

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

STARRED QUESTION NO:384

ANSWERED ON:21.04.2015

ACID ATTACK ON WOMEN AND GIRLS

Arunmozhihevan Shri A.;Gutha Shri Sukender Reddy

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether cases of acid attacks on women and girls have been reported and if so, the total number of such cases reported, number of women/ girl/children injured/ died, accused arrested, convicted and the action taken against the guilty persons separately during each of the last three years, State-wise;

(b) whether a meeting with the Chief Secretaries and Health Secretaries of the States and Union Territories was held recently in this regard, if so, the details and the outcome thereof;

(c) whether the Government has issued any guidelines/proposes to evolve a mechanism for compensation/medical treatment of victims of acid attacks in compliance of the Supreme Court's directive and if so, the details thereof; and

(d) the other corrective steps taken by the Government to check such cases including amendment in the relevant laws, regulating the sale of acid, introduction of a tracking system for the sale of acids, strengthening the legal and administrative framework and providing speedy justice to such victims etc.?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a) to (d): A statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) to (d) OF THE LOK SABHA STARRED QUESTION NO. 384 FOR APRIL 21, 2015

(a) As per information provided by the National Crime Records Bureau (NCRB), the data on the acid attack victims and action taken against the perpetrators over the last three years is given in Annexure I and II respectively.

(b) and (c) In accordance with the direction of the Hon'ble Supreme Court in Writ Petition (Criminal) 129 of 2006;

Laxmi vs Union of India, a joint meeting by the Union Home Secretary and Union Health Secretary with all States/UTs was convened on 14th March, 2015 to discuss on the directions of the Hon'ble Supreme Court on treatment and compensation of the acid attack victims.

In the meeting, the following major decisions were taken and conveyed to the representatives of States/UTs.

No acid attack victim will be denied treatment by any hospital, public or private under any pretext and any erring hospital/clinic violating the legislative provisions should be dealt with sternly

The administrative machinery of the States/UTs will ensure treatment of acid attack victims

First aid and treatment free of cost to be provided to the acid attack victims

Minimum compensation of Rs. Three lakh must be provided to acid attack victim

The minutes of the meeting have been circulated to all the States/UTs for appropriate action. As far as Victim Compensation Scheme is concerned, all the States/UTs have notified their victim compensation scheme.

(d) The Ministry of Home Affairs has enacted Criminal Law (Amendment) Act 2013 which has incorporated specific provisions not only to deal with acid attack cases i.e Section 326A and 326B of Indian Penal Code (IPC) but also providing compensation to victims of acid attack victims i.e. Sections 357A, 357B and 357C of the Criminal Procedure Code (Cr.P.C.).

A new section 166B in Indian Penal Code (IPC) has also been inserted to provide for punishment upto one year, in case the hospitals (public or private) do not provide first aid or medical treatment, free of cost, to the victims of acid attack.

The Ministry of Home Affairs has also issued an advisory "Measures to be taken to prevent acid attacks on people and for treatment

and rehabilitation of survivors" on 30th August, 2013 to all States/UTs with the objective of regulating sale of acids and minimize the easy availability of acids. The advisory is available in Ministry of Home Affairs website [http://www.mha.nic.in/sites/upload_files/mha/files/AdvisoryAfterSupremeCourtOrderInLaxm Case_Short.pdf](http://www.mha.nic.in/sites/upload_files/mha/files/AdvisoryAfterSupremeCourtOrderInLaxm%20Case_Short.pdf). As per the provisions of Poisons Act 1919, The Poisons Possession and Sale Rules, 2013 are to be formulated and enforced by the States/UTs, which is being monitored by the Hon'ble Supreme Court directly. However, the Ministry of Home Affairs has also urged the States / UTs to expedite the formulation and effectively implement the rules and interim measures as enumerated in the afore-said advisory. The advisory also directs the States/UTs to disburse compensation of at least Rs. