CIRCULAR/ORDER

The Director, (Internal Security –I), GOI, MHA, New Delhi vide his office No. 11034/54/2018-IS.IV dated 23.07.2018 has directed to implement the directions dated 17.07.2018 passed by the Hon’ble Apex Court in Writ Petition (Civil) No. 754 of 2016 to take preventive, remedial and punitive measures to curb the incident of violence and lynching by mob in some parts of the country fuelled by various kinds of rumours and unverified news such as child-lifting, theft, cattle smuggling, etc. which it is a matter of serious concern.

In compliance of the above order of Hon’ble Apex Court, Senior Superintendent of Police, UT, Chandigarh is hereby designated as Nodal Officer in UT, Chandigarh. DSP/CID will assist her/him for taking measures to prevent incident of mob violence and lynching. Further, a Special Task Force is also hereby constituted consisting of one Inspector and two ORs in CID Wing to procure specific intelligence reports about the people who are likely to commit such crime or who are involved in spreading hate speeches, provocative statement and fake news.

The Special Task Force forthwith will indentify area/villages where instances of lynching and mob violence have been reported in the recent last five years and Special Task Force will identify these areas within a period of three weeks. This task force will also indentify areas/villages, where lynching and mob violence may occur.

All SHOs are also directed to take extra caution if any instance of mob violence come to their notice in their respective areas, immediate strict action be initiated as per law.

All SHOs are also directed to regularly brief their staff as well as general public in the monthly meetings held by them in their respective areas, so as to identify the existence of the tendencies of vigilantism, mob violence or lynching in area of UT, Chandigarh and take steps to prohibit instances of dissemination of offensive material through different social media platforms or any other means for
inciting such tendencies. Further they shall also make efforts to eradicate hostile
environment against any community or caste which is targeted in such incidents. In
this effect they also lodged a DDR in their respective police stations.

Senior Superintendent of Police, UT, Chandigarh alongwith DSP/CID
shall take a regular meeting (at least once a quarter) with undersigned to bring out
any inter district/interstate coordination 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,
by exercising his power under section 129 of Cr.P.C, which, in his opinion, has a
tendency to cause violence or wreak the havoc of lynching in the disguise of
vigilantism or otherwise.

All SDPOs/All SHOs as well as DSP/PCR are hereby directed to
increase the patrolling in the sensitive areas keeping in view of the incidents of the
past and the intelligence obtained by the under signed.

All concerned shall monitor the social media platform and shall take
action under the legal provision contained in Information Technology Act and other
relevant law to curb and stop dissemination of irresponsible and explosive
messages, videos and other material on various social media platforms which have
a tendency to incite mob violence and lynching of any kind. The police shall cause
to register FIR under Section 153 A of IPC and/or other relevant provisions of law
against persons who disseminate irresponsible and explosive message and videos
having content which is likely to incite mob violence and lynching of any kind.

Despite the preventive measures taken, if it comes to the notice of the
local police that an incident of lynching or mob violence has taken place, the
jurisdictional police shall immediately cause to lodge an FIR, without any undue
delay, under the relevant provisions of IPC and/or other provisions of law.

It shall be the duty of the SHO, in whose police stations such FIR is
registered, to forthwith intimate the Nodal Officer in the district who shall, in turn,
ensure that there is no further harassment of the family members of the victim(s).

Investigation in such offences shall be personally monitored by the
Nodal Officer who shall be duty bound to ensure that the investigation is carried out
effectively and the charge-sheet in such cases is filled within the statutory period
from the date of registration of the FIR or arrest of the accused, as the case may
be. States Governments and the Nodal Officers in particular to shall ensure that the
prosecuting agency strictly carries out its role in appropriate furtherance of the trial.
Wherever it is found that a police officer has failed to comply with the aforesaid directions in order to prevent and/or investigate and/or facilitate expeditious trial of any crime of mob violence and lynching, the same shall be considered as an act of deliberate negligence and/or misconduct for which appropriate must be taken against him/her and not limited to departmental action under the service rules. The department action shall be taken to its logical conclusion preferably within six months by the authority of the first instance.

Nodal officer will ensure that all the key directions issued by Hon'ble Supreme Court in Writ Petition (Civil) No. 754 of 2016 issued on 17.07.2018 are implemented in letter & spirit on the ground by the field formations.

No. 6140-620 UT/HAC dated Chandigarh the; 17/8/2018

Copy to:-
1. The Home Secretary, Chandigarh Administration, Chandigarh (with the requested to prepare a lynching/mob violence victim compensation scheme in the light of provisions of Section 357 A Cr.P.C within one month according to the Supreme Court’s Judgment (i.e. 17.07.2018) which is available at www.supremecourtofindia.nic.in, immediately.
2. DIGP
3. All SSsP
4. All SsP/ASP
5. All DSPs
6. All SHOs