



## Mob Lynching

**For Prelims:** States which have passed laws against mob lynching, Poonawala case, Provisions available against mob lynching.

**For Mains:** Causes for Mob Lynching and measures taken to address it.

### Why in News

The former Punjab Chief Minister expressed concern over the recent incidents of lynching reported in Amritsar and Kapurthala.

### Key Points

#### ▪ About:

- Mob lynching is **a term used to describe the acts of targeted violence by a large group of people.**
- The violence is **tantamount to offences against human body or property**- both public as well as private.
- The mob believes that they are **punishing the victim for doing something wrong** (not necessarily illegal) and they **take the law in their own hands to punish** the purported accused without following any rules of law.

#### ▪ Causes for Mob Lynching:

- **Intolerance:**
  - People are **intolerant in accepting the acts of law** and go on to punish the alleged person assuming the act to be immoral.
- **Biases:**
  - **Biases based on various identities** like caste, class, religion, etc: mob lynching is a hate crime that is rising due to the biases or prejudices among various castes, classes of people, and religions.
- **Rise of Cow Vigilante:**
  - It is one of the crucial reasons that agitate the growing rise in mob lynching activities.
- **Lack of Speedy Justice:**
  - Inefficient working of justice rendering authorities is the primary reason why people take law into their own hands and have no fear of the consequences.
- **The Inefficiency of Police Administration:**
  - Police officers play an important role in protecting the life of the people and maintaining harmony among the people but due to their ineffective investigation procedure, this hate crime is rising day by day.

#### ▪ Types of Mob-lynching: Mob-Lynching based on the causes can be classified into five types.

They are:

- Communal based
- Witchcraft
- Honour killing

- Bovine-related mob lynching
- Suspicion of Child lifting
- Theft cases
- **Related Issues:**
  - Mob lynching is a **violation of human dignity, Article 21 of the Constitution**, and a gross infringement of the **Universal Declaration of Human Rights**.
  - Such incidents **violate the Right to Equality and Prohibition of discrimination**, which are enshrined in **Articles 14 and 15 of the Constitution of India**.
  - However, it is **nowhere mentioned in the law of the land** and is hence simply put as murder since it has not been yet incorporated under the **Indian Penal Code**.
- **Related Steps Taken:**
  - **Preventive Measures:**
    - In July 2017, the Supreme Court in the case of **Tahseen s. Poonawala v. UOI** had laid down several preventive, remedial and punitive measures to deal with lynching and mob violence.
      - The Supreme Court in this case aptly **referred to mob lynching as a 'horrendous act of mobocracy.'**
  - **Designated Fast Track Courts:**
    - States were directed to set up **designated fast track courts in every district** to exclusively deal with cases involving mob lynchings.
  - **Special Task Force:**
    - The court had also mooted the **setting up of a special task force** with the objective of **procuring intelligence reports about the people involved** in spreading hate speeches, provocative statements and fake news which could lead to mob lynchings.
  - **Victim Compensation Schemes:**
    - Directions were also issued to set up **Victim compensation schemes** for relief and rehabilitation of victims.
    - A year later in **July 2019 the Supreme Court** issued notices to the Centre and several states asking them to submit the steps taken by them towards implementing the measures and file compliance reports.
    - As of now **only three states Manipur, West Bengal and Rajasthan have enacted laws against mob lynching**.
      - The **Jharkhand** Assembly has passed Prevention of Mob Violence and Mob Lynching Bill, 2021 recently.

## Way Forward

- Lynchings are an **abomination that must have no place in a democratic society**, which India prides itself to be.
- Lynchings are a **uniquely unsettling derailment of governance** — while an act of mob violence is itself a sign of failure of law enforcement, it is committed in an apparent consideration that there can be no legal recourse.
- In a **pathological subversion of principles**, the police inaction in cases of mob violence is reciprocated by an apparent public sanction of extrajudicial punishments by the police.
- All this bodes ill for the country. Mob violence indeed 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.

**Source: TH**