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Mob Violence in India: Recent Trends and Mitigation Strategies

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ABSTRACT

The phenomenon of mob violence has been seen throughout history, indicating its longstanding presence in many societies. The quality of it has been present for a considerable duration. The recent significant increase in similar occurrences during the past several years in India is both concerning and the rationale for bringing it to public attention. In the context of India, instances of mob violence have manifested in several ways, serving as responses to a multitude of concerns such as communalism, political provocation, criminal activities, acts of violence targeting certain religious or social groups, sexual assault, homicide, religious and cultural intolerance, racial discrimination, theft, and other related matters. The act of defacing public property as a form of expressing disagreement or unhappiness with governmental actions and policies is a highly infrequent occurrence among members of the public. The central attribute of mob violence entails the collective collaboration of individuals to safeguard their families, communities, possessions, positions of authority, or privileges, while simultaneously administering punishment or causing suffering to others to redress wrongdoing and uphold justice. The key determinants that lead to instances of mob violence in India are the nation's inefficient and bureaucratic legal system, pervasive corruption, elevated crime rate, heterogeneous social fabric, and limited educational achievements. In this paper Author tried to focus the history, Evolution, reasons, effects, Impacts of Mob violence on society, Legal Remedies and Mitigation Strategies in context of India.

I. INTRODUCTION

Peace, Non-Violence, Unity, Sympathy has been always deep rooted in human civilization and nature. India Given to world philosophy of Universal oneness i.e., Advaita given by Adi-guru Shankaracharya which means whole universe is one, everyone is equal. Philosophy of peace given by Lord Buddha and Non-Violence given By Mahatma Gandhi. Biggest Ideologue of Non-Violence swami Mahaveer taught to love each and every creature. These Thoughts are in root of human civilization. Irrespective of such thoughts question arise from where our society

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got place for violence. A collective violence or group violence against another group or individual. No Within the context of contemporary society, Various terms are employed to describe acts of Mob violence, mob lynching, mob vigilantism, rioting, and mob justice. In the Global as well as Indian context, instances of mob violence are frequently reported throughout various regions of the country. The reasons behind such occurrences may vary, but the ultimate effect remains the same: the loss of an innocent life in the name of justice. Questions occur. What are the underlying reasons behind the tendency of citizens to collectively engage in vigilantism, resorting to acts of violence as a punishment to those they perceive as offenders?

Since pre-independence, India and other regions of South Asia have witnessed a historical occurrence of disturbance, extensive intergroup violence, and mob violence specifically targeted towards disadvantaged and underprivileged people inside India. Since the year 1947, India has witnessed a multitude of instances of violence perpetrated by groups of individuals. Over the past four decades, there has been a prevailing trend of one mob predominantly causing harm to other individual and their belongings, with a notable instance in 1984 involving Sikhs. This form of violence, commonly referred to as "religious rioting," is generally perceived as occurring primarily between Hindu and Muslim communities. This phenomenon has been commonly associated with intergroup conflicts involving Hindu and Muslim populations. While the primary emphasis of these incidents has been concentrated in urban areas, it is worth noting that instances of violence have also extended to peri-urban and rural regions. There exists a strong correlation between caste-based hierarchies and some manifestations of mob violence. The perpetration of excessive violence and atrocities upon Dalits and other marginalized groups who do not belong to the caste system can be attributed to the dominant castes. Additional cases of mob violence are targeted towards certain demographics, including residents of a specific region, such as Kashmiris Pandits, or those belonging to an ethnic group associated with that area, such as those originating from the northeastern states. Mob Violence and Murders, Rapes of Kashmir Pandits in one night followed by forced Migration is example of 90s how dangerous a mob can be.

The origins of human violence may be attributed to several factors such as limited resources, avarice, and rivalry. Consequently, contemporary researchers engage in discussions regarding the potential influence of specific faiths in particular contexts, debating whether they serve as catalysts for violence or promote nonviolent behavior. Nonviolent resources can be found

within the major faiths worldwide, while interfaith peacebuilding endeavors persist, often discreetly. Furthermore, nonviolent social movements have not only been instigated but have also occasionally yielded enduring political transformations, exemplified by the accomplishments of figures such as Mohandas Gandhi and Martin Luther King Jr.

Due to the presence of these obstacles that impede their ability to get justice, victims and their advocates are compelled to utilize the legal framework. Conversely, within Indian culture, individuals frequently have a propensity to stick steadfastly to a certain set of ideas, displaying a notable resistance to alteration. These concepts have been transmitted from one generation to the next².

One crucial element in contemporary criminal activities is to the utilization of social media and messaging platforms as strategic tools for disseminating false information with the intention of inciting hate towards a certain community or individual³.

The Indian Legal System does not currently possess any specific statute or prescribed penalties pertaining to the act of Mob Violence and lynching. Lynching refers to the act of unlawfully killing an individual by the collective actions of a crowd, without the sanction or involvement of a judicial authority. Lynching is confined to mob violence resulting killing of Individual. During the American Revolution, Charles Lynch, and William Lynch, both American individuals, used the phrase "lynch law" to describe a particular approach they employed in addressing matters involving individuals of African descent. The primary objective and consequential importance of this derivation were to administer punitive measures to individuals in the absence of a formal trial. The practice of lynching employed a discriminatory procedure known as the inferiority process, wherein a certain group or community within society, such as African Americans, were deliberately singled out as the primary targets in the United States. William Oliver (1989) coined the term "Inferiority Process" to describe a methodical manifestation of physical violence across various domains, including political, legal, educational, economic, religious, military, and mass media. This process aims to establish control over institutions by individuals of White descent.

Mobs characterized by an ideology rooted in animosity against a distinct group and motivated by the objective of demeaning and demonizing such group, engage in acts of aggression against

² Michael J McClymond, "Religious Traditions, Violence and Nonviolence" in Lester R Kurtz (ed), *Encyclopedia of Violence, Peace, & Conflict* (Elsevier 2022).

³ Ishan Gupta, "Mob Violence and Vigilantism in India" (2019) 23 World Affairs: The Journal of International Issues 152 <<https://www.jstor.org/stable/48566204>>.

unsuspecting individuals to accomplish their objectives⁴. The strategic utilization of both social media and conventional media platforms may effectively cultivate a sense of apprehension towards individuals perceived as 'the other' inside a group. Subjects that evoke strong emotions, such as the protection of cows, are often employed to incite the passions, fear, and animosity of large groups of people. Furthermore, such friendships are sometimes subjected to scrutiny as indicators of one's loyalty towards nationalism or as potential sources of terror, including concerns of child abduction or theft.

The Indian Constitution places significant importance on upholding the standards associated with the rule of law, and the judiciary has consistently reiterated the significance of these principles via numerous instances and diverse approaches⁵. It is crucial that appropriate measures are undertaken to reestablish the office. Furthermore, to attain this objective, the implementation of further distinctive laws is necessary. The legislation in question should possess the capacity to uphold fairness and convey a clear message that no one is immune from the legal obligations that apply to all others.

