one. We were subsumed under the enormity of Corona when the families in the north east of Delhi had hardly even begun to pick up the pieces. But it is crucial that we leave a record of what unfolded for posterity. It is of particular significance given the brazen attempts by the Delhi Police to turn the truth on its head and present the community that has been mostly at the receiving end of the violence (in both deaths and property loss), as the prime perpetrators. So much so that in the hearing on the custody of one of the arrested students, even the Additional Sessions Judge Dharmender Rana was moved to [note](#), "Perusal of the case diary reveals a disturbing fact. The investigation seems to be targeted only towards one end. Upon enquiry from Inspector Lokesh and Anil, they have failed to point out what investigation has been carried out so far regarding the involvement of the rival faction." So, it is imperative that we set the record straight.

Who were us?

Well, we were just a ragtag bunch of largely young men and women who had gathered together with a shared sense of responsibility. Expecting no political will on the part of the government to respond to the crisis, this was a group that had neither the experience nor the infrastructure, but only the heart to fill in the gap left by the state.

Goes without saying that the immediate necessity at this stage was a state-managed control room for coordinating rescue and evacuation with a set of Helpline numbers to facilitate, track and operationalise rescue, to ward off rioters, to save lives. But none of it was forthcoming despite all efforts. Compared to the capabilities, resources and reach that the state could have harnessed, we were aware of our limitations but faced with a largely inert and at times even a hostile administration, the responsibility to facilitate rescue operations became doubly urgent.

In more ways than one the next 72 hours were a steep learning curve. Even as we were overwhelmed, we attempted to scrap together a method.

A Method amid madness:

Not a complex one, but a method emerged/evolved to deal with the distress calls that started pouring in once the Helpline numbers from the group were made public. These numbers were shared by other civil society groups as well and so on and so forth.

To process the information flowing in, they were all forwarded or sent as a message to a dedicated **Information Team** with the task of undertaking a first round of verification over phone. This was to try and do a first screening of priority cases, and filter out unnecessary, panic or what appeared to be false alarms. On the first three days and nights, this was a group of volunteers who in shifts were doing real time verification of each and every distress message flowing in from various groups and individuals and Helpline numbers. Thereafter the same was allotted to different teams – rescue, medical, legal or relief – based on the requirement or assessment.

The verified information was forwarded to another group - the **Rescue Team**. The task of this group, was to take down the details from the verified distress calls in real time, assess the immediate requirements over the phone and respond accordingly. Over the three days and nights we handled 156 calls for rescue and with the help of police we were able to follow up on the rescue (escorted by police) and safety (stayed back) of roughly 1300 people. Approximately three hundred others did not receive police escort and made their way to safety on their own.

Phases in flux:

While in real time the rescue team was responding to what came its way, but even then, after a while certain patterns did emerge. Now with a fair amount of hindsight one can roughly plot them.

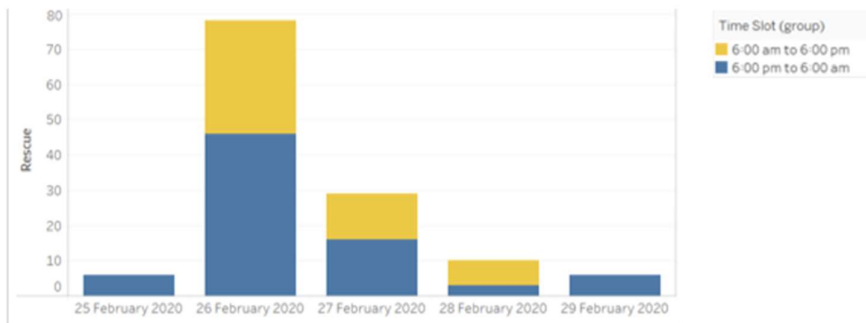
The first few hours of the first night (25th February) were the worst. With the police high command being largely unresponsive and inert, the only option was to call the distressed person, take down the details, dial 100, press upon the necessity to send force immediately, note down the CRN number and their verbal commitment (to at least leave a digital trace). Thereafter the task was to follow up with the distressed subject in a gap of 30 minutes to reassess the situation. For the instances where the police did not reach the spot, there was not much option but to repeat the same exercise and every time keep a record of the same.

Given the known communal bias of the police in history, there were instances where the people were wary of police rescuing them. A resident of Chandu Nagar for instance specifically mentioned that he did not want the police to come. He said that he had seen the police collude with the rioters. He was afraid.

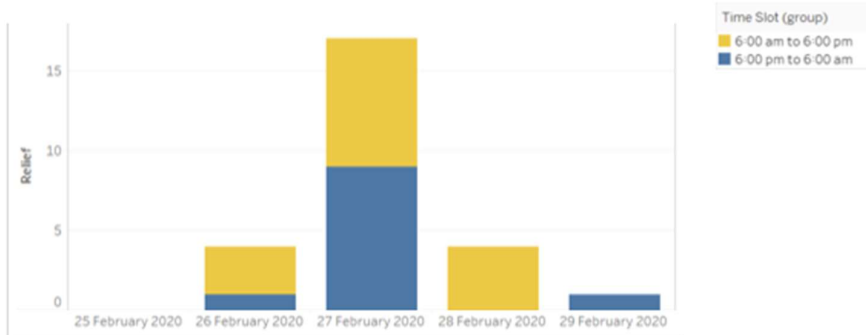
As there was no concrete assurance from the higher ups in terms of facilitating the rescue and relief efforts, we were left with no choice but to knock on the doors of the judiciary. After the Justice Murlidhar order we finally got the opportunity to work in coordination with higher ups in the police which facilitated rescue. From late night till 26th day time it seems close to 600-800 odd people were rescued in the process.

As our distress data records, the looting and arson continued for instance in Shiv Vihar for two consecutive nights in the empty houses of the Muslim families who had fled. A Hindu resident of the locality also complained stating exactly the same. But the police remained largely unresponsive to such reports. And we heard of several instances when the displaced were willing to even risk their lives to retrieve their valuables. We noticed a particular anxiety regarding documents that may be traced to the general scenario that unfolded post-CAA.

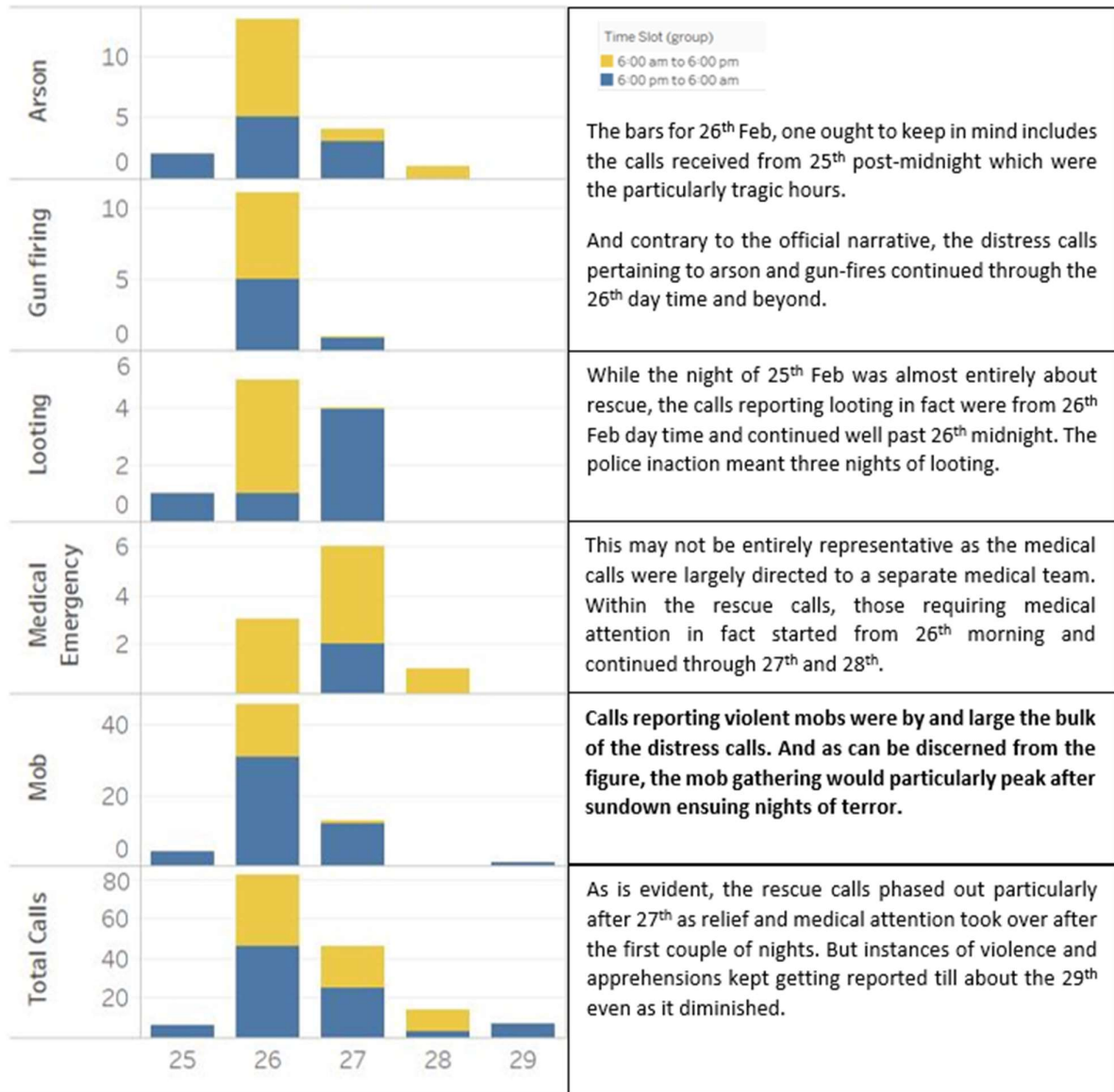
In Karawalnagar there was an instance wherein a Muslim man who had fled from his house on 25th, stayed put hidden in an empty house just 100 meters away from his own house just so that he could keep an eye on it. After two nights we got a frantic call from him asking to be rescued as there were goons who were looting his house. He was afraid that they could also reach him if they continued their search in the adjacent buildings. When the police reached upon us informing them, they chased the thieves away for the moment. The man fled on his own. Probably he was not so confident of being handled by the police.



In the above figure, we have to keep in mind that the tall bar for 26th Feb includes a large share of calls from post 25th midnight (i.e., 12am – 6am) that accounted for the large share of the rescue calls.



