

LEADERS WILL HAVE TO PAY FOR DAMAGE BY CADRE: SC

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Leaders of outfits who instigate a mob to an act of vandalism, which results in death or loss of public and private property, will personally face criminal action and are liable to compensate the victims of the violence, the Supreme Court ruled on Monday.

A Bench of Chief Justice of India Dipak Misra and Justices A.M. Khanwilkar and D.Y. Chandrachud pinned the criminal liability squarely on leaders of outfits who “initiate, promote and instigate” mobs to destroy public and private property in the name of demonstrations, especially against cultural programmes, films and expressions of artistic freedom.”

The taxpayer is not responsible to cough up money to pay for the destruction caused by mobs, the Bench held.

Each and every person, who was part of the violence, would be booked under Sections 153A (promoting enmity), 295A (deliberate and malicious acts to outrage religious feelings), 298 (intent to wound religious feelings) and, lastly, 495 (mischief) of the Indian Penal Code. The offences would come alive if the call for violence was made through a spokesperson or through social media of a group or by any individual.

The Supreme Court ordered persons caught red-handed by the police to be arrested on the spot.

If any leader fails to appear in the police station concerned, he shall be proceeded against as a suspect and be even declared an “absconding offender”.

State governments should set up Rapid Response Teams, preferably district-wise, to respond to mob violence, install websites which report instances of mob violence and destruction of public and private properties, special helplines, employ non-lethal crowd-control devices, like water cannons to deter the mob.

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