II. MOB VIOLENCE IN INDIAN PERSPECTIVE

India is a country with great diversity. India, a country with a big population, may be the most diverse in the entire globe. It is a civilization made up of members of several racial groupings, religions, language communities, and cultural traditions. There are sizable populations of Muslims, Sikhs, and Christians in addition to the Hindu majority, who make about 83 percent of the population. Sixteen primary languages are recognized by the constitution, while Indians speak more than 1600 regional varieties. From the taller, comparatively fair-skinned Punjabis in the north to the shorter, darker Dravidians in the south, the population is diverse. Indians are ready to identify themselves as citizens of a specific state or geographical area and have a keen sense of regionalism. In India, there are thousands of subcastes beneath the five main castes, which have an impact on both Hindus and non-Hindus.

In contemporary India, sociopolitical diversity continues to be a primary cause of conflict. Upper castes and untouchables, Hindus and Muslims, Hindus and Sikhs, Muslims and the police, Marxists and Maoists, union members and the police, the army and the police,

⁴ Upasana Borah, "Mob Lynching or Horde Lynching: A Threat to Rule of Law along with Recent Supreme Court Guidelines" <https://saudijournals.com/media/articles/SIJLCJ_38_248-256.pdf>.

⁵ Jasdeep Kaur, "Mob Lynching Vis-a-Vis Rule of Law and Democracy: Recent Legislative and Judicial Trends in India" (2021) 6 *International Journal of Mechanical Engineering*.

untouchables and the police, and farmers and the police are the groups most frequently involved in this conflict⁶.

In recent years, India has emerged as one of the country's most significantly impacted by incidents of mob violence and mob vigilantism on a global scale. India is characterized by its pluralistic nature, whereby many religious, ethnic, and cultural groups coexist harmoniously. The distinctive characteristic of Indian society is in its ability to maintain unity among a vast array of variation. The Indian constitution is a highly esteemed text of enduring significance that safeguards the diverse cultural fabric and advances the fundamental principles of Indian governance. The constitution, by means of its preamble, Fundamental Rights, and Directive ideals, established a state that adheres to secular ideals, emphasizing equality and the absence of prejudice. The theory of fundamental structure, as established by the Supreme Court, incorporates the principle of secularism, which is deemed unamendable by the parliament. The Indian style of secularism entails the state's commitment to impartially treating and respecting all religions, with the aim of fostering communal peace and religious tolerance. The concept under consideration originates from the principles of Sarva Dharma Sambhav and Sarva Dharma Shambhav. In contrast to the secularism model prevalent in the Western context, which advocates for a full separation between religion and state, the Indian model is characterized by a commitment to non-discrimination, conscientiousness, and equitable governmental engagement with all religions⁷.

The incidence of mob violence in India is experiencing a steady rise over time. Concerned Indian residents who possess a rational mindset are expressing apprehension over the increasing occurrences of mob-lynching, Mob Violence incidents that are taking place in broad daylight, often under numerous pretexts. It is important to acknowledge that mob violence continues to persist in contemporary society. The enduring impact of mob violence is a persistent concern inside contemporary culture. Throughout history, several instances of community violence have been documented, occurring not just in urban areas but also in rural villages. These conflicts have involved various groups and have often resulted in widespread and uncontrolled violence, causing significant destruction. The motivations behind such violence are typically attributed

⁶ George J Bryjak, "Collective Violence in India" (1986) 13 *Asian Affairs an American Review* 35 <<http://www.jstor.org/stable/30171906>>.

⁷ Astha Trivedi, "Mob Lynching in India: Legal Protection Is Need of Hour - *International Journal of Law Management & Humanities*" (2022) 5 *IJLMH* 229.

to the collective actions of the mob, although specific causes may vary across different incidents.

History

Mob-violence is not a new phenomenon in India. Many a times mob enters the violence just within a few seconds, without thinking a second on the actual issue for which the mob interested. Mob psychology almost go to-gather in similar fashion resulting either vandalizing or beating the innocents, which leads to death.

The nation associated with Mahatma Gandhi, a prominent advocate of nonviolent resistance, has had its fair share of suffering, loss of life, and devastation resulting from acts of collective aggression. India achieved independence as a sovereign nation during a very intense and brutal conflict, which is often regarded as one of the most vicious and horrible episodes in recent history. The partition of India in August 1947 led to the establishment of Pakistan, a nation that was physically split and mostly inhabited by individuals originating from the Punjab area of the Indian subcontinent. As a result of the partition, an estimated population of 7 to 8 million Hindus and Sikhs became inhabitants of a newly established nation that predominantly adhered to the Islamic faith. A substantial proportion of the population of the state, which was predominantly Hindu, consisted of Muslims. In a fervent endeavor to acquire citizenship in communities predominantly composed of individuals sharing their religious affiliation, a vast multitude of individuals went upon one of the most significant migrations witnessed in human history.

Amid a tumultuous mass migration, long-standing animosities between Hindus and Sikhs, on one hand, and Muslims, on the other, escalated into a significant and violent conflict. According to Khushwant Singh, during the summer of 1947, when the official declaration of the establishment of Pakistan was made, a significant number of individuals, comprising Muslims, Hindus, and Sikhs, were compelled to migrate, resulting in a total of 10 million displaced individuals. Upon the commencement of the monsoon season, a substantial number of one million individuals had perished, leading to a state of unrest, fear, and concealment over the entirety of northern India⁸.

After independence – long list like-- mob violence during communal conflagrations, such as during Sikhs (1984), Genocide of Kashmiri Hindu (1990), Christians Kanda maal riots (2009),

⁸ George J Bryjak, "Collective Violence in India" (1986) 13 *Asian Affairs An American Review* 35 <<http://www.jstor.org/stable/30171906>>.

Bombay riots (1992), Gujarat (2002), Godhra (2002), Muzaffarnagar (2013), and Bharuch riots (2015), Delhi Riots (2020),

Throughout its history, India has witnessed a series of incidents commonly labeled as 'communal violence' or 'communal riots'. These events have ranged in intensity, encompassing minor clashes during religious processions to more organized and aggressive acts of aggression targeting minority groups. Notable instances include the 1984 anti-Sikh violence in Delhi and the 2002 Gujarat riots, which specifically targeted the Muslim community. As to the Ministry of Home Affairs (MHA), the term "communal violence" refers to deliberate and coordinated acts of violence perpetrated by individuals belonging to one group against individuals belonging to another community, with the intention of fostering animosity or hatred, resulting in casualties or physical harm to individuals. Rights activists have advocated for a more holistic perspective in comprehending community violence, including recognizing the involvement of political actors that initiate and gain advantages from such acts of aggression⁹.