The above figure shows that as rescue calls receded, immediate relief began with teams beginning to enter the affected areas particularly from 27th Feb. This however is not representative of the relief efforts, as relief calls were being addressed separately. The subsequent mapping exercise for relief assessment and coordination for the internally displaced is beyond the scope of this piece and shall be dealt separately.



In the above figure the rescue calls received by this team has been slotted in terms of the nature of distress they reported while requesting assistance with regard to rescue/evacuation. Hence this is no way representative of for instance the cases of looting per se. Rather it is largely incidental and indicative.

Rescue requests and reports of violence and arson came in even on the 26th February particularly after sundown, but otherwise the distress calls through the day had also seen a shift towards relief and general evacuation requests given the tension in the air. With the medical team continuing to respond to medicine or ambulance requirements, this is when the relief team also began gearing up to enter the area. The situation on ground however continued to remain volatile as there were multiple reports of mobs gathering with provocative slogans and arms.

By now there were already clusters of people in certain safe zones who required relief or there were those who had been trapped for too long without supplies. By the third day, i.e., 27th morning relief and medical requests superseded rescue or evacuation. But alongside started the next phase of arbitrary arrests of disproportionately large numbers of Muslim youth from the affected areas. This continues till date.

Scattered near and far

North-East is the most densely populated district in India with 36155 persons per sq km. It has the lowest literacy and highest number of population in informal sector in Delhi. Areas like Karawal Nagar, Chandu Nagar, Khajuri Khas, Garhi Gaon, Subhash Mohalla, Gokulpuri, Brijpuri, Bhajanpura, Ghonda etc of North-East district were the worst affected areas where from we received most of the calls.

The rescue calls and the subsequent follow ups reveal that the displaced (those who were Muslims) took shelter in the nearest possible Muslim dominated areas. Those from Shiv Vihar took refuge in Babu Nagar, Chaman Park or Indra Vihar and so on - in houses of relatives, acquaintances,

makeshift community camps or eventually at the Eidgah camp. A subsequent mapping exercise reveals that just in the above area the number of displaced amounted to more than 3000 people in the first two weeks. Similarly those from Garhi Gaon, Khajuri Khas took shelter in Sri Ram Colony. Several such pockets emerged. Largely transient, many of them in the following weeks tried to piece together a living in other rented accommodations, some attempted to return over a period of time, while quite a few still lingered. Many of them were already living on the edge; the mindless implementation of the Corona Lockdown pushed them over to utter despair.

But beyond this, there was another steady stream from the very first night who straight headed towards the railway station - Sarai Kale Khan or Nizamuddin or New Delhi and headed home for their villages or to distant relatives - in UP, Bihar, West Bengal, Rajasthan or Madhya Pradesh. There were many (some of them migrant workers) who had been rescued and dropped off at the railway stations by the police. Though not fully substantiated, our hunch is that it is largely the migrant workers who did not have roots here, or tenants who did not own property were the ones who preferred to go the distance, while others who had immovable assets wished to stay on in the vicinity.

Tapan* along with five other migrant workers were stuck in Mustafabad. They worked in a small factory or workshed nearby. They and their Muslim landlord were scared for their safety. With no roots in the area, they are generally transient and thereby particularly vulnerable. It took six hours of constant follow ups to ensure that they reached the nearest police station safely. In another case Jamal* and six other migrant workers from Bengal were trapped

in a factory in Mustafabad and were finally escorted out to the railway station by the police after hours of follow up by the rescue team. The rescue team, composed of volunteers of many faiths and even atheists, did not for a moment make a distinction between victims based on their religion.

To what end?

Among the distress calls there were those reporting the particular targeting of protest sites. One of the earliest calls on the night of 25th in fact reported that the tent that housed the library at the Mustafabad protest site was set on fire. The site with beautiful wall graffiti speaking of social harmony and constitutional values was completely wrecked as were several other protest sites including Chandbagh. There seemed to have been a special wrath that was unleashed in these protest sites.

But is it all despair and no hope as we rebuild from the ashes?

No. Hope glimmered even in the darkest hour...

While the selective targeting of Muslim households suggests a sprinkle of local involvement in the band of largely “outsiders” who indulged in violence, but we also heard instances of solidarity, of courage.

We got calls in which neighbours not only gave shelter but also stood tall in front of violent mob of their own religion going to the extent of putting their own lives at risk. One of the callers from Loni informed us that a Hindu neighbour who had given shelter to him was being called ‘*gaddar*’ (a traitor) by the mob and that they would “settle scores” later.

An old Muslim, Iqbal* man was given shelter by a Hindu acquaintance, Kamlesh, in Mustafabad. In the middle of the crisis, the Hindu acquaintance was both scared of their fate if the miscreants find out, while at the same time he was unwilling to let him go and put him in harm’s way. Iqbal just needed to be reunited with his family who was in a pocket that was safe which was just two blocks away. When we reached out to the police, they said they are willing to rescue Iqbal and bring him to the nearest police station. They wanted his family to reach the police station and take Iqbal back home. But Iqbal would not want his family to risk themselves and come out of their pocket that was relatively peaceful. The maneuvering took four to five hours as we negotiated between the three parties and finally the police agreed to escort Iqbal to the safe custody of his house.

In yet another case, a Hindu family was stuck in a Muslim neighbourhood and was threatened by a few miscreants who were then dispersed by the local community elders. They also guaranteed safety to the family.

Hamid* who took shelter at Chaman Park with his family called his neighbour Amit* to get some milk for his baby from Shiv Vihar. Amit* came in his scooty till the *pulia* (bridge) over the *naala* and handed over the milk to the police cordon that separated the Muslim areas from the Hindu neighbourhood across the *naala*. Such solidarities were surely rare. But these are the bridges that are worth striving for even in the darkest of hours.

*Names have been changed

Healing Amid Hate

An account of the medical emergencies during and in the aftermath of the February violence in Delhi

Police brutality on patients and relatives

“They are not letting the relatives enter the ambulance. Ma’am please do something. They are beating them up”, a doctor from Al-Hind Hospital was on the other side of the line. It was past midnight on 25th February. For the previous three hours, we were following up a request where a patient had to be moved immediately from a small-overburdened Al-Hind Hospital in Mustafabad to LNJP Hospital near Delhi Gate. After several calls were made, we found the contact in Al-Shifa Hospital, located in South Delhi, who was willing to send Ambulances across to Al-Hind Hospital in North-East Delhi. As crucial time passed, we continued our desperate search for an ambulance driver willing to go to North- East Delhi. “Ma’am I will go if you assure me police protection,” the ambulance driver told one of us. The police in-charge assured us that there would be police protection after the Signature Bridge. We shared the DCP’s number with the Ambulance driver and asked him to proceed.

An hour after he left, we received a panicked call from him. The line was disturbed and we were still trying to figure out what he was saying. He said something like, “the boy was beaten and taken...they stopped us”, “Didn’t you call the DCP for police protection?” we asked him. He said

he did and the DCP had told him to proceed buto police van followed them from Yamuna Vihar. “*Par yeh police hi kara rahi hai, ab police ko call karke kya fayada?*” He sounded helpless and angry at our suggestion. “Did you manage to get the patient in the ambulance?” “*haan, par idar 10-20 log aur hai*” he said referring to another 20 patients waiting to be shifted to a better hospital. . We were relieved to hear that finally after three hours of following up, at least one patient was safe in an ambulance. The ambulance driver agreed to take as many patients as he could and continue moving them from Al-Hind to LNJP. A few minutes later, we got another call from the same driver saying that a group of people were following the ambulance with swords and sticks. He was left with no choice but to drive ahead.

Eventually, the ambulance reached LNJP safely. Over a frantic, broken call from the doctor at the hospital, we learnt that the police were beating up the relatives who were accompanying them out of the hospital. We were also told that they were reopening the wounds of victims to check whether patients were actually injured as they claimed.

We moved on to another call. There was no time to express shock or sit and try to make sense of all the absurdities we encountered in those crucial hours. The only thing we all

could think of was the several calls for rescue that needed our attention and the several ambulances needed on back up.

Deliberate delays

On 26th February, we received information that the Al-Hind Hospital was running short of supplies. The small hospital could not manage the influx of injured seeking emergency help. Around 11 AM, we prepared our own medical van and sent it to Al Hind Hospital. The calls and messages hadn't stopped and there were numerous requests for women and children who needed emergency medical care. A mother who had two children with Typhoid called panicking over the situation. She later called and said that she had given them paracetamol and the police convinced her to stay at home.

Parallely, we also tried to set up a team of medico-social workers, lawyers and few committed doctors who could visit the government hospitals to assist the survivors through the complex administrative and medico-legal process. One of the medico-social workers who was regularly visiting GTB hospital and LNJP had a stirring experience to share.

On the intervening night of 25th and 26th, at 2 AM, a patient with acid injury was brought into LNJP hospital. The treatment however only started the next day, after noon. According to him, whenever treatment was demanded one of the common responses from the guards and police in hospitals was that the patients, once treated, would again start chanting "Aazadi"!

By 27th we realised that the government ambulances are far from adequate and instead of waiting on them we would have to arrange ambulances of our own to respond to the volume of distress calls. After reaching out to a range of contacts phone and Whatsapp for help we managed to arrange a few. A doctor from the team spoke to Al Shifa hospital, who managed to arrange a big ambulance with a doctor and two small ambulances. Calls were coming from Chandan Nagar and we were waiting for a communication from the police to go ahead and rescue these patients. We got the information that almost 50 people needed medical help there. Meanwhile, Police and relevant State authorities informed us that they would set up a camp at Shibban Public School in New Mustafabad. We waited till 6 PM, as the day passed and rescue requests grew there was no news of the government setting up medical camps. The last we followed up was on 28th Feb, 12:24 AM, people were still calling, there was no directive from the government's side.

By 27th evening and 28th morning, the nature of the calls had changed. People were calling because they were having a hard time obtaining medical documents like discharge sheets and medico-legal certificates from the hospitals. After going through the gruelling experience of identifying charred and decomposed bodies relatives of victims had face inordinate delays and hostile hospital administration to get the bodies released. A few were calling for a vehicle to take them back to their home after they got discharged. We dialed emergency ambulance number 102 several times but they refused to take escort injured discharged cases to a place of safety. Private ambulances or any other private vehicles were hard to arrange and in most

cases volunteers were left with no choice but to prioritize serious cases. On many occasions, seriously injured patients were sent home in autos, taxis and private transport as ambulances were either unavailable or unwilling to help the injured. The calls from hospitals were taken over by our volunteers in hospitals, discharge cases were passed on to the lawyers who were present at the hospital as families were struggling with ensuring that the basic paper work such as MLCs and treatment records were made available to them. In any of these cases, telling them to call the police was not even an option because of the massive trust deficit with state authorities and their inability to address immediate needs.

