



## Rule of mob: On mob lynching in several States

### Context:

- The lynching of three people, alleged cattle thieves suspected to be Bangladeshi nationals, in Assam on July 18th.
- According to the National Crime Records Bureau's 2017 data which was released in October 2019 a year behind schedule, Assam had 143 registered crimes per lakh of population.

### 'SET UP FAST-TRACK COURTS'

<ul style="list-style-type: none"> <li>➤ SC orders states to <b>designate officer of SP rank as nodal officer</b> in each district to prevent <b>mob violence</b></li> <li>➤ Centre, states to <b>broadcast radio, TV and online messages</b> warning that lynching and mob violence shall invite serious consequences</li> <li>➤ <b>FIR must against persons spreading such fake/irresponsible messages, videos</b></li> </ul>	<ul style="list-style-type: none"> <li>➤ Police, district admin's <b>failure to comply with SC's directions</b> will be deemed <b>deliberate negligence</b></li> <li>➤ <b>States to draw up compensation scheme</b> for lynching with provision for interim relief to victim(s)/next of kin within 30 days</li> <li>➤ Lynching cases to be tried by fast-track courts in each district and <b>preferably concluded in 6 months</b></li> </ul>
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- The NCRB did collect data on lynchings in 2017 but did not publish those.

### Why the incident is condemned?

- It is the second such disturbing incident in recent weeks in the area. On June 1, a 43-year-old Bangladeshi national was lynched in Putni Tea Estate situated about 3 km from the India-Bangladesh border.
- Irrespective of whether they are thieves or smugglers, such killings point to a lack of faith in the rule of law, leading to a general lawlessness.
- It also impacts the cordial relations between India and Bangladesh given the difficulties in handing over the bodies to Bangladeshi authorities.

### What is lynching?

- Lynching is defined as an act or series of acts of violence or aiding, abetting or attempting an act of violence, whether spontaneous or planned, by a mob (two or more persons) on the grounds of religion, race, caste, sex, place of birth, language, dietary practices, sexual orientation, political affiliation and ethnicity.
- Lynching is an egregious manifestation of prejudice, intolerance, and contempt towards the rule of law.

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- There have been many incidences of Mob Lynching for issues with respect to cow, children kidnappers, etc and not only common people but also the police personnel became victims of it.
- Amnesty International India documented 721 such incidents between 2015 and 2018.

### What are the causes of mob lynching?

- **Prejudices in Indian society** are age old and deep rooted. These prejudices are based on various identities like race, gender, caste, class, religion, etc.
- **Social media** or technological advances help in the process of 'confirmation bias' – it is the confirmation of a prejudice or a bias
- **The strategic silence of the State** and the ineffective law and order machinery has further given legitimacy to mob lynching.
- **Political mobilization of fringe groups** and Politicization of lynching and strategic silence.
- Lack of digital literacy among common people.

### Supreme Court direction:

- Supreme Court has described lynching as a “**horrendous act of mobocracy**”.
- Supreme Court in the case of **Tehseen Poonawala v Union of India**, has provided a 11-point prescription for preventive, remedial and punitive measures and has asked Parliament to legislate a separate offence for lynching and provide adequate punishment for the same.

### Is there any separate legislation on lynching?

- There isn't any Parliamentary law on it but Manipur state has enacted a separate law on lynching.
- The Manipur Law is in sync with the Supreme Court guidelines.
- The Manipur Law has defined mob lynchings.
- The Law specified that there would be **nodal officers** in each district to control such crimes.

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- It is the first in the country dealing with the protection and rights of vulnerable populations which defines a new crime of dereliction of duty of public officials.
- It states that Police officers who fail to prevent the crime of lynching in their jurisdiction are liable to be imprisoned for a term that may extend from one to three years with a fine limit of ₹50,000.
- The Law requires the state to **formulate a scheme for relief camps and rehabilitation** in case of displacement of victims, and death compensation.
- Inspired by this **Rajasthan and West Bengal** have formulated their version of laws to curb mob lynching.

### Way Forward:

- Mob violence defames the country and there must be stringent intervention by the police to bring an end to this.
- The political leadership also has a role to play in questioning the social consent that allows mob violence.
- The centre should come with the law to deal with it.