The occurrence of communal violence in post-independence India has been significantly shaped by the historical effect of colonial governance in the sub-continent. The designation of communities along religious lines under British administration in India had a key role in the increasing divide of the Indian population, notably in the years preceding independence in 1947. The culmination of these events resulted in the Partition and establishment of India and Pakistan. This split, characterized by communal divisions, was accompanied by extensive religiously driven violence, leading to a significant loss of life estimated between 1 and 2 million individuals. Additionally, tens of thousands of people experienced sexual assault, and the displacement of as many as 15 million individuals occurred, therefore. One significant consequence of colonialism and the traumatic experience of Partition has been the fostering of exclusionary identities, which continue to have enduring ramifications for religious minority groups¹⁰.

III. RECENT UPSURGE IN MOB VIOLENCE AND HATE CRIMES

These victim-specific injuries are made clear by the lexicon of hate crimes when they may otherwise go unnoticed. Compare this to terms like vigilantism or mob violence that are

⁹ *Ibid*

¹⁰ "A Narrowing Space: Violence and Discrimination against India's Religious Minorities Center for Study of Society and Secularism & Minority Rights Group International" (*Minorityrights.org*) <https://minorityrights.org/wp-content/uploads/2017/06/MRG_Rep_India_Jun17-2.pdf> accessed August 24, 2023.

frequently used in Indian dialogues nowadays. Both categories are focused with the effects of violence on law and order, either through emphasizing the type of violence ('mob') or the dismantling of the state's monopoly on violence ('vigilantism'). Vigilantism views violence in starkly different terms than do hate crimes, portraying it as a reaction to the victims' unacceptable behavior. It implies that the state's inability or unwillingness to confront such behavior forced the offenders to impose the law on themselves. By personalizing crimes and emphasizing the harms they cause for the victims, the hate crime notion is far more victim-centric than any of these examples. The notion is also significantly more appealing than many rival categories since it simultaneously lets us understand the social context and costs of such acts. It highlights the reality that bias-motivated crimes have negative effects on people other than their intended victims, especially the larger community where the victim lived¹¹.

There has been a notable increase in hate crimes. Based on a published report, the National Human Rights Commission recorded a total of one hundred and seventeen (117) instances of purported victimization and harassment against individuals from the minority group over the year of 2016-17¹². Regarding the issue of harassment faced by Dalits, there has been a significant and noteworthy rise of 33% in the quantity of complaints that have been officially reported by the National Human Rights Commission (NHRC). In the fiscal year 2016-17, the National Human Rights Commission (NHRC) recorded a total of 505 instances. However, in the subsequent fiscal year of 2018-19, this number witnessed a notable rise, reaching a total of 672 cases¹³.

From 2016 to June 15, 2019, the National Human Rights Commission (NHRC) documented a total of 2,008 instances in which individuals belonging to minority groups, specifically Dalits, were subjected to various forms of harassment¹⁴. Given the evidence that has been documented, it is necessary to empirically investigate several fundamental problems.

Typology

For Indian perspective mob violence can be further divided into various forms such as -

- Caste and Religious motivated:

¹¹ M Mohsin Alam Bhat, "Mob, Murder, Motivation: The Emergence of Hate Crime Discourse in India" [2020] SSRN Electronic Journal <<https://papers.ssrn.com/abstract=3602509>>.

¹² Girjesh Shukla, "HATE CRIMES: AN ARGUMENT FOR ALTERNATIVE PENAL POLICY" (2020) 48 Indian Journal of Criminology.

¹³ *Ibid*

¹⁴ *Ibid*

- Economic and politically motivated:
- Mob justice:
- Witch Hunting:
- Cow Vigilantism:
- Absence of effective laws and statutes
- Poor Implementation of minority's laws:
- Lack of accountability and conviction:
- Vote-bank politics:
- Police failure:
- Social media menace:
- High Unemployment rates:
- Other Reasons: There are so many reasons for Mob Violence such as extremism, casteism, robbery, extortion, rape, Romeo squire, anti-nationalist, class conflict, etc.¹⁵.

Current Trends of Mob Violence in India

In recent years Festivals, processions, places of worship, Elections, are key targets of mob vigilant groups. In India context in last few months religious processions were used majorly to cause disturbance and violence among communities. Recent violence of Mewat, Ujjain, Some Parts Of Madhya Pradesh like Jabalpur, Mandsores, Chattisgarh were done targeting Processions of religious festivals.

If we go on data of mob violence, we will find nothing because from 2017 government had stopped reporting data of incidents of mob violence. According to MHA NCRB stopped collecting data on lynching, hate crime as it was 'unreliable'¹⁶,

In the year 2017, NCRB collected data on cases of mob lynching, hate crimes etc. It was observed that the data was unreliable as these crimes etc. have not been defined. Hence,

¹⁵ Nargis Choudhary, "MOB LYNCHING AS A NEW OFFENCE EMERGING IN INDIA: A STUDY WITH A SPECIAL REFERENCE TO ASSAM" (*Aequitas Victoria*, February 9, 2021) <<https://www.aequivic.in/post/aijacla-mob-lynching-as-a-new-offence-emerging-in-india-a-study-with-a-special-reference-to-assam>> accessed August 24, 2023.

¹⁶ Ananya Bhardwaj, "NCRB Stopped Collecting Data on Lynching, Hate Crime as It Was 'Unreliable', Govt Tells LS" (*ThePrint*, December 21, 2021) <<https://theprint.in/india/governance/ncrb-stopped-collecting-data-on-lynching-hate-crime-as-it-was-unreliable-govt-tells-ls/785201/>> accessed August 24, 2023.

collection of data in this regard was discontinued. While in reasons Government stated that the intention of the government is to create a legal structure which is citizen-centric, prioritizes to secure life, preserve human rights, and provide speedy justice to the vulnerable sections of society¹⁷.

Data of communal violence can be easily traced which is given timely by Ministry of home affairs.

Year	Incidents of Communal Violence
2011	580
2012	640
2013	823
2014	644
2015	751
2016	869
2017	732
2018	512
2019	438
2020	857
2021	378

Data on Incidents of Riots

Years	No of Incidents of Rioting
2016	61964
2017	58880

¹⁷ *Ibid*

2018	57828
2019	45985
2020	51606
2021	41954

IV. REMEDIES AVAILABLE AGAINST MOB VIOLENCE IN INDIAN PERSPECTIVE

Earlier we have talked about the mob violence in India and recent trends with upsurge of such incidents with evolution and reasons. In this chapter we will see Legislative, Judicial, and administrative measures available. And in these categories, I will also explain what mitigation measures can be taken to overcome the problems of mob violence.

The Constitution of India is founded on the fundamental principle of the Rule of Law, which encompasses the concept of legal certainty. Furthermore, the Preamble to the Constitution encapsulates the notion that the principles of Justice, Freedom, and Equality are intended to be safeguarded for all individuals, while also emphasizing the promotion of Fraternity among the citizenry. Nevertheless, a considerable amount of time has elapsed since the Constitution was established, and we have failed to ensure its adherence. The phrase 'We' encompasses not just the Legislature, Executive, and Judiciary, but also the entire nation.