Three hospitals that had the most number of injured were) Lok Nayak Jai Prakash Narayan Hospital(LNJP) Ram Manohar Lohia Hospital(RML) and Guru Teg Bahadur Hospital (GTB). there was a complete absence of government ambulances on the entire day on 25th, the order to give police protection to the ambulances came only on 25th midnight after a petition was filed in Delhi high court by members of this collective. Even after the order the police only assured protection verbally. The mob attacks on ambulances made private ambulance drivers extremely wary. On 26th in the afternoon, a call came from Kardampuri saying that around 6 people were injured and they needed an ambulance. Ambulance drivers by then made it clear that they wouldn't go unless there was someone to accompany them. In fact, one of our medico social workers had to go in the ambulance. Ironically, the state government's twitter handle was flooded with the posts about providing sufficient ambulances and stationing volunteer help

desks outside hospitals. On 28th around 8:30 AM, we received a call requesting an ambulance in Gali no 25, Mustafabad. After relentlessly trying several options, finally, after a few hours the patient had to resort to booking an Ola. It should be noted that it was quicker for them to get an Ola than a government ambulance or a police car. These bookings didn't come easy either, since many Ola and Uber drivers refused after they learnt the location was in North East Delhi. Help desks were operational, however it was used to screen the patients based on their religious identity. Furthermore, it aided in the separation of wards based on religious identities.

Following the Government's suggestion, we repeatedly kept suggesting that those who needed immediate medical attention dial 102. Most of them sounded angry as they had been trying 102 for several hours. In one case where the government ambulance finally arrived after almost 4 hours of following up, the ambulance driver refused to go inside the Gali.

After the immediate task of arranging ambulances were over and the collective had set up medical and legal camps in the area, newer challenges emerged. Few people who came to the legal camp reported that their relatives were missing. On 1st and 2nd of March, five unidentified bodies were recovered from Bageerathi Vihar Nala. On 2nd March itself after one of the missing persons' body was identified LNJP hospital refused to video-graph the post mortem despite the Court's order. The relatives of many deceased were forced to run helter skelter searching for the dead bodies from one hospital to the other since hospitals had refused to release the details and descriptions of the deceased. While the lawyers ensured that the procedure was

followed in the rest of the five cases, in three cases where the bodies were unidentifiable, they had to further move to the court to get an order insisting on DNA testing for evidence. While the samples were taken in as early as 28th February, it took over a month for the hospital to release the DNA reports to the families who had to wait for cremation and last rites. The legal team volunteers note that upto now no postmortem reports or MLCs have been provided to the relatives of the deceased. All they have received is a copy of the FIR and a slip that says that the body was released to them.

Hasty discharges

The medico-social worker recollected that out of 36 patients he met 18 cases were of bullet injuries in GTB Hospital alone. People with serious bullet injuries were told that removing the bullets immediately would damage their internal organs and hence it would be better to keep it. Four of such patients were discharged and asked to come back after two months. All four of them are now being treated at a private hospital with the help of a volunteer without any cost and two of them are successfully recovering from the surgery after removal of the bullets.

He also recalls that none of the patients with bullets inside their body received an ambulance after they were discharged from hospital. There were also delays in getting Medico legal certificates from both the hospitals where the Muslim patients were explicitly told by the hospital administration that “Whatever had to happen happened, now there is no point registering complaints”. There was clear

hostility on the hospital administration against the presence of lawyers and medical social workers by the Hospital administration who even threatened legal action against them because they were helping the injured access rights.

It is also important to note that many minor injuries such as bruises, cuts etc did not convert into medico- legal cases, on most occasions, they were simply handed discharge slips as their only proof of treatment and injury.

Medical camps

Once the immediate rescue operations were over, several of the victim-survivors were stuck at their homes or at shelters in nearby colonies. They were left without access to any doctor, primary health centre or even an empathetic ear. Sensing this grave need, we set up a medical camp in one of the nondescript gullies of Babu Nagar in Mustafabad with an aim to cater to the affected population in the aftermath of the Delhi carnage. Within two days, the medical camp had seen over a thousand patients. Given the massive demand for medical attention eventually more medical camps and pharmacies were set up in other areas such as in school buildings, one room houses and garages generously lent out by the locals. Requests were also made for home visits for those who could not physically walk to campsites. Since their inception on March 1st 2020, the medical camps set up under the banner of the Citizens Collective for Peace have treated over ten thousand people, of all age groups and varying illnesses including the survivors with burns, deep wounds, shrapnel injuries, bruises and violence induced disabilities.

An overwhelming number of patients approached the camps for obtaining medicines for what may seem to be primary health care needs such as cold, cough, fever, generalized body aches, etc. While another section afflicted by long term diseases like diabetes, hypertension, heart issues TB etc. rushed to seek counsel and medication for their condition since they had lost their previous medical records and prescriptions while fleeing the violence. A significant number of patients also complained of various aches and pains, inability to sleep, cold sweats/extremities, loss of appetite, shivering, difficulty breathing and other symptoms clearly displaying psychosomatic conditions associated with anxiety, trauma, grief and depression.

In order to attend to these issues the medical camp was serviced by doctors, nurses, final year medical students, pharmacists, community health and medicine social workers as well as trained psycho-social students, all in voluntary capacity. Through different volunteer and civil society networks, we were able to gather around 30 medical professionals: pharmacists, nurses and doctors who made themselves available on shift-rotation for the camps. Despite the promises by the Government on social media to keep the Mohalla clinics serviceable on Sundays there were none in the vicinity. They were either too far off or shut forcing civil society intervention efforts to run medical camps with minimum facilities.

Alongside operating the medical camps, our doctors and volunteers also made numerous home visits, of which 4-5 involved emergency care for pregnant women who were at the verge of delivery but were too scared to venture out of their

homes in the aftermath of the violence. Several of the patients were reluctant to go to government hospitals fearing hostility from state appointed personnel. The scenes they had witnessed and the stories they had heard left an indelible mark such that they were willing to endure pain at home rather than seeking help from state authorities or government establishments. The trust deficit was undeniable yet somehow a team of volunteers and psycho-social workers were able to convince them and escort them to the hospitals. One such woman went into labour during the car ride itself and eventually delivered a healthy baby at Lady Hardinge Hospital in Central Delhi. Two other women delivered babies in the next few days.

Several other home visit cases required first aid medical assistance such as change of dressings, while others involved patients who could not physically walk to the camp or needed counselling to convince them to see a doctor. In one instance, an elderly woman escorted by a relative came to the camp with a severely septic wound. She was injured during the violence - the skin of her knee cap was ruptured and someone had tried to stitch it together, at home, with a simple thread. The septicized wound needed immediate medical attention. The volunteers and doctors at the camp were able to provide first aid triage in time. She was then referred to a proper hospital for treatment.

As the medical camps conclude their everyday functioning in these areas, there are a number of patients who desperately need follow up care and treatment - be it for burns, injuries or other illnesses such as diabetes, cardiovascular conditions, hypertension etc. In light of the fact that

thousands have been displaced from their original place of stay and are currently residing with relatives, there is also a larger concern of overcrowding, safety and hygiene. Numerous children at the camps complained of rashes, skin infection and other allergies which are inevitable given their current living conditions. A government that prides itself on health and education ought to take this into consideration and expand its reach of Mohalla clinics/dispensaries given that the clinics in areas where the displaced have taken shelter would be overburdened by the increased and vulnerable populace.

The viciousness of negligence

As of today, 38 deaths have been reported from the Guru Teg Bahadur Hospital, 3 at Lok Nayak Hospital, 1 at Jag Parvesh Chander Hospital & 4 at Dr. Ram Manohar Lohia Hospital. The official acknowledgement till date is of 53 deaths. Of the 38 deaths reported from the hospital, 22 (58 percent) were brought dead. But the toll of injured was almost 200 patients, out of which the team of volunteers could reach out to only a

minuscule proportion.²¹ The four recovering patients who were refused surgery to remove the bullets from their body were lucky, however it has to be acknowledged that there is no mechanism as big as the state to reach out to several hundreds of people who still need medical help. A small clinic like Al-Hind with one trained physician had to take in hundreds of injured people in the absence of ambulances. The hostility of the police officers prevented the majority of them from seeking medical help even after several days of the attack. Many volunteers recollected the biases and struggles to get basic medical treatment from the hospital. At each instance, starting from allowing the ambulances to North-East Delhi, getting the medication, requesting documents after discharge, finding the dead bodies and identifying the dead bodies, the group had to repeatedly approach the court for any favourable action from the government. Several of the survivors are still homeless fearing another epidemic. It would be the gravest violation of human rights in recent years if the state continues to turn it back on hundreds of these survivors.

²¹ An Inquiry in to the Anti-Muslim Violence in Northeast Delhi by a Team of Doctors that Visited the Affected Area.

My Longest Day

Intensely worrying news of outbreaks of communal violence in North East Delhi started pouring in from the evening of 23rd February 2020. By the morning of 24th February, we began to receive desperate phone calls and text messages of people trapped in the violence. Like many peace-loving people in the city of Delhi, I spent the whole morning feeling restless and helpless as we got messages from friends and colleagues about the worsening situation in the area and the lack of police response. By in the middle of the afternoon on the 24th, I could not bear it any more. My very young lawyer colleagues made a brave and idealistic decision to go to North East Delhi. My colleagues came back scarred with images of a targeted violence that they will never forget. It was the first communal violence episode that they had seen in their lives. I had seen riots as a young child with my father in the districts of Madhya Pradesh, and had volunteered as a teenager after the Gujarat 2002 carnage. But I too was deeply shaken by the brutality and ferocity of the violence.

The TV media painted a picture of two equal group of rioters hurling stones sticks and guns in pitched battles against each other. This was perhaps partly true for the first 24 hours of the violence. All of that changed on 24th night when the first images of tyre burning in Gokulpuri infiltrated our surcharged Whatsapp world. As part of the Karwan – E- Mohabbat team, many of us wondered what we could do to help, because by the morning of 25th February 2020, it was clear that there was little being done by the police to control the riots, which were from then on clearly targeting the Muslim residents of the area. As a

lawyer I wondered what would be the best option.

