



Make Lynching A Separate Offence, SC Tells Parliament

The Supreme Court has condemned the recent events of lynchings and has asked the Parliament to make lynching a separate offence. A special law in this field would instil a sense of fear of law amongst the people who involve themselves in such kinds of activities

Court's Observations

- The court observed that "horrendous acts of mobocracy" cannot be allowed to overrun the law of the land.
- The primary obligation of the government is to protect all individuals irrespective of race, caste, class or religion.
- Describing lynchings and mob violence as threats, the court warned that the rising wave of frenzied mobs, fed by fake news, self-professed morality and false stories, can immensely effect secular ethos and pluralistic social fabric of the country.
- Presentation of the incidents in a favourable light by the perpetrators of the crimes, including in the social media aggravates the entire problem.
- Pluralism and tolerance are essential virtues and constitute the building blocks of a truly free and democratic society and ought not to be suppressed.
- The dignity of a human being is of utmost priority and has been guaranteed by the law of the land. It cannot be taken away by other citizens of the society.
- The court has directed several preventive, remedial and punitive measures to deal with lynching and mob violence.
- It has ordered the Centre and the States to implement the measures and file compliance reports within the next four weeks.
- Till a special legislation is framed, the guidelines directed by the court would stand the force of law.

The Guidelines

- The State governments shall designate a senior police officer in each district for taking measures to prevent incidents of mob violence and lynching.
- The state governments shall immediately identify districts, sub-divisions and villages where instances of lynching and mob violence have been reported in the recent past.
- The nodal officers shall bring to the notice of the DGP any inter-district co-ordination issues for devising a strategy to tackle lynching and mob violence related issues.
- It shall be the duty of every police officer to cause a mob to disperse, which, in his opinion, has a tendency to cause violence in the disguise of vigilantism or otherwise.
- Central and the state governments should broadcast on radio and television and other media platforms including the official websites that lynching and mob violence shall invite serious consequence.
- Curb and stop the dissemination of irresponsible and explosive messages, videos and other material on various social media platforms. Register FIR under relevant provisions of law against persons who disseminate such messages.
- Ensure that there is no further harassment of the family members of the victims.
- State governments shall prepare a lynching/mob violence victim compensation scheme.
- Cases of lynching and mob violence shall be specifically tried by designated court/fast track courts

earmarked for that purpose in each district. The trial shall preferably be concluded within six months.

- To set a stern example in cases of mob violence and lynching, the trial court must ordinarily award maximum sentence upon conviction of the accused person.
- If it is found that a police officer or an officer of the district administration has failed to fulfil his duty, it will be considered as an act of deliberate negligence.

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