Crowd violence represents a domain in which the principles enshrined in the Constitution are neglected. The numeral "9" is used to represent the numerical value of nine¹⁸.

Legislative approach –

Despite the long-standing history of mob lynching, Mob Violence in India, it is noteworthy to acknowledge that until August 2023, there was a notable absence of a national legislation specifically addressing this heinous crime, which unequivocally constitutes a grave infringement against fundamental human rights. Mob Violence offenses can be associated with national laws, such as the Indian Constitution, the Indian Penal Code, and the Protection of Human Rights Act of 1993. The National Crimes Records Bureau (NCRB), which serves as the principal repository of official crime statistics in India, does not maintain a comprehensive

¹⁸ Ania Loomba, "The Violence of Gandhi's Non-Violence" [2014] India International Centre Quarterly, <https://issuu.com/brinesalt/docs/loomba_gandhi_violence> accessed August 25, 2023.

record of individual incidents of lynching. According to Section 223(a) of the 1973 Code of Criminal Procedure, it is stipulated that individuals or a group accused of committing the same offense in a collective act may be subject to simultaneous prosecution¹⁹.

Hate crime laws, in essence, do not possess power neutrality; rather, their purpose is to safeguard those who are susceptible to harm. The recognition of the lack of hate crime legislation in India was evident when the Law Commission, through its Criminal Law Amendment Bill 2017, suggested the inclusion of a new provision, namely 153C in the Indian Penal Code (IPC), which would outlaw the act of 'incitement to hatred'. This proposed provision aims to not only discourage the incitement of hatred, but also to prevent the promotion of enmity and the disruption of national unity²⁰. The Indian legal system lacks a specific hate crime statute, but it does have The Scheduled Caste and Scheduled Tribe Prevention of Atrocities Act, 2015, which serves as the closest approximation. This legislation aims to address violence and atrocities committed against Dalits and indigenous communities, who are considered the most marginalized segments of Indian society. Crimes motivated by hatred towards individuals belonging to Scheduled Castes/Scheduled Tribes (SC/ST) are consequently documented as SC/ST crimes. However, it should be noted that the SC/ST Act does not encompass other marginalized groups, including religious, ethnic, and sexual minorities, as well as individuals with disabilities. Additionally, it does not extend its protection to some sections within the Muslim and Christian communities who identify themselves as Dalits.

The *Bhartiya Nyaya Sanhita* (BNS) has laws that address the issue of mob violence. In addition to encompassing general rules pertaining to illegal assembly, rioting, and affray, the *Bhartiya Nyaya Sanhita* (BNS)) has specific sections aimed at penalizing acts of violence motivated by hate crimes. The Protection of Civil Rights Act, 1955 has been enacted to provide legal safeguards for those belonging to a marginalized social group that experiences civil handicap, often known as 'Untouchability'²¹.

Due to the distinct origins of hate crimes compared to other types of offenses, the existing criminal policy, which effectively addresses traditional crimes, would be inadequate in

¹⁹ Siddharth Jasrotia, "Legislative Mechanism and Judicial Response to Mob Lynching In India: Diagnosis and Prognosis" (2019) <<https://papers.ssrn.com/abstract=3545894>> accessed August 24, 2023.

²⁰ *Ibid*

²¹ Radhey Shyam Jha, Vipin Jain and Chanchal Chawla, "Hate Speech & Mob Lynching: A Study of Its Relations, Impacts & Regulating Laws" (2019) 22 *Think India Journal* 1401 <<https://thinkindiaquarterly.org/index.php/think-india/article/view/8505>> accessed August 24, 2023.

initiating the prosecution of individuals responsible for hate crimes. The claim is supported by the empirical evidence of a low incidence of convictions in cases of communal and caste-based violence. Based on the statistics published by the Ministry of Home Affairs, it is evident that the conviction rate pertaining to the SC/ST (Prevention of Atrocities) Act stands at a mere 16.3%, which is notably lower than the national average of 29.4%²². For this reason, the Ministry of Home issued a recommendation to all states to conduct thorough investigations into matters pertaining to SC/ST.

Chart on legislative measures available for Incidents of Mob Violence

Incidents related to Mob Violence	Legal provisions	Incidents related to Mob Violence	Legal provisions
Offence by mob	223(a) CrPC	Trespassing on burial grounds so that any religious sentiments may not be hurt.	297 IPC
Murder By Mob	302 IPC	uttering words with deliberate intention to wound religious feelings.	298 IPC
Attempt to murder By Mob	307 IPC	Hurt or grievous hurt with common goal	323 or 325 with 34 IPC
Causing Bodily Harm by Mob	342 IPC	Unlawful assembly	141 IPC
Rioting	147 Rioting	Law against conversion by marriage. Allurement, deceit	Madhya Pradesh freedom of religion act 2020, states like Uttarakhand UP,

²² *Ibid*

		Anti Love jihad law	Jharkhand, Karnataka, Gujrat, Himachal also have Similar Legislations
Promoting enmity between groups and Disturbing Harmony	153A IPC	Cow Slaughter law	Nearly 22 states have their own law to stop cow slaughter and hard punishment provision like 3-10 years imprisonment is given
Acts prejudicial to maintaining national integration	153B IPC	voluntarily causes disturbance to any lawfully assembled religious assembly	296 IPC
Acts intended to outrage religious feelings	295A IPC	words intended to incite religious feelings	295B IPC

Mitigation Strategies –

But we lack any specific law which is focused and dedicated to punishing the offenders of Mob violence, preparators of mob violence. Various states passed law related to mob violence and mob lynching till date they are not applicable-

- **Dedicated and strict law – need of separate legal regime.**

Following States have passed the bills –

- Jharkhand – The prevention of mob violence and Mob lynching bill 2021, this has provision of 3 lakh to 25 lakh fine with 3 years to life imprisonment sentence²³.

²³ Jharkhand (Prevention of Mob Violence and Mob Lynching) Bill, 2021.

- Manipur- The Manipur protection from mob Violence Bill 2018, it proposes rigorous life imprisonment for those involved in mob violence it is causes death of victim²⁴.
- Rajasthan -The Rajasthan Protection from lynching bill 2019, It provides for life imprisonment and fine from 1 lakh to 5 lakh to convicts of mob lynching causing death²⁵.
- West Bengal – The west Bengal Prevention of lynching bill 2019, it has provision of death sentence, jail term from 3 years to life imprisonment for assault of victim²⁶.

But above 4 bills only passed and didn't received consent from president. According to MHA the State legislations on **three grounds---repugnant with Central laws, deviation from national or central policy and legal and constitutional validity. So, Government must decide in whose subject matter such serious offences are.**

- *Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Act, 2011-* This act was dedicated to mob violence. But faced lot of criticism due to its nature of minority appeasement for vote bank and polarization. Such act is needed but must be neutral and free from any kind of prejudice²⁷.
- **Manav Suraksha Kanoon:** In the year 2017, the National Campaign Against Mob Lynching prepared a legislative proposal. The law in question is referred to as the Manav Suraksha Kanoon (MASUKA), which aims to initiate legal proceedings against those implicated in acts of lynching.

