

Being the ultimate protector of the Right to Life, the higher judiciary must take proactive steps to stop lynching, punishment perpetrators. Discuss

Lynching is a form of violence of mob, under the pretext of administering justice, executes (extrajudicially) a presumed offender.

It is a consequence of mob violence in which a community (or) a group intends to establish dominance & portary power in the society.

Causes: — vigilantism in the name of religion  
— Intolerance  
Fata news — To dominate others / Show power

Observation of Supreme Court (S.C.)

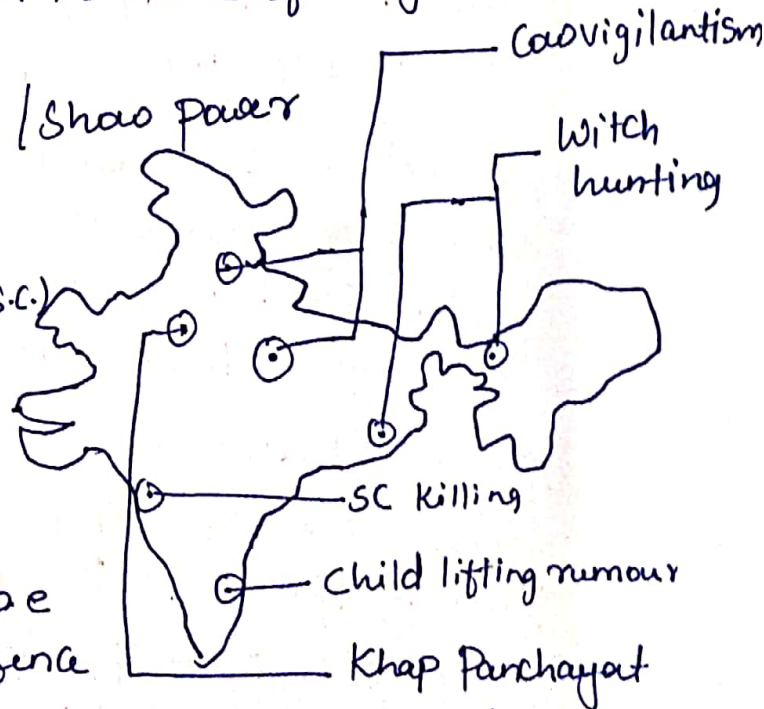
Tehseen S. Poonawalla Vs Govt

i) Separate offence

- Mob lynching should be made a separate offence & punishment should be given accordingly
- Currently all cases are considered individual cases.

ii) Law & Order

- Authorities responsible for maintaining law & order should be held responsible for killing.
- Nodal officers, not below SP level, in each district should be appointed along with Special Task Force team.



### iii) Victim Compensation

- Provide Victim (or) to next to the kin of the deceased the Compensatory fund created by
- For such fund, create Lynching Victim's Scheme

### iv) Legal aid

- Provide free legal aid to the victims

### Government measures

- Central Court. asked State Govts to take measures on mob lynching and come up with state law as 'Public Order & Police' is a State Subject
- Asked Social media platforms to curb the dissemination of false news. WhatsApp already came with limiting the no. of forward messages as well as showing the receiver that the message is a forward

Causes of concern: Though measures have been taken, mob lynching continues to be threat of Rule of law and threatens social fabric

- Recent filling of FIR against 49 eminent citizens who wrote a letter to PM against lynching
- 86-1% of Cow vigilantism's victims are muslims & SCs
- Highly burdened police department & ineffective implementation of State Govts of S.C. directions.

Higher Judiciary must give guidelines to Central Govt to make law against Mob lynching (Rajasthan has made mob lynching law) and guide Subordinate courts to follow & bind SC's judgements. Former SC Judge said "Constitution is for everyone, even for marginalized & minorities, the silence of the lawmen does more harm than the violence of the laymen"