After a fitful night, I woke up wanting to help, do something, anything in my power to help diffuse the situation and help people in distress. That afternoon my young colleagues in the Karwan – E- Mohabbat along with para medical workers - tried to enter the area first to ensure emergency medical aid to the injured people.

I parked my car at the curb of the Seelampur flyover, next to a small samosa-selling shanty. This was also where much of the press and congregated, screaming into their microphones and cameras, telling the world about the violence that were taking place in North East Delhi. Comforted in the fact that there was the press around, I decided for us to walk past the barricades towards Jaffrabad metro station which I assumed was the nearest one to the riot-hit areas, considering that all the press was stationed at that spot.

A few hundred metres later, I realised that the press were speaking from a spot that was at least a kilometre away from Jaffrabad metro station which had turned into a battle of prestige for both groups. We reached Jaffrabad Metro Station only to find a restless fake calm. Groups of young people talking, commenting screaming at anyone who would listen, surrounded by many police men in riot gear.

Pradeep, name changed, my colleague, asked me to take everyone away from there. He said that he had walked all the way from Jaffrabad to Maujpur only to be heckled, threatened and questioned. What we found was that the police had created a barricade and blocked both sides of the road from Jaffrabad Metro Station (JMS). The

protestors sitting at JMS though had taken over only one side of the road. At the protest site I found a large group of women still sitting bravely and determinedly in peaceful non-violent dharna with many young men from the Muslim community now creating a perimeter of security for the women. Between JMS and MMS was a police-created “no person land” and at Maujpur were hundreds of men with bhagwa hairbands and flags sloganeering against the anti-CAA protestors, ready with rocks, stones, trishuls, pipes and other things that could be used as weapons and projectiles.

Jaffrabad Metro Station was essentially sandwiched between the bhagwa brigade and the police. Even while we were waiting, wondering how we could move ahead, many of my colleagues and other young lawyers continued to receive distress messages asking us for help and intervene. One call was about GTB Hospital where we were informed that the injured were being barred from accessing to treatment. We decided to rush to GTB hospital. While leaving we noticed over 22 DTC and other buses parked near the DCP Office all packed with police personnel.

Pradeep and I dropped some of my colleagues at GTB Hospital to help the injured approach the doctors in the emergency and rushed to Jyoti Nagar Police Station where we were informed that over 22 people including women and children were detained. All we had was a name of the desperate caller, and a mobile number that we couldn't connect with. When we reached the PS, we found the officials were unhelpful, unwilling to share information about the rescued people, even denying the presence of any hostile mob. I became extremely suspicious, given the behaviour of Delhi Police over that last few months. I pulled out my Bar Council Identification Card, which helped me get some

information about the people and access to the boy whose name I had. He told me that the police had rescued four families after the Masjid in their area had been set on fire. The group there was frightened and wary of the police and sought help. I promised to return with help, unsure if that was even possible.

Pradeep and I started getting calls from other lawyers and activists about the growing distress at Jaffrabad Metro Station. We decided to head back there. Even as we were walking towards the Metro Station, there were very few press people walking to the protest site or talking to the public to understand what had caused the standoff, mainly mouthing the news that “sources” - obviously police sources - wanted them to parrot.

The walk was one of the eeriest walks to the metro station. Beside us were hundreds of Police personnel marching to metro station and we could hear gun fire at a distance, some people running helter-skelter. We were informed that the police had fired tear gas on the anti-CAA protestors at JMS and there were some injuries. We rushed to see if there were injured women or if we could help with police negotiations. By the time we reached we found journalists from Huffington Post, Al Jazeera and NDTV were at the protest site documenting the incidents as they unfolded, including an appeal by the DCP and some senior religious leaders asking the protestors to move. Since the police and senior religious leaders were already present and involved in negotiations, we did not feel that we served any purpose.

We went to GTB to pick up our colleagues and find a secure way of reaching home. By then many of us were beginning to feel nervous about being in live communal violence situation with smoke bellowing, sirens screaming and empty roads and a

continuous barrage of distress messages from people on Whatsapp.

I told my colleagues that I would drop them to a cab or metro station, but I would go back and try and help the people in Jyoti Nagar Police Station. Everyone insisted on coming with me at least as far as the police station. I persuaded most of them to go back from there.

At the Police Station, I found that the young student with whom we had connected had been able to arrange for transport to go home, leaving behind very poor daily wage workers and their families. These people were worried about the safety of their children and wanted a safe passage to go home. By the time we reached the police station, there was already another group of three young people including a lawyer who were waiting for us outside the PS, frustrated at the highhandedness of the police.

Shruti (name changed), the lawyer informed me that the police were unwilling to send the frightened women, men and children to a place of safety. Given the situation outside and the distrust of the people there of the police, we were worried about leaving them behind at the PS.

Meanwhile outside, the people waiting were getting very very jittery as men in civilian clothes kept patrolling the area on bikes. One such group decided to stop and speak to us. It was seeming increasingly unsafe. We were running out of options and I started worrying immensely for the wellbeing of all the people there – the people who wanted to travel to safety, and my colleagues who were still with me.

After giving personal assurance of safety to the SHO who refused to make any additional efforts to send the frightened

persons to safety, we finally packed the 19 people in a Maruti Eeco, two persons on a bike and 8 of us in a Maruti Celerio, and we all headed out for a nerve-racking adventure. All of the people wanted to be dropped to Loni border, so we insisted that the full cavalcade would drive with them.

When we reached the UP border, we found that the border was closed and there was high police presence and checking. The 19 people got extremely scared.

One of the volunteers, Antara and I got out to ask directions from a fit and handsome young policeman holding a tear gas gun. We appealed to his chivalry, and he promised help. Eventually we were able to drop all the families to places of safety.

Midnight Incident

After dropping everyone to their respective destinations, I ventured my way back to the office. I reached at around 8:30 pm only to find the office, bustling with noise, full of people and smells of chai. I didn't know that there had been a call put out to create a citizen control room to respond to distress calls and organize rescue. Around 30 young people, maybe more – students, activists, professionals, homemakers had gathered there to help. I knew some, but had never met many. Some were answering distress calls, others were making tea, all there in solidarity, anguish and love.

It was from a rescue team receiving and mapping calls of distress, that I learnt that one such most desperate call was from one Al Hind Hospital in the area. That one distress call would change many lives - including mine -and the trajectory of the violence, which is why a doctor who did his duty is being harassed by the Police today.

By the time I had arrived at the office converted into a control room, there had

been repeated calls and messages circulating about Al Hind Hospital and the increasing numbers of injured. We were told that no ambulance was agreeing to go to the violence affected area. After many calls to various ambulance services, one agreed to go to Mustafabad and pick up the injured. At that point, I personally had no idea about many things – geography of NE Delhi, Al Hind Hospital, Dr. Anwar. In fact, I met Dr. Anwar for the first time, a few weeks after the incident, but that story is for happier times.

We got a desperate call from the ambulance driver that the Police is not allowing him entry into the area. I spoke to the paramilitary Jawan on duty who informed me that he had no orders to let any civilian vehicle into the area. We then decided to call a doctor in Cats 108 and after some persuasion they had one vehicle driver who agreed to go to NE Delhi. After sometime, the volunteer pursuing this call, got a desperate call from the CATS driver that he had been arrested and the vehicle and he were brought to Dayalpur PS. The Police Station informed us that they had orders to stop every vehicle including ambulances. The SHO of the PS was unavailable. We tried contacting the DCP but to no avail.

They had many badly injured people, who they had no capacity to treat. If they did not get to a bigger hospital, they would die. Some had already died. But rioting mobs would not allow passage to the ambulances, and instead menacingly threatened to stone the vehicles, and beat up the drivers, attendants and patients.

What began that afternoon with two injured patients when the first distress call was documented, by the time the ambulance arrived was 22 injured and 5 dead bodies.

At that point it was 10:30, and some of us lawyers and law students were desperately

working on an application to move the duty magistrate to get access to the PS. The compounding of the vehicle was devastating. It also dawned on us that this affected more than one police station and thus decided – ambitiously, maybe recklessly - to move the Delhi High Court. If the 22 lives had to be saved, we could not wait until the morning. We had to approach the court that night itself. Indeed, every passing minute could mean lives lost.

We looked at getting hold of the Chief Justice but we saw online that the cause list said that the senior two judges were not sitting the next day. This left us with the option of calling Justice Murlidhar.

I nervously made the call. Hesitant at first, I cut it immediately. I looked to a volunteer, I had never met before and told him it that it was past 11 pm. I asked him - “Is it okay to call?” His words gave me the confidence that drives me even today “ab nahi call karenge toh kab? People are dying around us!”.

I called again. It was along ring. The line was answered by someone. I explained to him why I needed to speak to the judge. He then connected me to Justice Murlidhar. Stammering, I told him that we couldn't connect to the registry and that there was an urgent need to ambulances to enter Al Hind Hospital. He was gentle and reassuring. He told me that someone from the registry would call me. I honestly expected not to be called that night, I thought that we will be first in the cause list that morning. But within half an hour, I did receive a call from the registry. The official told me to come with a note, even if it was handwritten, to Justice Murlidhar's house by midnight. He informed us that justice Bhambani was also going to be present. By then, a talented young lawyer, Aman (name changed) helped prepared the draft. Aman and I hurried to get everything in order and

rushed in our car to the residence of the High Court judge. We reached at 11:45 as the roads were quite empty that winter night.

I paced nervously outside. Aman and my office colleague Anil kept telling me it will be fine. We walked in at midnight to the house and found that both judges were waiting for us in Justice Murlidhar's drawing room. Both of them smiled at us reassuringly, perhaps they could see us shivering to our bones. Justice Murlidhar informed us that he has called Adv. Sanjay Ghose, JCP NE Delhi, DCP and the police legal liaison to be present for hearing. We all waited for them to arrive, and were kindly served tea. They all walked in at 12:30. Then began the hearing. I remember the police persons explaining the situation and their role in controlling and curbing the violence. The Judges were not antagonistic towards the police. Instead, they asked often how the courts could facilitate the work of the police. The judges then directed the police to ensure safe passage of the ambulances, under police protection, to secure the evacuation of all the injured persons trapped in Al Hind Hospital. The final rounds of evacuations at Al Hind continued till 4 in the morning.

After the now historic order, the JCP and I exchanged numbers and he assured me of help in rescue if any. I returned to the office to find the distress calls had continued without any police support. We decided to pursue the channel of communication with the JCP.