Prakash Ambedkar, the grandson of B.R. Ambedkar, and activist Tahseen Poonawala have collaborated to propose a legislative amendment to Article 21 of the Indian Constitution, aiming to address the issue of mob violence. The terms 'lynching', 'mob', and 'offensive content' encompass distinct concepts that are relevant to several academic disciplines. 'Lynching' refers to the extrajudicial act of killing a someone, typically by a group, without legal authority or due process. It often involves acts of violence, such as hanging²⁸.

²⁴ The Manipur protection from mob violence ordinance, 2018.

²⁵ the Rajasthan protection from lynching bill, 2019 2019.

²⁶ The West Bengal (Prevention of Lynching) Bill, 2019 2019.

²⁷ Prevention Of Communal and Targeted Violence (Access to Justice And Reparations) Bill, 2011.

²⁸ Manav Suraksha Kanoon' (Masuka) 2018.

- Lynching should be made non-bailable offence – with graded levels of punishment depending upon the injury caused to the victim.
 - Dissemination of offensive material to be made a separate offence.
 - Investigation of lynching incidents to be conducted by senior police officers.
 - Special courts to fast-track trials.
 - Designated judges for trial and appeal at High Court.
 - Special rights for witnesses and victims.
 - Mandatory state government compensation within 30 days²⁹.
- Speedy Justice – Special fast track courts must be made, or special body to deliver justice for victim of mob violence can be made by law.
 - Free Legal Aid- Free legal aid must be given to victims of mob violence.
 - Victim compensation – The victim compensation scheme including the interim relief under section 357A of Criminal Procedure Code, 1973 must be prepared by the State Governments. victim is entitled to claim compensation under the Victim Compensation Scheme (VCS) framed by the States in consonance with the amendment introduced in the Code of Criminal Procedure, 1973. The pecuniary compensation may be helpful to the victim to escape from the clutches of financial hurdles and constraints in the process of getting medical treatment. If possible, such expenditure can be also recovered from property of mob³⁰. The Central government in 2015 formulated the CVCF scheme to compensate the determined. Every state has their own guidelines which decide the procedure. Scheme for assistance to victims of terrorist and communal violence, whereunder there is provision for onetime payment of Rs.3 lakh to the affected families in addition to any ex-gratia relief that may be provided. Proper arrangements for implementation of the scheme may be ensured³¹.
 - **Latest Proposed Amendment In criminal law** – In 2023 Monsoon session of parliament Government proposed various changes. Bill is sent to parliament standing

²⁹ *Ibid*

³⁰ Arnold HT Sangma, “Mob Lynching: An Uprising Offence Needed to Be Strenuous under the Indian Legal System” (*Multidisciplinaryjournal.in*) <<https://www.multidisciplinaryjournal.in/assets/archives/2017/vol2issue4/2-4-15-139.pdf>> accessed July 24, 2023.

³¹ Anubhav Pandey, “Compensation of Victim of Crime in India” (*iPleaders*, March 9, 2017) <<https://blog.ipleaders.in/compensation-victim-crime-india/>> accessed August 24, 2023.

committee. **Murder by a group of persons on grounds of caste or race** The Bill specifies separate penalty for murder committed by five or more people on specified grounds. These include race, caste, sex, place of birth, language, or personal belief. Each offender will be punishable with imprisonment between seven years and life, or death. It will also attract a fine³². We can say it as anti-mob violence law.

- There are some international and national instruments which support the victims of mob. Such as Article 7, of UDHR i.e. The Universal Declaration of Human Rights provides Equality before the law, and equal protection of the law, and the protection against discrimination. Article 20 of the International Covenant on Civil and Political Rights also states that “any advocacy of national, racial or religious hatred that constitutes an incitement to discrimination, hostility or violence shall be prohibited by law”. International Convention on the Elimination of All Forms of Racial Discrimination also in its article 4 regards the incitement and actions based on ideas of racial superiority or hatred, among others³³.

V. JUDICIAL APPROACH

Judiciary in India is important part of the democracy. It protects the Rights of citizens, act as watch dog of governance. It balances functionaries. In incident of mob violence judiciary plays important role in providing justice to victims, guiding functionaries to prohibit such acts, controlling perpetrators of mob violences. In different cases it provides guiding principles. It keeps balance in the country by checking whether government is acting neutrally in hate crimes and incident of mob violence. Its keep advising government Suo moto in various occasions. Like in recent case of Manipur violence supreme court asked Central Government to action as soon as possible. while conducting this hearing in supreme court CJI said

We don't want this proceeding to be used as a platform for further escalation of violence & other problems which exist in the State. We do not run the security apparatus or law and order³⁴.

Another recent incident of Nuh -Mewat mob Violence where Honorable High Court Of Punjab and Haryana asked whether the buildings belonging to a particular community in Nuh &

³² The Bhartiya Nyaya Sanhita, 2023” (*PRS Legislative Research*) <<https://prsindia.org/billtrack/the-bharatiya-nyaya-sanhita-2023>> accessed August 25, 2023.

³³ Ernest W Huffcut, “Digital Repository @ Maurer Law Er Law International Liability for Mob Injuries” (*Indiana.edu*) <<https://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=2990&context=facpub>> accessed August 24, 2023.

³⁴ Padmakshi Sharma, “Live Law” (*Live Law*, July 10, 2023) <<https://www.livelaw.in/top-stories/manipur-violence-supreme-court-law-order-232339>> accessed August 25, 2023.

Gurgaon are being brought down by the authorities under the guise of law and order problem and an exercise of “ethnic cleansing is being conducted by the State”.

Judicial Pronouncements: Decision given by courts works as set principal or precedent for upcoming such cases. Here we will discuss few such cases of mob violence and ruling given by our judiciary.

A writ petition was filed at the Supreme Court in the case of **Mohd. Haroon and others v. Union of India and others (2014) 2 SCC 680**, regarding the riots in District Muzaffarnagar, Uttar Pradesh. The city saw heightened community tensions, resulting in the displacement of residents from their homes owing to feelings of worry and panic. In this case, the petitioners put out the argument that rather than diligently implementing the law, the local government exhibited a lackadaisical approach by allowing the congregation to proceed and failing to exercise oversight over its activities. Furthermore, a resolution was reached to prohibit any form of discrimination against those who have fallen victim to mob lynching, regardless of their ethnic or religious background. It is imperative that communities receive support in the form of rehabilitation and compensation. According to the Supreme Court, the prevention of communal violence in all regions of the State is a shared obligation of the State Administration and pertinent intelligence services at both the central and state levels. Any law enforcement official responsible for maintaining peace and order within the jurisdiction who is found to be negligent shall be subject to legal penalties³⁵.

