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Rajasthan: Anti Mob Lynching and Honour Killing Bills Passed

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The Rajasthan Assembly has passed two separate bills against mob lynching and honour killing to tackle the rising incidents of mob lynching and honour killings.

The bills propose to make offences non-bailable and also impose heavy penalties and punishment, including the death penalty or life imprisonment, in case of honour killings.

The Rajasthan Protection from Lynching Bill, 2019

Makes mob lynching a cognisable, non-bailable and non-compoundable offence punishable with life imprisonment and a fine up to Rs 5 lakh.

- **Definition of Mob and Lynching in the bill:**
 - **Mob:** Bill defines the mob as a group of two or more individuals.
 - **Lynching:** It is an act or series of acts of violence or those of aiding, abetting or attempting an act of violence, whether spontaneous or preplanned, by a mob on the grounds of **religion, race, caste, sex, place of birth, language, dietary practices, sexual orientation, political affiliation or ethnicity.**
- **Imprisonment and Fine:** For the offence of an assault by mob, leading to the victim suffering grievous hurts, the bill provides for jail terms up to 10 years and a fine of ₹25,000 to ₹3 lakh and if victims suffer simple injuries the **imprisonment** is up to seven years and a **fine** up to ₹1 lakh
- **Conspiracy of Lynching:** For plotting a conspiracy of lynching or aiding, abetting or attempting such an offence, the bill seeks to punish the offenders in the same manner as if he actually committed the offence of lynching.
- **Prevention of Lynching:** Bill empowers the state police chief to appoint a state coordinator of the rank of Inspector General of Police to prevent the incidents of lynching

- **Other Offences Related to Lynching:** Bill also enlists various other offences related to the lynching such as dissemination of offensive materials, propagation of hostile environment and obstructing legal processes, which would be punishable with jail terms varying from three to five years.
- **Victim Compensation and Rehabilitation:** Bill also stipulates the provision of compensation to victims by the state government as per the Rajasthan Victim Compensation Scheme.

It also binds the state government to take necessary measures to rehabilitate the victims of mob lynching, suffering displacements from their native places.

Need

Among the total number of mob lynching cases happened in India after 2014, **86%** of cases of mob lynching reported in the Rajasthan.

The Anti Honour Killing Bill, 2019

- **Death Penalty:** As per the provisions of the bill whoever causes the death of a couple or either of them on the basis that marriage of such couple has dishonoured, or brought disrepute to the caste, community or family shall be punished with death, or with imprisonment for life.
- **Life Imprisonment and Fine:** If the couple or either of them is grievously hurt, the punishment will be from 10 years rigorous imprisonment to imprisonment for life and with fine of maximum ₹3 lakh whereas in case of simple injuries punishment will be three to five years imprisonment with fine which may extend to ₹2 lakh.
- **Sub Divisional Magistrate or the District Magistrate** shall receive any request or information from any person or persons seeking protection from any unlawful assembly, or from any other person who is likely to or who have been objecting to any lawful marriage.
- **Unlawful Assembly:** Bill says no person or group shall assemble at any time with the view or intention to deliberate on or condemn any marriage, not prohibited by law, on the basis that such marriage has dishonoured the caste or community tradition or brought disrepute to all or any of the persons forming part of the assembly or the family or the people of the locality concerned.

Need

- In Past five years in Rajasthan, 71 cases of illegal diktat given by 'Khap Panchayats' (caste councils which function like kangaroo courts) were registered and 10 cases of honour killing occurred in which four men and eight women were killed.
- Honour killing cases have increased in the past few years and have become a hurdle in societal development.

Source: TH