

# Destruction of Public Property in Mass Agitation

## Abstract

Today mass movements have become common form of expression, to influence the government in favor of their demands. These movements were a part and parcel of our independence struggle, be it Non- Cooperation movement or Civil Disobedience movement. Gandhi ji was a great patron of mass movements. This phenomenon continues in our democratic country. The reason behind a mass movement ranges from religious to environmental issues. Despite being a powerful tool in the hands of people it is being misused by them, they tend to destroy the property created for their own good use by the government. Even Gandhi ji called off the Non-Cooperation movement after Chauri-Chaura incident. But this seems to be unstoppable, and we are losing more than what we are gaining.

**Keywords:** Mass Agitation, Public Property.

## Introduction

India has seen many such protests, but this paper will focus on the mass agitation caused during Jat Reservation protests in 2016 and destruction caused by the followers of Gurmeet Ram Rahim Singh after the CBI court convicted him for two rape cases in 2017. Both the events had different agenda, yet both created a havoc in the state of Haryana. In Feb 2016, Haryana was under the state of lockdown for few days as Jat's demanded political and economic reservation, which created problems not only for the administration but also the citizens as the agitation started to take religious colors. In Aug 2017, Haryana again went in the state of turmoil after the CBI court verdict of rape case against self-proclaimed godman Ram Rahim. The issue of violence and destruction involved in the mass protests creates a setback in developmental agenda.

A set of following terms were used in this study:

### Public Property

Property owned by government and used by general public, e.g. Public Parks, Railways, Roadways, Hospitals, etc.

### Mass Agitation

Mass Agitation means, when people in huge numbers are being moved with violence or irregular action.

### Objectives of the Study

1. The study is aimed to establish a relationship between mass agitations and public property destroyed, especially in the state of Haryana.
2. How destruction caused creates a barrier in development.
3. Suggestion of some preventive and curative measures to resolve these situations.

### Study Area

Haryana state has been selected as the study area for present research work. The state came into existence on 1<sup>st</sup> November 1966, carved out of Punjab. Presently state has 22 districts and a population 2.54 crore as per 2011 census. For administrative purposes the state is divided into six divisions viz, Ambala, Rohtak, Hisar, Gurugram, Faridabad and Karnal.

### Research Design and Methodology

The present study has been carried out through empirical research. Data pertaining to the two incidents have been collected through secondary sources like reports submitted by the government to court, Supreme Court rulings, newspaper reports, etc.

### Results and Discussion

Whenever a mass movement happened be it in a historical time or presently, it has always led to the destruction of Public Property which serves as a setback for the state economy.



## Supriya

Ex-Student,  
Dept. of Public Administration,  
MDU DDE,  
Rohtak, Haryana, India

## Shrinkhla Ek Shodhparak Vaicharik Patrika

Article 19 of the Indian Constitution states that all citizens have the right to "freedom of speech and expression", "to assemble peaceably and without arms", "to move freely throughout the territory of India". *In Romesh Thappar v Union of India, Justice Patanjali has rightfully held that 19(1)(g) is the very basis and essence of the constitution and our democracy. Reasonable restrictions, however, he noted, should be such that others' rights should not be hindered or affected by the acts of one man, in the case of Menaka Gandhi v. Union of India. This constitutional right gives us the right to protest peacefully, but mass agitation usually takes a violent turn when it is curbed forcefully by authorities by using certain regulations such as the Indian Penal Code, the Criminal Procedure Code, and the Police Act of 1861.*

### Jat Agitation

In the light of the Jat agitation, Chief Minister of Haryana decided to form a committee for looking into the legal aspect of reservation, it had to submit its report by March 31, 2016. But without waiting for the reports, the Hawa Singh Sangwan group, however, organized a meeting of Jat agitators at Mayyad, district Hisar on 12 February 2016, and pronounced immediately blocking of the rail track at Mayyad. Here after started the process of roads and railway blocking. This scenario got worse when news spread of Jat vs Non Jat tussle and police allegedly beat the students of Neki Ram College hostel in the night. After these incidents we could see various public as well as private properties were damaged.