In Archbishop Raphael Cheenath S.V.D v. the State of Orissa and another, 2016 SCC OnLine SC 761, A writ petition was Filed to the court to bring attention to the State of Orissa's alleged inability to deploy police forces for the purpose of upholding peace and order in the Kandhamal District of Orissa. The petition also aimed to address the State's alleged negligence in protecting its citizens following the assassination of Swami Laxmananda Saraswati by Maoist individuals. In this particular instance, the court ruled that it is incumbent upon the state government to conduct an inquiry into the causes of communal riots and to bolster the police infrastructure as a means of averting communal disturbances. The court placed significant emphasis on the peace-building measures undertaken by the state³⁶.

³⁵ “Mohd. Haroon & Ors vs Union Of India & Anr on 26 March, 2014” (*Indiankanoon.org*) <<https://indiankanoon.org/doc/167681331/>> accessed August 25, 2023.

³⁶ Archbishop Raphael Cheenath ... vs State of Orissa on 2 August, 2016” (*Indiankanoon.org*) <<https://indiankanoon.org/doc/21622477/>> accessed August 24, 2023

In **Kodungallur Film Society Vs Union of India (2018) 10 SCC 713** the petitioner no.1 is a registered film society and petitioner no. 2 is the member of the said film society. The petitioner has submitted these writ petitions with the aim of seeking the intervention of the Supreme Court in response to the escalating instances of public disorder and mob violence directed towards films, particularly the movie 'Padmavat'. These incidents have resulted in nationwide protests, destruction of public property, and acts of mob lynching. The petitioner argues that the films in question have obtained legal certification under the Cinematograph Act. However, certain organizations are seeking to censor these pictures without proper legal authority, resorting to violent protests due to their perception that the films offend their religious and cultural sensitivities. The petitioner argues that the imposition of unlawful limitations on creative creations by mobs or violent organizations is a violation of the persons' right of speech and expression³⁷.

The petitioner prayed that the Supreme Court shall direct the central government to implement the guidelines of K.T. Thomas Committee provided in **Destruction of Public and Private Properties Vs Govt. of AP, (2009) 5 SCC 212** and to take strict action against the mob violent groups doing damage to public property. F S Nariman Committee also given recommendations to cover such damages³⁸.

Supreme Court in **Krishnamoorthy v. Sivakumar, [(2015) 3 SCC 467]** stated that “the law is the mightiest sovereign in a civilized society... No person, whether acting alone or as a member of a group that quickly transforms into a mob, has the authority to usurp the legal system and administer punishment to an individual whom they perceive as guilty. The Supreme Court, characterizing mob-lynching as "the abhorrent acts of mobocracy," has suggested that the Parliament should consider establishing a distinct offense for lynching and prescribing appropriate penalties for such acts. Highlighting the imperative need to establish efficient legal and regulatory systems, uphold tranquility, and safeguard the fundamental principles of secularism and diverse social cohesion, the Supreme Court has issued a directive to the states, urging them to take affirmative and responsible action³⁹.

³⁷ “Kodungallur Film Society vs Union Of India on 1 October, 2018” (*Indiainkanoon.org*) <<https://indiainkanoon.org/doc/139119795/>> accessed August 25, 2023.

³⁸ “Destruction Of Public&Pvt. ... vs State of A.P. & Ors” (April 16, 2009) <<https://indiainkanoon.org/doc/169453366/>> accessed August 25, 2023.

³⁹ “Krishnamoorthy vs Sivakumar & Ors on 21 January, 2015” (*Indiainkanoon.org*) <<https://indiainkanoon.org/doc/169274383/>> accessed August 25, 2023.

Arumugam Servai v. State of Tamil Nadu, [(2011) 6 SCC 405] court said that the states are directed to take necessary disciplinary action against erring officials⁴⁰.

Nandini Sundar and others v. The State of Chhattisgarh 2011 - According to the court "It is the country's responsibility to strive, continuously and consistently, to promote the well-being of all citizens in order to protect, nourish, and encourage their dignity. In the case of Mohd Haroon and others v. Union of India and others, it was ruled that "The Co-operative Governance Office, state intelligence services, and the institution are responsible for preventing public violence in any section of the country from reoccurring. Status. If a law enforcement officer is proved to be careless, he or she should be prosecuted⁴¹.

St. Stephen's College v. University of Delhi 1980, the Court stated, "The goal of our Constitution is to unite diversity and to inhibit any tendency to build unity among Indians in recognizing diversity," while underlining the value of diversity in unity. It is imperative to underline that India is a microcosm of social, religious, and cultural diversity⁴².

Tahseen Poonawalla v Union of India 2008 - The objective was to implement enhanced levels of official responsibility, procedural safeguards for victims and witnesses, and stricter penalties for offenders. Shedding Light on Mob Violence. The Supreme Court, in its ruling, placed significant stress on the significance of the command and supremacy of law, as well as the responsibility of the State to prevent individuals from resorting to vigilantism. The Supreme Court saw that lynching is a violation of the principles of the rule of law and the esteemed values enshrined in the Constitution. The assertion is made that engaging in vigilantism, regardless of the motive or underlying cause, has the consequence of eroding the authority of legal and official establishments, therefore disrupting the constitutional framework. Lynching and mob violence pose a growing concern, potentially evolving into a formidable entity akin to the mythical Typhon. This is evident in the recent surge of incidents characterized by recurring patterns, where frenzied mobs, driven by intolerance and misinformed by the dissemination of fake news and false narratives, have been instigating violence across the nation⁴³.

The Court in its judgement laid down preventive, remedial and punitive measures to

⁴⁰ *Arumugam Servai vs State Of TNadu on 19 April, 2011* [2011] SCC.

⁴¹ Nandini Sundar & Ors vs State of Chattisgarh on 5 July 2011” (*Indiakanoon.org*) <<https://indiakanoon.org/doc/920448/>> accessed August 25, 2023.

⁴² “St. Stephen’S College vs University of Delhi on 6 December 1991” (*Indiakanoon.org*) <<https://indiakanoon.org/doc/1545248/>> accessed August 25, 2023.

⁴³ “Tahseen S. Poonawalla vs Union of India on 17 July 2018” (*Indiakanoon.org*) <<https://indiakanoon.org/doc/71965246/>> accessed August 25, 2023.

combat this social evil.

- **Preventive measures**⁴⁴- The court requires each district to have a Nodal Officer, a senior police officer of least the rank of Superintendent of Police, to avoid mob violence and lynching. A specialized task force should gather intelligence on hate speech and false news incidents, victims, and perpetrators. Treat recent mob violence sites with caution. Nodal officers, intelligence units, and police must meet regularly to assess vigilantism and mob violence in the district and prevent them. The Nodal Officer will also try to eradicate hostility toward any specific community or caste. The Director General of Police/Secretary of the Home Department of the affected States must be updated on Mob Violence prevention activities via frequent meetings with the nodal person. The Court said that "it shall be the duty of every police officer to disperse a mob by exercising his power under Section 129 of the CrPC if he feels that the group has a predisposition to inflict violence or wreak devastation via lynching camouflaged as vigilantism or The Indian Home Department must spearhead social justice and Rule of Law implementation. Patrolling should be handled seriously to deter anti-social criminals and keep them inside the law, fearing to break it.