The first rescue call that I shared with the JCP was met with casualness. I truly

believe that he did not think that we had such a robust system of verification. It took multiple calls for him to send the first and second rescue teams by the police, after that, I must admit for those four days, we were in regular touch and through him we were able to rescue hundreds if not thousands of people. He was exemplary in helping us save several hundred trapped people. He told me to call him personally, and he would receive the call with urgency and ensure that the police responded.

Justice Murlidhar said that 25th – 26th night was his longest working day. It was mine too. In fact – and allow me to boast here - my longest 4 days and nights, because it was only two nights later that I allowed myself to sleep.

It was chance that I was there at the moment when someone had to go to the judge. It was chance that Aman was there to help me prepare a fine draft. It was chance that two senior most justices were on leave, and we could approach Justice Murlidhar. It was chance that the JCP was a good man who tried to do the right thing. Perhaps it was the perfect storm. Perhaps it was the universe conspiring to help us. Or perhaps what bound all of us – judges, policepersons, lawyers, court clerks, volunteers - was our love for our country, our constitution, our fellow country people and a conscience that demanded that we do the right thing because “ab nahi karenge toh kab karenge.”

Looking for Justice

Legal interventions as violence unfolds

December 2019 will be considered to be a turning point in the history of independent India for years to come. With the Central Government announcing the amendment to the Citizenship Act, mass protests broke out in all major cities across the country demanding the government to roll back the said amendment. The Citizenship Amendment Act, or the 'CAA', fast-tracks nationality for non-Muslim minorities from neighbouring countries of Pakistan, Bangladesh and Afghanistan, but excludes Muslims. On this ground, the CAA, coupled with the National Register of Citizens (NRC) and the National Population Register (NPR) has been opined to be in violation of Article 14, Article 19 and Article 21 of the Constitution of India²². What started as a movement of a few, quickly gathered momentum and spread like a wildfire across the country. The Centre, in order to tackle a massive outburst of sentiment against the establishment, started vilifying and detaining the protesters in large numbers by arbitrarily imposing Section 144 of the IPC at places where the protest marches were organised. The protests, which started out as a peaceful and

symbolic means to show displeasure against the unconstitutional Act passed by the Central Government, were eventually used as a tool to target Muslim youth across the country²³. Various incidents of violence against the protesters at the hand of the Police were reported across the country. In Uttar Pradesh itself, as many as 18 deaths were recorded by the end of December 2020, most of which succumbed to bullet injuries at the hands of the Police with Meerut, Sambhal, Bijnor, Muzaffarnagar, Kanpur, Varanasi, Mau, Rampur, Ferozabad, Bulanshahar and Azamgarh being the worst affected areas²⁴. Apart from that, several incidents of grave violence by police authorities have been recorded against the students of Aligarh Muslim University, Nadwa College (Lucknow), Jawaharlal Nehru University (Delhi), amongst others²⁵.

On 15th December 2019, India witnessed, the first dark night in the history of anti-CAA movement (I say first because there are several more that followed) when students of Jamia Milia Islamia were mishandled by the police forces. However, since the turn of events from peaceful

²² Andra, M (2020) "Why the Nationwide NRC is Unconstitutional", *Bar and Bench* (7th Jan), Available at: <https://www.barandbench.com/apprentice-lawyer/why-the-nationwide-nrc-is-unconstitutional> (Accessed 10th July 2020)

²³ Bisht, A (2020) "Indian police accused of targeting Muslims over anti-CAA protests" *AlJazeera* (22nd April). Available at: <https://www.aljazeera.com/news/2020/04/india-hindu-nationalist-gov-targeting-anti-caa-protesters-200422122213197.html> (Accessed 10th July 2020)

²⁴ Karwan-e-Mohabbat (2020) "A State at War with its People: Report on State Action in UP targeting Dissent and Muslim Minorities". Available at: <https://cjp.org.in/wp-content/uploads/2020/02/A-State-at-War-With-Its-People-KeM-Feb2020.pdf.pdf> (Accessed 10th July 2020)

²⁵ Nanda, P (2019) "Citizenship protests spill over to universities across the country" *LiveMint* (16th December). Available at: <https://www.livemint.com/news/india/citizenship-protests-spill-over-to-universities-across-the-country-11576518748980.html> (Accessed 10th July 2020)

protests by protesters to use of force by the police was so sudden, there was no pre-planned preparation to tackle the situation that had arisen. The youth, thankfully, was fast to act. Since 15 December 2019, now infamously recalled as the Jamia incident, a group of lawyers have come together to provide pro bono legal service to victims in cases of mass illegal detentions that continued to be carried out of students participating in the anti-CAA protests. This group of lawyers was able to firm its feet in the ground by the end of the month, owing to a well-established and motivated network of lawyers across the country. So, when the violence broke out in Delhi on the 24th of February 2020, this group of lawyers was already on ground, ready to take charge and right the wrongs.

During the three days of the violence, every lawyer on the team received helpless calls from residents of North-east Delhi about the carnage and the suffering. Social media was flooded with pictures and videos of Delhi burning. However, due to the inaction on part of the Police to control the law and order situation, and omission of part of the Delhi Government to intervene in the violence, it took three days for things to settle down. Due to large scale violence and arson that continued for almost three days, a large number of families were left stranded in violence affected areas. The Government hospitals were flooded with an overwhelmingly large number of violence related victims. Apart from the Government Hospitals, Al Hind Hospital, a small hospital in North East Delhi, came to the aid of victims that were turned away from the Government Hospitals or were unable to

access them due to logistical reasons. During the three days of violence, there was obstruction created at hospitals and the movement of ambulances was being hindered by the Police on the pretext of controlling the situation. At the Al Hind Hospital, on 25th February 2020, several victims of the violence were stranded as ambulances were not allowed to access the hospital, thus hampering the transfer of grievously injured victims to bigger hospitals with better facilities. Late at night on 25th February, a petition was filed and the matter was taken up by a Division Bench of the Delhi High Court post-midnight and directions were passed in order to facilitate the movement of ambulances.

Alongside, since everything that was happening before 26th February was largely violent, a relief and rescue team was set up. The said team received various calls from victims informing about the violence that was taking place in the affected areas. A number of these calls required legal intervention in the form of filing complaints for arson, theft, looting, missing persons, etc. However, since the violence was at peak, it was impossible for lawyers to access the affected areas. It was only after the end of three days that lawyers could intervene legally.

One of the most gruesome incidents during North East Delhi violence was the role played by the Delhi Police in the murder of a Muslim youth, Faizan, who was filmed as he was brutally assaulted by policemen who forced him to sing the national anthem between beatings²⁶. Faizan died after

²⁶ Wire Staff (2020) "Policemen Seen Brutally Assaulting Muslims, But 4 Months Later FIR Has No Suspects" *The Wire* (22nd June). Available at:

<https://thewire.in/communalism/delhi-police-muslims-assaulted-fir> (Accessed 10th July 2020)

the Delhi Police illegally detained him for over 36 hours and denied him urgent medical attention. Like Faizan, several other cases of police brutality were recorded and highlighted on social media. However, till date, no action has been taken against the policemen responsible for numerous deaths during the targeted violence and the Delhi Police in general for intentionally failing to control the law and order situation in the three days when Delhi was burning.

Between 24th and 26th February, legal teams were present at various hospitals in order to ensure that the Medico-Legal Certificates of the victims were correctly being recorded and the families of the deceased were assisted in recovering bodies from the hospital authorities.

Following the communal violence, on 28th February, the Delhi Government announced the Delhi Government Assistance Scheme ('Scheme') for providing compensation to the victims of the violence. However, the amounts announced by the Delhi Government were abysmally low. A letter in this regard was written to the Delhi Government by prominent members of the Civil Society.²⁷ However, the said letter remains unanswered till date. Apart from announcing paltry amount of compensation, the Delhi Government failed to lay down any procedure, or accompanying rules, to give life to the Scheme. Absolutely no information has been provided on the ground on which damage is assessed by the Officials. For

example, destruction of an entire three-storied house has been assessed as 'minor damage' by the officials and meagre compensation has been awarded accordingly. No provision for providing a copy of the Inspection report has been incorporated in the Scheme. No provision has been made for filing an appeal against rejected claims or improperly assessed claims. In short, the Scheme announced by the Government has mostly been an eyewash for the victims of the violence.

By 29th February 2020, the legal team, along with a medical and relief team, set up a camp in a local school in Mustafabad area of North –East Delhi. This was the first legal, medical and relief camp to be set-up in that area; several more would follow in the days to come. By this time, even though the fire had largely settled and the panic had set-in, it was only the civil society that was present on ground. The Delhi Government, which had been voted into power just two weeks before the violence, proved to be largely ineffective and absent from ground zero. The absence of State intervention during and after the targeted violence was noteworthy. While members of the civil society were finding ways to enter the violence affected areas and stop the destruction being caused, the State government was mostly seen to be involved in 'meetings' and 'planning'. This lackadaisical attitude of government caused a lot more damage to the spirits and morale of the victims, along with financial loss and loss to life, which could have been

²⁷ *A Memorandum to Delhi Govt on Relief, Rehabilitation and Reconciliation in North East Delhi* (2020) *Kafila - 12 years of a common journey*. Available at: <https://kafila.online/2020/03/21/a-memorandum-to->

delhi-govt-on-relief-rehabilitation-and-reconciliation-in-north-east-delhi/ (Accessed: 11 July 2020).

curtailed, had the government acted more swiftly.

Initially, the work of the legal team was largely limited to filling and processing of compensation forms. However, by 01st of March, when the residents of Shiv Vihar had some access to their houses and shops only to discover that they had been completely burned down, the work expanded to filing of complaints and getting FIRs registered. Since the intervention by the Govt of starting the compensation work was not a very planned one, the Sub-Divisional Magistrate (SDM) office was soon inundated with requests that the government was not able to process. By this time, several missing persons reports were also recorded in the legal camps set up by us. The medical camp, which was catering to injuries suffered in the targeted violence, largely perpetrated by the mobs in the presence of the police, has also started redirecting victims to the legal camps to make sure the FIRs recorded the injuries and compensation forms were filled accordingly.

By March 5th, reports of dead bodies being dumped in the Shiv Vihar *naala* also started surfacing. A designated team of lawyers was accessing hospitals to help families identify bodies recovered from the *naala*. Around 10 complaints that were received in the camps were thus concluded when the bodies recovered from the *naalas* were identified by their next of kin. Since the bodies recovered were all of victims of targeted violence, it was imperative that a proper post-mortem be done and video recorded, in order to record the cause of death. To ensure this, several writ petitions were filed by Advocates in the Delhi High Court, wherein the Delhi High Court

ordered video recording of the post-mortems being conducted.