According to the Prakash Singh Committee Report on "Role of Officers of Civil Administration and Police During the Jat Reservation Agitation" following data has been obtained

#### Summary of loss/damage/loot of *Private Property* in Rohtak

S.No.	Property	Total
1	Shops	957
2	Vehicles	153
3	Temples /Ashrams	4
4	School/College/Educational institutions	24
5	Dhabas	2
6	Farm Houses	2
7	Residential Houses	29
8	Sheep & Goats	40
9	Transformer and electric wires	3
10	Godowns	1
11	Hotels/Marriage Palaces	43
12	Petrol Pumps	7
13	Hospitals	7
14	Toll Plazas	2
15	Shopping Malls	3
16	ATMs	6

#### Summary of loss/damage/loot of **GOVERNMENT PROPERTY** in Rohtak

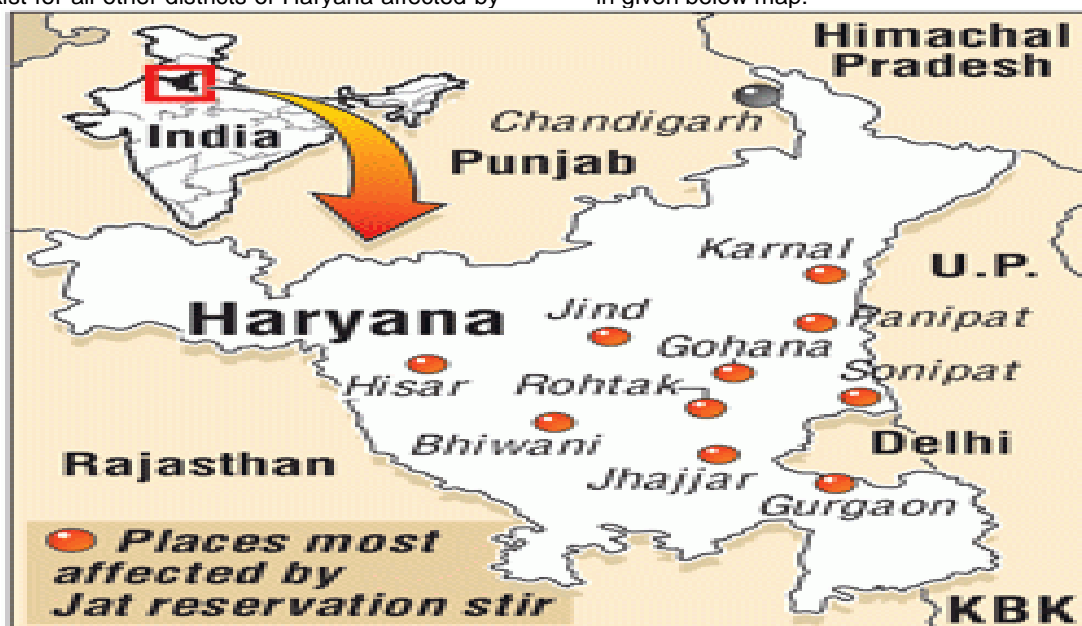
Sr. no.	Department	Place & Police Station	Details of loss/damage/loot etc. of Movable/ Immovable Property
1	HVPNL	City Rohtak, PS PGIMS RTK	Electricity equipments and transformers in the area of SDO/HVPNL Div.-1 City Rohtak
2	PWD B&R	Delhi Bye Pass, PS PGIMS	Burnt Circuit House building.
3	Roadways,	Bus Stand, PS U.E. RTK	Damaged glasses of bus stand building and burnt 2 Buses and 1 Bolero.
4	Haryana Tourism	Tilyar Lake, PS U.E. RTK	Damaged Tourist complex Tilyar Lake, Kitchen Bar, Conference Hall, CCTV Cameras, Musical Equipment, Furniture, Computer & Electric Fitting light, LED, TV, AC, Glass of window etc. Looted beer and whisky bottles and other eatables.
5	Revenue	BDPO Office, PS lakhanMajra.	Burnt BDPO office Lakhan Majra, furniture and records set ablaze.
6	Vita Milk Plant	Gohana Road, PS City Rohtak.	Burnt Vita Milk Plant Rohtak, Tins of Ghee looted, CCTV Camera and records set ablaze.
7	Haryana Roadways	Village Anwal , PS kalanaur	2 Haryana Roadways Buses set ablaze
8	HVPNL	Kalanaur, PS kalanaur	Burnt electric meter, 3 phase meter, 2/C PVC 10mm, LTAB Cable 3/c 120+70mm, PCC Pole G meter, LTAV Cable 3C 50+35 4 C Cable 25mm, 2/C PVC armed cable, electric meter box in the office of SDO, HVPNL, Kalanaur
9	Haryana Tourism	Naurang Petrol	Damaged Naurang Tourist Complex Petrol Pump, CCTV