- **Remedial Measures**⁴⁵-The Court ordered a FIR and victim's family protection if lynching or mob violence happens despite preventive efforts. The Nodal Officer must investigate mob lynchings. Under section 357A of the Criminal Procedure Code, 1973, state governments shall create the victim compensation scheme, including interim remedies. Lynching and mob violence must be tried in a special court with the greatest sentence to dissuade the offenders. The court and police must prioritize witness protection. Daily trial updates must be given to victims and their relatives. The Legal Services Authorities Act, 1987, must give victims legal help advocate alternatives.

- **Punitive Measure**⁴⁶- "a police officer or district administration officer fails to comply with the aforesaid directions, the act shall be considered an act of deliberate negligence for which appropriate action must be taken against him/her, including departmental action under the service rules."

⁴⁴ *Ibid*

⁴⁵ *Ibid*

⁴⁶ *Ibid*

- **Other guideline by Supreme Court-**

- As lynching is considered a "separate offence," trial judges must inflict maximum sentence upon conviction to set a strong example in mob violence cases.
- State governments must select a top police officer in each district to prevent mob violence and lynching.
- The states must identify districts, subdivisions, and villages with recent lynching and mob violence reports. The DGP should be informed of inter-district coordination issues to develop a lynching and mob violence plan.
- Every police officer must disperse a violent crowd, vigilante or not.
- The federal and state governments must disseminate radio, television, and other media about the horrible consequences of mob lynching and violence.
- Local police must file a FIR promptly after receiving a report of a lynching or mob violence, regardless of State Police processes.
- State governments must create a lynching/mob violence victim compensation program under Section 357A of the CrPC within one month of this ruling.
- Willful negligence occurs when a police or district administration official fails to execute his duty⁴⁷.

These Supreme Court statements are not Imaginary in Poonawala case. Sensing the seriousness of the situation, the Court ordered steps to be implemented within four weeks of the verdict and ordered non-compliance.

- **Role of the National Human Right Commission and other quasi-judicial body-** Quasi-judicial bodies are accessible, free from technicalities, expeditious and proceed more rapidly and efficiently as manned by experts. The Protection of Human Rights Act, 1993 can be linked with these offences. In incidents of mob violences hate crimes and riots the National and States Human Rights Commission can play important roles. Mob Violence and Rioting incidents can be termed as crime of gross human right violations act. The right to life, as defined by article 2 of the Human Rights Act, describes how to protect human life, which is recklessly

⁴⁷ *Ibid*

demolished for no cost in India, and falls within the jurisdiction of the equality and human rights commission.

It is important to reiterate that to address an issue, the initial step is to acknowledge its presence. The initial stage towards the enforcement of penalties for hate crimes is the scrutiny of hate crime, hate speech, and mob lynching by the Supreme Court, Higher Court, and other judicial semi/quasi-judicial entities. The measures proposed by the Court clearly delineate the goal for a comprehensive punitive strategy in this context. The statement acknowledges the fundamental concerns at hand while also offering a means of adjusting the current trajectory. Initially, the Court advocates for the acknowledgment of hate crimes, mob violence, and mob lynching. Additionally, the document discusses the need of expeditious trials, safeguarding witnesses, providing recompense to victims of hate crimes, and imposing severe penalties on perpetrators. Furthermore, the court recognized the necessity of implementing alternative, efficient, and well-coordinated police strategies at all levels, ranging from the district level to the Ministry of Home Affairs, within the Government of India, to enhance crime control measures.

VI. ADMINISTRATIVE APPROACH

Administration plays important and crucial role in incidents of mob violence. Although judicial and legislative approach is important, but they act after or before occurrence of mob violence. While the time when society faces mob violence administrative approach is only instant remedy is available to such victims.

- **Role of Police and General Administration** – The function of the SP in riot management is vital. The SP must lead the force during a crowd interaction, give direction, resources, and plans for diverse scenarios. By his/her capacity to manage politicians and stand up to them, the SP communicates the message to the force and shapes the administration. If the SP appeases the politician or doesn't defend his/her men and women when politicians complain or bring pressure from higher-ups, the force knows. This individual is untrustworthy, so it's advisable to let the situation escalate rather than risk being held accountable for employing force. Subordinate policemen avoid responding to rowdy elements under such police chiefs. While mob organizers mobilize and the throng gathers, police station personnel will wait for orders from the superior. Desultory methods inspire agitators who believe the cops will not stop them. The situation deteriorates and leads to violent confrontations, property destruction, and even death by the time the commander or another senior officer orders dispersion or came to

"examine" the problem. The cops are constantly outnumbered by the mob. Thus, if the answer is delayed and the mob gains strength, it becomes harder to handle the situation afterwards. Intervention and responsiveness usually defuse the situation. The SP must support, guide, and lead this. In most districts, the SP'S first few weeks set the tone of his/her administration as a "no-nonsense" or "political" officer. This determines subservient behavior and crowd control.

The district magistrate (DM) provides "general supervision and guidance" to the local police under Section 4 of the Police Act of 1861. The SP and dm usually get along and operate together. While the Indian Administrative Service (IAS) and Indian Police Service (IPS) cadres fight over bureaucratic administrative authority, these two field officers work together to solve ground-level problems. The SP controls the police, and subordinates obey his/her orders. A hesitant and politically committed dm cannot hinder an autonomous and in control sp. In politicized political scenarios, the leadership cannot lead the police force to successfully address with violence. The two case studies below support the idea that the dm handles group violence secondarily⁴⁸.

- **Role of Law enforcement agencies/Intel. Agencies** - These agencies like NIA,IB , RAW gives special inputs and chances of such mob violence or big clash which can harm society
- **Special Battalion-** Reserved forces battalion are deployed on permanent and Temporary basis to deal with dangerous mob and provide security and help local administration to deal with issue. Like recently home ministry approved a permanent RAF camp in the conflict-prone area of Mewat
- **Crime branch-** These two cells play an important role, profiling of mob preparators and such violence causing criminal, preventive detention and surveillance is done by crime branch.
- **Cyber cell-** Most of mob violence are done by spreading misinformation and disinformation by social media. Cyber cells keep tracking such content which can instigate mobs or communities against another group.
- **NGOs** – During the mob violence non-government organizations helps administrative bodies and police in peacekeeping and they try to bring mob close for fruitful talk.

⁴⁸ Arvind Verma, "Role of Police in Containing Mob Violence" (2012) 47 Economic and political weekly 65 <<http://www.jstor.org/stable/41720113>>.