The camps operated in Mustafabad area from 29th February till 20th March, when the entire city was shut down due to the COVID pandemic. In this one month, we were able to assist 400+ individuals with their complaints and compensation forms. However, this was just the tip of the iceberg. The major police stations – Karawal Nagar, Dayalpur, Khureji Khas, Jaffrabad, Seelampur – started creating obstruction in filing FIRs. While initially the victims were met with immense resistance when they went to file the complaints, eventually these complaints were accepted and a receiving was given. Every day, lawyers were compelled to visit these Police Station (PS) as the police refused to perform their duty and added to the suffering of the victims. Till date, no individual FIRs have been registered for the said complaints. For the rest, only a handful of omnibus FIRs have been registered, which fail to record the personal losses faced by the victims. Their complaints have, however, been endorsed on these FIRs and attached with them. Till June 2020, the SDM Office refused to process compensation forms of victims that had attached a copy of the omnibus FIR.

However, in the WP(C)3650/2020, HMJ Navin Chawla directed the SDM Office to accept compensation forms of the Petitioners with a copy of the omnibus FIR. Despite the Court Order, the Petitioners, after having been to the SDM Office thrice in the last week (as on date 30.06.2020), were not entertained by the SDM and were asked to come after 01st July.

On the administrative side, things were not smooth either. The government had

launched an online portal for filing of complaints, which crashed within the first few days of its launch. Hence, the victims were forced to fill the forms again, physically, and hand it over to the SDM office, which was overwhelmed with work. Not only were victims turned away when they initially started to visit the SDM office to submit the forms, many of them were returned without giving them any receipt, any receiving, thus making it impossible for them to follow up with their requests. Some victims, however, eventually received a message with their 'web ids', which were later used to track the status of the compensation. However, none of this could be done online and the victims had to keep revisiting the SDM office in order to get any response from the Government. Following the nation-wide lockdown, the victims could not physically access the SDM Office and hence, could not get any updates on the status of their form.

In the same writ WP(C)3650/2020 mentioned above, the issue of the malfunctioning of the online portal was also highlighted. The Order of 22.06.2020 records that the online portal was to be rectified immediately. However, even though the online portal is now working, there is no proof that is generated once the compensation form is submitted. Therefore, there is no means for the victim to follow up on the form submitted online or to even prove to the authorities that such a form was ever filed. Interestingly, the requirement to file the compensation form online is far less stringent as compared to filing a form physically in the SDM Office.

Eventually, the SDM office started carrying out verification of the losses and initial compensation amount of Rs.25,000/- was handed over to some of the victims. There

have been cases where an amount lower than Rs.25,000/- has been handed over to the victims. However, no justification has been provided as to how the said amount has been ascertained. In the initial cases, most of these payments were made in cash. However, till date, there are hundreds of victims who have not received even the initial compensation amount. Apart from that, for the victims who did get the initial compensation amount, the wait to get the full compensation has been endless. Till date, several of them have been calling and visiting the SDM office, only to be told that 'there are no orders yet from above to release the full amounts'.

While working with the victims of targeted violence, what has become clear is that the State intervention is largely lacking, making the relief available to the victims limited. Despite the launch of the Delhi Victims Compensation Scheme, the same is not being implemented in letter and spirit and the victims are still running from pillar to post. Since the violence took place just a month before the nationwide lockdown was announced, hundreds of victims were rendered without adequate means to support themselves and their families, thus turning the civil society again for basic requirement of food and shelter. Various civil society organizations and legal groups that started camps in the affected areas in order to assist the victims eventually moved on to also undertaking full-time relief work during the lockdown. Apart from our team, many other smaller groups took charge of the work that was supposed to be done by the State government. However, since the work was being carried out by different groups following different modus, the work soon became scattered.

While quite a substantial part of the financial losses sustained by the victims have been managed by the civil society, which took over the relief work as soon as the country went into lockdown and made sure every individual had basic ration to survive these immensely tough times, the Delhi Police and the Crime Branch have been overtly active in the background. Over 800 arrests have admittedly been made in connection to the North East Delhi targeted violence, most of them being post-lockdown²⁸. Apart from arrests, defying all health concerns, the Delhi Police and the crime branch have actively been carrying out illegal detentions and hounding individuals in the name of investigation. Prominent figures who led the anti-CAA protests in several areas have been identified and targeted²⁹. Even as we write this, people are being picked up in the name of investigation, arrests are being carried out, phones are being seized – all this while the entire world is battling a global pandemic. What started as peaceful protests to show dissent against the Amendment Act promulgated by the Central Government has been used as a weapon in the last six months to arrest and jail students and activists taking part in the protests. Not surprisingly, students from Jamila Milia Islamia and other educational institutions and anti-CAA activists are being fictively connected with the Delhi violence to create a convenient narrative and even the draconian UAPA and sedition laws are being used for these so called “conspirators”. Interestingly, no lawful

²⁸ Manral, M S (2020) “NE Delhi riots: 800 arrests made as MHA intervenes” *The Indian Express* (13th April). Available at: <https://indianexpress.com/article/cities/delhi/ne-delhi-riots-800-arrests-made-as-mha-intervenes-6359541/> (Accessed 10th July 2020)

action has been taken on the likes of Kapil Mishra and Anurag Thakur, who openly incited violence six months ago by urging shooting voices of dissent.

The Governments, both at the Centre and State, have failed to act responsibly and effectively. From relief to medical attention to rescue to investigation, everything is tainted. Even basic administrative steps have been taken with a lackadaisical attitude, causing more panic than relief. The silver lining, of course, is the team of lawyers who still continue to appear in courts, fight matters, contest bail applications, at every step of the way. The way ahead is still murky as the administration is not giving any clear answers with regard to the compensation that the victims are entitled to but have not received till date. The major challenges that lie ahead include making sure that the compensation forms of all the victims are processed. Along with that, for people who have lost their homes, their shops and means of livelihood, it is imperative that the government undertakes mass scale rehabilitation program in order to restore the losses suffered by the victims. While civil society intervention is important, it cannot, and should not, substitute the task of the government, which is to ensure that the citizens who voted for them are taken care of. The Government is expected to stand by the promises made with regard to compensation and iron the process by keeping in check the proper functioning of the SDM Office. While several writ

²⁹ Lalwani, V (2020) “In Delhi violence investigation, a disturbing pattern: Victims end up being prosecuted by police” *Scroll* (23rd May). Available at: <https://scroll.in/article/962526/in-delhi-violence-investigation-a-disturbing-pattern-victims-end-up-being-arrested-by-police> (Accessed 10th July 2020)

petitions have been filed in the Delhi High Court in this regard, and several more are in the process of being filed, it is going to be impossible to approach court to get relief to every victim. Hence, it is expected that the orders passed by the High Court will be treated in parity for all the cases falling in the same category as that of the petitioners.

The Aftermath of the Delhi Violence

Meeting the wounded and the displaced

On the 24th, as the riot came creeping into their street in Shiv Vihar, Akram*³⁰ and his family escaped to the neighbouring locality of Babunagar, dodging the rioters by a whisker. When we met them a week later, Akram showed us his neck, burnt with a splatter of acid, thrown at him by the violent mobs to the chants of 'Jai Shri Ram'. The family of ten was now living in a small, cramped room that also had a small cooking area on the floor. Yet, they did not want to move anywhere else for. The fear and trauma they carried from the riots were still palpable. They wanted to stick together, regardless of how difficult it became. During our conversations, Akram laid napping on the only bed in the room, occasionally getting up to add details to the narrative. Like all other men in the locality, he had been up all night, keeping watch, for they still feared that rioters could come marching in at any moment. The and three days of violence had taught them to have little faith in the police. When we asked how they were doing physically, they said they were glad that they were alive.



Akram's is one among the over two hundred displaced families we mapped during the immediate aftermath of the violence in North-East Delhi between 24th and 27th February, 2020. As the violence came to a halt, and the local administration quickly declared that partial normalcy had

returned, Karwan e Mohabbat along with a collective of concerned citizens found it necessary to move our operations to north-east Delhi to assess the extent of this normalcy, gauge the damage, and continue relief efforts.³¹ The first step here was conduct a mapping to understand who

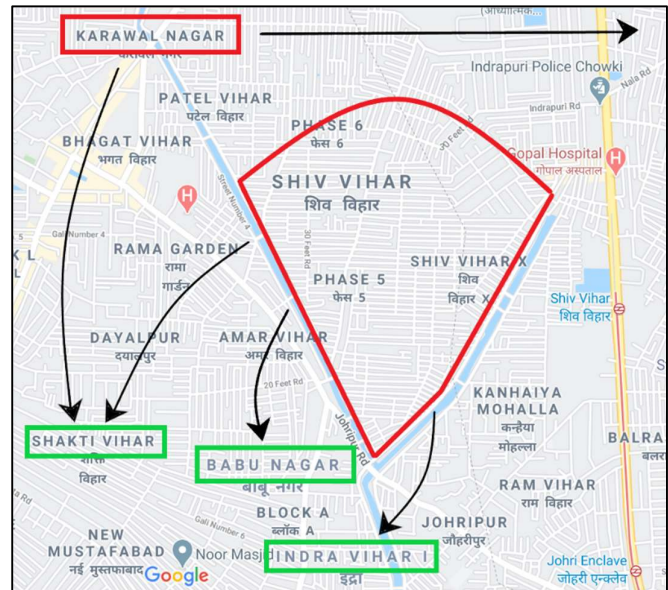
³⁰ Name changed

³¹ See *Seventy-Two Hours of blood and fire in the city* in this report.

needed assistance, where they needed it, and when.

Rescue operations during the communal violence and our subsequent follow ups revealed that people from affected areas had fled en masse to relatively safer neighbourhoods or to their hometowns in other states, indicating a large scale forced migration. Our mapping exercise began in Babunagar and Indira Vihar, which are Muslim majority areas closest to one of the most affected neighbourhoods, Shiv Vihar, and therefore had the largest concentration of displaced persons. The exercise subsequently spread to the nearby areas of Dilshad Masjid, Shakti Vihar as well as to Loni, all with the support of local contacts. Areas beyond what we could map ourselves included other Muslim pockets like Chandu Nagar, Chandbagh and Shri Ram Colony, where those displaced from adjoining violence-hit areas took refuge.