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		Pump, PS Meham.	Camera, chairs, water coolers, electric meter, glass of office, stabilizers-2, ceiling fan-1, oil dispensers (diesel and petrol)-5, two halogen lights, three printers, display cabin etc.
10	CDPO Meham	Mini Sec., PS Meham.	Damaged Women& Child Development Project office, Meham, Burnt logbooks, registers, office records etc.
11	PWD B & R	Mini Sec., PS Meham.	Burnt Rest House Meham, all furniture, other records, 1 truck and 1 TATA truck,
12	Municipal Cooperation	MC Office, PS Meham.	Damaged three computers with all equipments, 1 inverter, 2 tractors, three wheelers-1, fire tender - 1. Burnt MC office Meham and Community Centre Meham including furniture, electric fittings, lights and fans etc.
13	Hafed	Village Madina, PS Meham.	Damaged <i>dharamkanta</i> , computer with all equipment and furniture. Looted LED, monitor and battery etc. Burnt about 500/600 bags of wheat
14	Sugar Mill	Sugar Mill Meham, PS Meham.	Damaged school bus of Sugar Mill Meham, CCTV Camera, LCD/ DVR rack, solar plates-2 set, etc.
15	Revenue Department	Tehsil office, PS Meham.	Damaged 7 LCD Screens, burnt Tehsildar office Meham including computers-5, server-1, CPUs-5, scanner machine, printers-3, all records of office, fans, tubes-20, and almirah iron-2
16	Revenue Department	SDM office, PS Meham.	Burnt SDM office Meham with all records, furniture and equipments, license fees (currency notes Rs.42,644/-), computers-4, monitors-3, CPU-5, LCD-1, printer-2, photostate machine-2, AC-1, almirah Iron-4, fans-3 etc. 1 Bolero Car set ablaze
17	Health Department	General Hospita, PS Meham.	Damaged building of hospital, ambulance, glass of windows, etc.
18	Indian Postal Services	Post Office, PS Meham.	Burnt electric meter, generator-1, fans-3, monitor- 4, CPU-4, printer-4, keyboard-12, mouse-3, scanner-2, almirah and all furniture and records of Sub Post Office Meham
20	HVPL Department	Meham, PS Meham.	Damaged about 700 NES electric Meter (Single phase) and 100NAS (three phase) in City Meham
21	Haryana Roadways	Bus Stand, PS Meham	Damaged 8 Haryana Roadways Buses and burnt 3 other Haryana Roadways buses

This is just the data of Rohtak district similar data exist for all other districts of Haryana affected by

the agitation. District wise impact of agitation is shown in given below map:



### Ram Rahim Arrest

The turmoil began from Dera Sacha Sauda's headquarters in Sirsa and spread to various districts of Haryana and Punjab. The self-proclaimed Godman's followers took law in their hands and there

was protest between the followers and police, which forced police to use tear bombs, lathi charge and water canon to bring the situation under control. This brought damage to life and property in the state. 445 trains were cancelled, there was hike in air fares.