- **Gauba committee** - In May-June 2018, more than 20 people were lynched based on fake posts or rumors floating on various social media platforms. A panel headed by Union Home Secretary Rajiv Gauba – constituted for suggesting measures to check incidents of lynching – submitted its report to a Group of Ministers headed by Union Home Minister. Following Recommendations were Given:
 - Social media platforms – Facebook, WhatsApp, YouTube, and Twitter – need to act in a ‘time-bound’ manner against fake posts.
 - Make social media platforms accountable for not blocking malicious posts and videos when brought to their notice.
 - FIR could be launched against top officials of such platforms for not complying with government orders and they could be prosecuted under law⁴⁹.
- **Cabinet Committee** - Two high-level committees have been constituted by the Central government to suggest ways and legal framework to effectively deal with incidents of mob violence and lynching. One of the committees is being headed by Union Home Minister and the other by Union Home Secretary.
- **K T Thomas Committee** - It is recommended that the burden of proof be placed on the prosecution to demonstrate the occurrence of public property damage resulting from a direct action initiated by an organization, as well as the active involvement of the accused in that direct action. This was led by Justice K T Thomas, a former judge of the highest court.
- **F S Nariman Committee** - The organization was led by Fali Nariman, a distinguished senior attorney. The suggestions put out by this committee pertained to the process of seeking compensation for the act of causing devastation. The court acknowledged the individuals in question and rendered a verdict that the individuals involved in the riot should be held firmly accountable, with the requirement of collecting restitution for the inflicted damages.

⁴⁹ Maktoob Staff, “Crimes against Dalits, Tribals Increased in 2021: NCRB” (*Maktoob media*, September 5, 2022) <<https://maktoobmedia.com/india/crimes-against-dalits-tribals-increased-in-2021-ncrb/>> accessed August 25, 2023.

- **Negotiated management-** Primary Goal of Police is restore law and order In violence affected are. so, administration takes every possible step and negotiate with concern groups to stop any kind of further loss.

Home ministry Guidelines for communal harmony-

The maintenance of communal harmony, and the prevention/ avoidance of communal disturbances/riots and, in the event of any such disturbances occurring, action to control the same and measures to provide protection and relief to the affected persons, is a prime responsibility of the State Governments⁵⁰. So, the home ministry has given 8-point guidelines to deal with issues of mob violence which causes communal disturbance and disrupts harmony between two groups.

- **Preventive Measures** - priority is avoidance of any kind of communal violence is priority. So, district administration to assess communal situation of places. They must identify and specify the areas which are prone to mob violence and communal violence. They must examine on basis of historical, religious perspective and coordinate with police administration if any danger appears⁵¹.
- **Administrative Measures** – State level meetings to be held for peace and integration. There must be crisis management plan, state level Nodal agency, dedicated intelligence agencies, Identification of violence preparators, peace and Ekta committee, code of conduct for processions and religious function, regulated use of loudspeakers, recording and surveillance of public and religious gathering, control use of arms, check and control on rumors, stopping encroachment on name of religion etc. must ensure⁵².
- **Personnel Policy-** composition of police forces deployed disturbed area must be according to social structure of region for credibility and confidence. Full strength of force must be with special training and special battalion, Riot control team and equipment's, medical relief team must be available in priority⁵³.

⁵⁰ Guidelines on Communal Harmony” (2008).

⁵¹ *Ibid*

⁵² *Ibid*

⁵³ *Ibid*

- **Visits by VIP / Dignitaries-** After incident of mob violence and riots its common visit of VIPs and Politicians to gain public confidence so district administration must ensure maintenance of law and order by taking necessary steps for such visit⁵⁴.
- **Participation of Stakeholders** – Small workers, women, NGOs, and social workers helps must be taken to promote peace⁵⁵.
- **Press / Media and Awareness Building-** Media publicity to be used for promoting communal harmony and peace. Inspiring literature to young generation must be given. During such incident media must show Reliable news and instead of misleading, provoking, and fake news. Monitoring of media must be done⁵⁶.
- **Enforcement Action and Monitoring of Cases** – Immediate preventive action must be taken like curfew, prosecution, and detention of preparators, special court and special prosecutors must be appointed⁵⁷.
- **Relief and Rehabilitation** - Apart from maintenance of law-and-order victim relief and rehabilitation without discrimination must be priority. Relief camps must be set up with medical camp. whose property is damaged an appropriate mechanism may be established for speedy disposal of insurance claim and assistance from financial institutions by way of loans/ rescheduling of loans, etc. and central government Victim compensation scheme benefit must be given to such person.

VII. CONCLUSION & SUGGESTIONS

In summary, this Paper has conducted an extensive examination of the complex phenomena of mob violence, thoroughly investigating its various causes, dynamics, and repercussions.

The analysis conducted on the underlying variables that drive individuals to engage in mob violence demonstrates the significant impact of social identity, economic inequalities, and perceived risks to group unity. The psychological phenomenon known as deindividuation has provided insights into the diminished sense of personal responsibility that occurs within a group, elucidating how anonymity and diffusion of blame can contribute to the adoption of aggressive actions that an individual may not typically exhibit.

⁵⁴ *Ibid*

⁵⁵ *Ibid*

⁵⁶ *Ibid*

⁵⁷ *Ibid*

The advent of the digital era has brought up novel aspects of mob violence, whereby online communication platforms play a pivotal role in speeding up mobilization, fostering echo chambers, and intensifying emotional responses. The significance of media, encompassing both conventional and digital platforms, should not be ignored in its influence on public perception, the dissemination of information, and its potential involvement in the celebration and emulation of violent behaviors.

The ramifications of mob violence extend beyond the immediate physical injury inflicted, encompassing profound communal divides, degradation of institutional confidence, and enduring psychological trauma. This research has emphasized the necessity of implementing proactive preventative methods that effectively target the underlying factors contributing to mob violence. These tactics should prioritize economic empowerment, community participation, and the mitigation of internet radicalization.

As we grapple with the intricacies of this matter, it becomes apparent that a cooperative strategy including politicians, law enforcement officials, scholars, and members of civil society is needed to proficiently address the phenomenon of mob violence. Legal frameworks are of utmost importance in upholding societal order. However, it is essential to adopt a comprehensive perspective that considers sociocultural intricacies, psychological factors, and technological influences in order to provide all-encompassing solutions.

The non-doctrinal methodology employed in this research has played a crucial role in illuminating the complex characteristics of mob violence within this framework. Through the incorporation of many academic fields, our comprehension has been enhanced, therefore establishing a basis for formulating evidence-based approaches that foster societal cohesion, safeguard fundamental human rights, and mitigate the detrimental repercussions stemming from acts of collective aggression. As per my research work hypothesis H1,H2,H3,H4 are true which is revealed in my study.

In conclusion, it is evident that effectively tackling mob violence necessitates continuous multidisciplinary study, fostering open conversation, and a steadfast dedication to constructing resilient societies capable of enduring the obstacles presented by collective aggression. The achievement of a world in which mob violence is obsolete, and instead, societies prioritize inclusion, empathy, and peaceful dispute resolution, necessitates the collective endeavors of

individuals working together.