Localities such parts of Shiv Vihar had been subject to extreme looting and violence, and were completely deserted by their Muslim inhabitants. As affected families began fleeing into safe areas, the local communities opened their homes and hearts, and absorbed them - giving them spaces within their houses, in madrasas, in unoccupied buildings - without distinguishing between kin and strangers. We called these houses where displaced persons had been hosted 'private relief camps'. In the mapping, we visited each such house – door to door – and noted demographic details, medical and legal needs, mental health status, and immediate relief requirements.



Violence and safety: Red marks areas where violence took place; green marks areas where communities found safe spaces. This is only meant to be representational. It does not picturise the complete extent of violence or refuge.

Since the mapping began right after the violence ended, we were among the first to meet the families. It was hence crucial to recognise that this was also a psychosocial effort to express compassion and empathy. The volunteers' conversations with the families were not solely focused on gathering details – they were meant to provide families with companionship and care, allowing them to express their despair and share their grief. This allowed us to develop long-term relationships with families, enabling the psychosocial support team to undertake medium to long term mental health support.

“Humein kuch nahi chaahie. Mere dil ko bus isi baat se thandak pahonch rahi hai ki akhir koi pooch toh raha hai humein ki hum kaise hai, hamari zaruratein kya hai?” said an eighty-

year-old Sajjad*³² in Indra Vihar. (“I do not need anything. I am just feeling relieved in my heart that someone at least is asking us how we are, and what we need”)

Learning to be the state

The mapping was therefore envisioned as a need assessment exercise to inform and facilitate relief efforts by civil society groups, while simultaneously recording the scale and flow of displacement. At the very onset of our work, from the rescue set up to our legal and medical camps, it was clear that we were essentially standing in for the state. The kind of subjective relief work we wished to undertake required an intimate knowledge of the area, and human resources, which only the government would have had. It was therefore ironic that when the government finally decided to take pro-active measures, we and other civil society volunteers had more accurate data and a stronger ground presence than the government. By the time the first Delhi State Legal Service Authority pop-up stall appeared in the area, our legal camp had completed its first week of work.

However, it is not possible for civil society to replace the state, logistically or symbolically. To those affected, simple measures such as relief and compensation hold more value when it comes from the state. It acts an official recognition of their suffering and carry the hope of justice somewhere in the horizon. It is possible for us to have imagined our interventions as just efforts to hold fort while the government sets its procedures up. Unfortunately, that has not been the case –

the government’s efforts continue to be inadequate and short-lived, making it nearly impossible for the community to not seek the civil society’s support.

Working with a relief ecosystem

As the mapping exercise began, our team had also set up legal and medical camps in the area. These camps were open to both victims of communal violence and local residents. By this time, there were several functional relief collection centres across Delhi, with local distribution channels. The mapping exercise worked within this network – it acted as a feeding mechanism to bring subjective, family specific information on relief needs to the relief network.

This was crucial because, initially, while there were many from the civil society who wanted to help, there was no concrete need assessment or even an idea of the scale or spread in the region. In the days immediately after the targeted violence, the area was being flooded by relief materials that did not match the diverse and evolving needs on ground. Additionally, even when relief arrived, it remained underutilised, without the knowledge of who needed what and a linked network to deliver. So, the exercise creatively evaluated need, factoring in daily needs of hygiene, clothes, under-garments, and so on.

Our back-end team working real-time linked the on-ground mapping to the relief network. Information from each private relief camp was geo-tagged, digitised and forwarded to concerned relief teams (medical, relief, psychosocial). To address

³² Name changed

material needs, the team would relay family specific needs to the various collection centres in Delhi, who would then deliver the required materials. That materials reached every individual household in person was an important aspect of our ethical framework, which focussed on care and empathy. The back-end also conducted follow up calls to each family and private relief camp.

However, the assessment was beyond just material needs. Legal, medical and psychosocial support were also identified to be crucial areas of intervention. Families that had to file legal complaints, missing person report or compensation forms were directed to the legal camp, which covered over four hundred families by the 24th of March, 2020. Legal volunteers also assisted individuals in getting medico-legal certificates³³, and supported families as they followed up on their missing persons complaints.

Persons, locals and victims alike, could walk in to our medical camp for any health concerns. As of 1st March, 2020, the camp was able to attend to nearly ten thousand individuals. Medical needs ranged from injuries sustained during the violence, like Akram's acid burns, pre-existing health conditions, pregnancy, and post-traumatic stress indicators. Based on the mapping data, home visits were conducted for those with acute needs who were unable to visit the camp.

Within a day of the mapping exercise, it was clear that this was a population in

complete psychological anguish³⁴. Nearly all families reported that they were facing insomnia, night sweats and other psychosomatic manifestations of post-traumatic stress. A combination of poverty, pre-existing trauma and grief had pushed many to extreme mental distress. The psychosocial team undertook prolonged care work with the families who were identified during the mapping to be in need of urgent psychosocial care.

What did we learn?

Numbers

In the course of three weeks, we mapped nearly 170 private relief camps which accounted for over 3000 individuals, of which about 60% were female and 40% were minors. However, these are only estimates, owing to the limitations of the mapping exercise and more crucially, because this is a transient community, constantly on the move. In the first few days after the targeted violence, there were large camps in some areas³⁵ like Indira Vihar, which were 200-300 people strong and were managed by the community through community kitchens and other facilities. Food and basic amenities were arranged by members of the host community, with multiple individuals coming together to manage community kitchens and host families. People were housed in spare rooms and halls of the larger houses in the area, in unoccupied buildings, and in madrasas. One third of the total people we mapped were living in six such community-based private relief camps, with an average

³³ In normal circumstances, a lawyer is not required to obtain an MLC. However, with a hostile medical set up, it was crucial here.

³⁴ See *Mental Health After Devastation* in this report.

³⁵ Indira Vihar

165 persons per camp. Alongside these, individual households had also made space in their homes, which accounted for the majority, two-thirds, of the families we mapped. Around two-thousand people were living across 163 such private relief camps, which housed an average of 12.5 persons.³⁶

Once the Eidgah camp became functional (nearly 4 days after our mapping started), many people moved there. Others, who by now were able to establish contact and make travel arrangements, moved to their relatives' houses, to rented accommodations or to their home villages. It was only three weeks after the violence that people started venturing to their looted or burnt houses in Shiv Vihar in the day time, only to return before dusk. It took another few days for them to start spending their nights at Shiv Vihar, constantly negotiating with their fears and sometimes with policemen.

Multiple displacements

It was very clear from our conversations with the families that in the immediate aftermath of the targeted violence, their primary focus was to find a safe location. Safety initially meant an actual safe place from the violent mob. In Babunagar, even though there was violence and arson in the main road, the mobs did not reach the inner residential streets. As the violence ended, every other house there was hosting a displaced family from Shiv Vihar. However, in the succeeding days, the perceived sense of safety also became equally important. Many said that they would never return to Shiv Vihar. Some

reported that they wanted assurances from the government and even a police chowki near their house in Shiv Vihar to be able to return. The need for security, compounded by the very fresh trauma of the violence, meant that many families wanted to stay together, even if it resulted in over ten people had to staying in one room

Four weeks after the communal violence, Akram's family decided to stay on in Babunagar, renting the very same place where they first took refuge in. Many landlords in the area have waived off or significantly reduced rent for the survivors. Even though the family has not yet been able to resume their vegetable cart work, they have now decided it to rebuild it from Babunagar. 'Shiv Vihar mein kuchh nahi bacha hai (there is nothing left for us in Shiv Vihar)', Akram told us. Akram's brother however, has decided to return to Shiv Vihar even though their house has been completely burnt.

Deciding where to stay and how long to stay there was also directed by house ownership. Families that stayed on rent in Shiv Vihar found it easier to leave the place permanently. While those who owned their burnt or looted houses had more to consider. Some families returned, choosing to count their losses and rebuild their lives. Others said that the hostility they felt from their neighbourhood during the targeted violence was enough to override their sense of belonging to their homes – even if it means abandoning their houses in the near

³⁶ This means these were houses where one person was hosted alongside those where three to five families were accommodated.

future. This was true in the case of Idris, from Karawal Nagar.

Right before the targeted attack began, Idris was able to escape with his family to a relative's house in the nearby town of Loni. His Hindu neighbour was however able to keep his documents safe, but the rest of the house was rummaged and looted by the mob. Idris is a self-employed carpenter – as a result of the violence, he has lost his network of clients, his tools and home. Two weeks after the targeted attack, Idris returned to Karawal Nagar to see his house. He said that even though his neighbours insisted that he should return to his home, he does not see himself going back.

The choice of moving to the relief camp in Eidgah also seemed to emanate from a sense of legitimacy attached to it. In the community-based private relief camps, the organisers believed that it was the better option as they expected it to be able to provide the families with more resources, including legal and medical help. Several families hoped that going to a government recognised camp would ensure that they are officially and legally recognised as riot victims and would therefore be eligible for compensation and other relief. To many others, there simply was no choice. As their stay in strangers' or relatives' houses began extending, they felt that it was better to go the camp than imposing on their host. Those who could afford a rented space, did so. Regardless, most of the host families insisted that they were willing to host for as

long as it is needed, recognising the vulnerability of the community. However, as days became weeks, their resources too thinned out and this was becoming increasingly difficult, despite the goodwill.

Ironically, as the rains poured in and the COVID-19 outbreak intensified, those who had relocated to the Eidgah camp, run jointly by the Waqf Board and the Delhi government, were evicted. Some families reported that they were given a token amount of Rs. 3000 and some ration, while a couple of families we talked to received nothing. This engendered yet another round of displacement –as the lockdown in Delhi came into effect, many were still struggling to find accommodation.³⁷

A long way ahead

As these relief interventions took shape, it became clear that the parts of North East Delhi where the violence happened and where people sought refuge are areas that lack systematic governance - sanitation, health care and education have all been unremarkable in this urban jungle. An overwhelming number of those who came to the medical camp were those with basic primary health concerns, not necessarily linked to being a victim of the targeted violence that engulfed the area - a government that takes much pride in their health efforts were virtually missing in the area. While mapping, it was difficult for us to say with certainty that all houses in Babunagar had been covered, for many houses and streets there did not even have an official number. When it rained, relief

³⁷ *Delhi violence victims sheltered at Idgah camp asked to vacate following Covid19* (2020) *Business Standard India*. Available at: <https://www.business-standard.com/article/news->

[ani/delhi-violence-victims-sheltered-at-idgah-camp-asked-to-vacate-following-covid19-120032500066_1.html](https://www.business-standard.com/article/news-ani/delhi-violence-victims-sheltered-at-idgah-camp-asked-to-vacate-following-covid19-120032500066_1.html) (Accessed: 10 July 2020).

workers and locals had to skip across stones to go about their work as the narrow lanes were quickly flooded by overflowing drains. It was only ironic that in the immediate aftermath of the communal violence, the deserted streets with burnt shopfronts overshadowed the massive open drain that punctuated the landscape and welcomed all visitors. The fact that missing people reappeared as severed bodies in this drain surprised no one.