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Hotel industry bore the loss of Rs 100 cr in Panchkula and Chandigarh. Traders lost Rs 5 – Rs 6 cr every day. Besides this, they burnt down many properties of public and private. Buildings were set ablaze; police vans got burnt and many journalists were attacked.

Haryana and Punjab High Court took suo-motu case and ordered Dera Sacha Sauda to compensate for all the damaged occurred due to this agitation. The Haryana Prevention of Defacement of

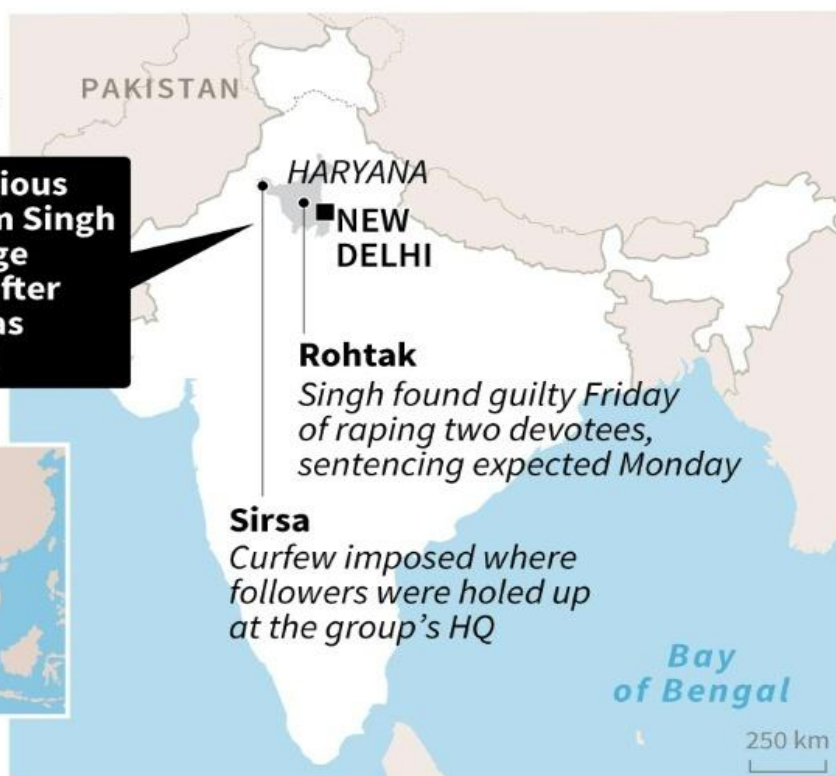
Property Act, 1989 and the Punjab Prevention of Damage to Public and Private Property Act, 2014 empower both states to collect the loss occurred from them. Even the center government is also planning to bring Prevention of Destruction of Public Property (PDPP) Amendment Bill in the Parliament.

Below is map showing the effects felt on the state due to Ram Rahim arrest:

### India riots

36 killed in violence

**Followers of religious leader Ram Rahim Singh went on a rampage across the state after the “godman” was convicted of rape**



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#### Conclusion

1. State government should come up with Rapid Response Team, these teams will be specialized in tackling such public outburst. Deployment of RRT will be near the vulnerable areas likely to come under attack.
2. One nodal officer to oversee the situation, in most of the cases it is DC of the district who watches all departments simultaneously and coordinates the situation, ultimately leading to peace in the district.
3. If a person found to be indulged in destroying of public property directly or indirectly should be punished under Sections 153A, 295A read with 298 and 425 of the Indian Penal Code, 1860.
4. For making any strategy to tackle violence caused by such agitation, following five elements should be considered: information, intention, method, logistics, and communication.
5. Central law with much stricter punishment for those who took the law in their hands should be implemented.
6. Offenders should be made liable to work with the authorities to clean the mess and heavy penalties should be levied.

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