



States' Lax Response to Mob Lynching

For Prelims: Cow vigilantism, Mob Violence, lynching, National Federation of Indian Women (NFIW), Tahseen Poonawala versus Union of India Case 2018

For Mains: Mob Lynching and Religious Fundamentalism

[Source: TH](#)

Why in News?

The National Federation of Indian Women (NFIW) has filed a petition in the [Supreme Court](#).

- The Supreme court seeks an explanation for the consistent failure of the Ministry of Home Affairs and six state governments (Maharashtra, Odisha, Rajasthan, Bihar, Madhya Pradesh, and Haryana) to act against lynching and mob violence on Muslims by cow vigilantes.

What is Mob Lynching?

- **Mob lynching** is an act of collective violence perpetrated by a large group of individuals, involving attacks on either a person's body or property, whether in public or private settings.
 - The group, driven by a belief that the victim has committed some perceived wrongdoing, takes matters into their own hands, disregarding legal rules and procedures in the process.

Cow Vigilantism: Cow vigilantism or lynching in the name of **Cow Protection** poses a serious threat to the **secular fabric of the nation**. Killing of people just on the suspicion of beef depicts the intolerance among the vigilantes.

What are Some Statistics Related to Lynching in India?

Data compiled by **India Spend** website on Cow-Linked Violence in India (2010-2017):

- A total of 28 people were killed in 63 incidents of cow-linked violence during the period from 2010 to 2017.
 - Almost all of these attacks, around 97%, happened after 2014, showing a sharp increase in such incidents in the last few years.
 - About 86% of the people who were killed in these incidents were Muslims, which shows that a specific religious community was being targeted.

What are the Causes of Mob Lynching?

- **Perceived Threat to Culture or Identity:** Mobs engage in lynching when they believe that

certain actions or behaviors of individuals or groups pose a threat to their cultural or religious identity.

- For example: inter-caste or inter-religious relationships, consumption of certain foods, or customs that are perceived as challenging traditional norms.
- **Rumors and Misinformation:** Mob lynching incidents are often triggered by rumors or misinformation spread through social media, word of mouth, or other channels.
- **Economic and Social Tensions:** Issues related to land disputes, economic opportunities, and competition for resources can escalate into violent confrontations.
- **Political Manipulation:** Political interests and agendas may fuel mob lynching incidents.
- **Ethnic or Communal Divisions:** Long-standing ethnic, religious, or communal divisions can contribute to mob lynching.
- **Moral Vigilantism:** Individuals or groups may take the role of self-appointed moral vigilantes, enforcing their interpretation of social norms and values through violence.

What are the Issues Related to Mob Lynching?

- 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 (Articles 14) and Prohibition of discrimination, (Article 15)**
- Mob Lynching is nowhere mentioned in the law of the land and is to put it simply, it cannot be classified as murder as it has not been included in the **Indian Penal Code**.

What was the Supreme Court Observation in Tahseen Poonawala Case?

- In July 2017, the Supreme Court in the case of **Tahseen s. Poonawala v. UOI** said that it was the “sacrosanct duty” of the state to protect the lives of its citizens.
 - The Supreme Court in this case aptly **referred to mob lynching as a ‘horrendous act of mobocracy.’**

What are the Seven Remedial Directions Given by the Supreme Court?

- **Appointment of designated nodal officer:**
 - A designated nodal officer, not below the rank of Superintendent of Police, should be appointed to take measures to prevent prejudice-motivated crimes like mob violence and lynching.
- **Immediate lodging of FIR and Informing the nodal officer:**
 - If an incident of lynching or mob violence comes to the notice of the local police, they must immediately lodge an FIR.
 - The Station House Officer who registers the FIR must inform the nodal officer in the district about the incident.
- **Personal monitoring of investigation:**
 - The nodal officer must personally monitor the investigation of the crime.
- **Timely filing of chargesheet:**
 - The investigation and chargesheet should be filed within the stipulated period as per the law.
- **Scheme for victim compensation:**
 - There should be a scheme in place to compensate victims of prejudice-motivated violence.
- **Action against non-compliance:**
 - Non-compliance with the court's directions by a police or district administration officer would be deemed deliberate negligence/misconduct, and appropriate action, beyond departmental proceedings, must be taken within six months.
- **Disciplinary action against officials:**
 - States must impose disciplinary action on officials who, despite prior knowledge, fail to prevent mob lynching incidents or delay in apprehending and initiating criminal proceedings against the culprit's post-incident.

What are the Initiatives Taken by Governments to Prevent the Issue?

- **Law against mob lynching:**
 - 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** which has been returned by governor recently for reconsideration of a few provisions.
- **Awareness Campaigns:**
 - **Ranchi Police** launched a mass awareness drive across Ranchi district to prevent mob lynching through poster campaigns.
 - **Aurangabad Police** have launched an awareness campaign in all the eight districts of Marathwada to curb incidence of mob lynching.
- **Victim Compensation:**
 - **The Goa government** announced in victim compensation scheme that in case a person dies of mob violence, the family will get Rs 2 lakh.
- **Social Media Monitoring:**
 - In the southern city of Hyderabad, police are trying to stop mob violence through a social media campaign using hashtags **#HyderabadKillsRumors.**

Way Forward

- Pay a **“minimum uniform amount”** to the victims of lynchings and mob violence.
- Lynchings have no place in a democratic society like India. As a country that prides itself on being democratic, it is **crucial that mob violence is eradicated.**
- All the states and Centre should look forward to bringing **comprehensive legislation** on the matter as brought by states like **Manipur, West Bengal and Rajasthan.**
- Measures need to be taken to curb the spread of fake news and hate speech.

About National Federation of Indian Women:

- The National Federation of Indian Women is a women's organization in India, and it serves as the women's wing of the Communist Party of India.
 - It was founded on June 4, 1954, by leaders from Mahila Atma Raksha Samiti, including [Aruna Asaf Ali.](#)