With humanitarian aid pouring in, the areas of Babu Nagar, Indira Vihar and Chaman park morphed into a large relief camp hosted by the community and run with the help of civil society - with the state nowhere to be seen. We learnt very soon into our work that those in need were not only the displaced or injured, but also the entire community. By hosting the displaced persons, they had stretched their already thin resources. Psychosomatic symptoms of stress were visible even among members of host families who did not experience the violence first hand.

While the community's response was commendable, the state government remained missing in the days they were needed the most. Even when it stepped in after due criticism and advocacy efforts, it was grossly inadequate. Their decision to open only nine night-shelters as 'camps' reflected a deliberate ignorance of reality. Over and above displacing the homeless

persons already residing there, these nine shelters would only house about seven to eight hundred people – when mapping in our limited area alone revealed 3000 displaced. The displaced families could not expect much from a hostile central government. However, the sense of betrayal engendered by the state government was far more pronounced, for many of these families recounted being taunted by their assaulters for how they voted in the state government elections just weeks before the violence.

A return to normalcy is only a pipe dream to the community and survivors – their lives will always be split into before and after the violence in North East Delhi. When life returned to the deserted streets, large iron gates also began appearing at every street in the area – some even coloured like the Indian flag. These new performative borders are probably the new normal. As the country went into lockdown owing to COVID-19, the disruption and structural violence faced by the community has only been prolonged. With the civil society having to limit their work, it is imperative that the government, both state and central, step up and protect the community from another round of loss and grief.

Mental Health After Devastation

Is there room for healing?

The three days of violence in North East Delhi had left entire neighbourhoods like Shiv Vihar razed to the ground and deserted, thousands displaced, over fifty killed and an entire community irrevocably shook. When the violence halted on the 27th of February, the Citizens Collective for Peace had begun following up on our rescue efforts³⁸ through legal, medical and psychosocial support, and relief distribution. We mapped over three thousand people³⁹ who were displaced from Shiv Vihar by the violence and were temporarily residing in the safety of locals' homes in Babunagar, just a few minutes away. This is when we met Ruksana (name changed) and her family huddled in one of the houses.

“What did I do to deserve this?” cried Ruksana, with a toddler in her hand. She had to flee from her home in Shiv Vihar, the epicenter of the violence between Hindus and Muslims in North East Delhi on the night of February 24. She was with her two children and her elderly in-laws and had no place to go.

In these homes of Babunagar, we met more than eighty families like Ruksana's, displaced by the violence, who were identified to be in need of immediate psychosocial care. We spent many hours and sometimes multiple days with them. The more families we met, the clearer it

became that the Delhi carnage has left North East Delhi with a mental health crisis that is going to exist over generations. It has irrevocably compounded social exclusion - families are now facing severe poverty, double displacement, grief, betrayal, and trauma. Their trauma is further experienced through feelings of apathy, loss of control, excessive rumination and hopelessness.

Given the scale of this mental health crisis, it was important the psychosocial support began hand-in-hand with all other relief efforts - there was no scope for it to just be an afterthought.

Trauma caused by such violence takes years, if not more, to heal from. Mental health care in a situation like this looks different from conventional ideas of therapy - it is an entire community that needs care, and not just individuals. It is therefore also crucial to provide community-based holistic emotional support by complementing psychosocial care with entitlements.

Identifying and managing collective trauma

In a bid to ensure basic mental health support as soon as possible, we identified four areas where our presence was most needed - addressing mental health issues that came up at our medical camp in

³⁸ See *Seventy Two hours of Blood and Fire in the City* in this report.

³⁹ See *The Aftermath of the Delhi Violence* in this report.

Babunagar⁴⁰, conducting house visits, setting up a children's centre and staying alert for emergency care needs.

The medical camp saw nearly 10,000 patients over the course a month. We immediately recognised that the many of the survivors' symptoms were a result of severe trauma and were often psychosomatic. For anyone experiencing mental health turmoil, the first act of acknowledgment of the distress happens through physical manifestations - back aches, stomach aches, panic attacks and body pain. We stationed trained psychologists at the camp who could take care of mental health concerns and ease the patients through the medical process. This process also helped in flagging those who needed immediate psychiatric care.

Heena (name changed), a 16-year-old resident of Mustafabad, fainted every time she heard a loud noise post the violence. When we met her 10 days after the incident, she said that she could not sleep or eat anything. On February 24, she hurt her back while jumping from her home to flee the site of a fire set off by an angry mob in their locality. Every day, she fears that someone will chase her. She is scared that she will never be "normal" again.

This fear gets hardwired into the minds of those living in distress. They get further characterized by feelings of apathy, loss of control, excessive rumination and hopelessness.

The mapping exercise laid out a clear picture of the number of families that were displaced and flagged families that were more vulnerable. A team of over 30 mental health volunteers was trained and prepared to visit these vulnerable families at their residences. Three volunteers were assigned to each family with whom they established a consistent relationship. This process gave families a hand to hold and an opportunity to voice out their distress, paving the path for relational healing through trust and sustained relationships. These home visits made it more encouraging for the community to believe that there was care for them.

Survivors and witnesses of communal violence experience trauma of varied types and intensities. To many, the violence of the targeted attacks was perhaps only one in a series of traumatic experiences. Poverty, sexual violence, severe mental illness and disability, all stand to compound the impact of the violence on people's mental health. People with mental illnesses see their mental health deteriorating further when faced with traumatic experiences such as this.

We met Arif (name changed) near our camp in Babu Nagar. He lived on the streets and used a wheelchair to get around. He had an amputated leg and needed assistance to walk. On February 24, he was severely beaten up during the violence. He had fallen from his wheelchair and had broken his arm.

Trauma for Arif now, is not just the experience of brutal violence. He is further faced with the additional challenges of

⁴⁰ See *Healing Amid Hate* in this report.

overcoming physical and mental distress while dealing with apathy from the society.

A scary consequence of a trauma of this kind is that survivors may begin to internalise their aggressor. They may start to identify with the violence and sometimes become self-destructive. This is why timely intervention is key. Specialized mental health care was assigned to those who may have experienced sexual violence, who had pre-existing mental illness, and to pregnant women. It was difficult for us to state whether sexual violence was one of the weapons of the targeted violence, owing to a strong apprehension among the community to discuss this. However, there were a few indicators of its possibility - some women asked for female doctors in angst, a few broke down when the question sexual violence came up, and others who first wanted to file complaints later withdrew it. Regardless, this is not enough to establish a clear conclusion or pattern.

Even under regular circumstances, children are more susceptible to face stronger consequences of trauma, let alone during violence of this kind. They are more tender and can absorb the impact of the violence more heavily than adults, altering their view of the world permanently. Witnessing and surviving the communal violence have significantly and irreversibly scarred the children in and around Shiv Vihar, regardless of their religion. Children as young as three exhibited large amounts of passive display of trauma. When asked to draw, they would compulsively draw images of burning houses. During our home visits, we met 4-year-old Fatima (name changed) from Mustafabad. When we gave her some colours to draw, she only drew houses. *“All I want is to go back to my*

house. It’s burnt now and I can never go back home, so this is what I want to draw.” she said while continuing to draw more pictures of her home.

Fatima witnessed her home getting burnt down in Shiv Vihar. She now has no sense of home, and is confused and lost about what is to come next. Many children like Fatima have become more vulnerable as they began fearing the loss of all sense of familiarity including family and home, hope, and friendship. Unfortunately, this environment of violence gives many families reasons to discontinue the children’s education, further jeopardising their future.

Recognising an immediate need for a safe space for children, we opened up one floor of a local masjid on the 4th of March. With the help of a theatre group, and a creche, we were able to foster this into a space of comfort for children of the aged 3 – 15 years. The space grew to accommodate over 50 children from the area. They would learn, play, and engage in therapeutic activities.

As we spent the first few weeks offering support through a voluntary network, we will now move into a more sustained form of care. Sustainability here would mean working with a system that builds a long-term relationship with the community, strengthening their agency over their own mental health care. We will therefore be training a cadre of community care workers for paramedical, paralegal and psychosocial support. Each care worker will be mentored by a senior expert in the field of psychosocial care.

Sustaining care

The memory of this violence and the apathy of the state will eventually get embedded not only in the minds of every survivor but also in that of their children and grandchildren. When people experience a trauma of this intensity, they share a collective memory of the fear, loss, and betrayal it caused, and this becomes the community's heirloom. We saw the significant impact of such transgenerational trauma during the partition of 1947 and the Holocaust. The brutality of the carnage is not the only source of this transgenerational trauma, for the violence did not happen in isolation - but were a direct result of an environment of empowered hate. Under these circumstances, both central and state government's, lack of acknowledgment, let alone remorse, is the very antithesis of the care and justice that the survivors deserve.

The state often equates reparation, an essential part of healing, to financial compensation alone. However, in the context of the North East Delhi violence, or any situation marked by such a sense of collective fear and betrayal, it hardly covers the due. While it provides families with the crucial support required to build their lives back up, they are by no means enough to help victims reconcile with the trauma of communal violence. Ironically, even though the Delhi Government announced compensations, a majority of the survivors are still awaiting their claims - from our legal camp, only ten percent have received their compensation.

In the course of our work with the community, it was clear that every aspect of our relief work was an essential part of psychosocial care - from answering distress

calls, to addressing legal cases, distributing relief, running the medical camp and mapping. Every person involved with the relief efforts was therefore providing mental health support in one way or the other. This is a crucial aspect to community based mental health care - support to rebuild lives hold as much value as a therapeutic circle. When transferred to the state, this implies that official efforts to support survivors should include due financial compensation, livelihood rehabilitation and legal justice, alongside mental health care. The state's effort should be superseded by a public acknowledgement of the injustices and an expression of remorse as part of their reconciliation efforts.

Chronicling Truth, Countering Hate

**Responding to the violence and state
action in North-East Delhi in February 2020**

A report by Karwan e Mohabbat

New Delhi, July, 2020



KARWAN E MOHABBAT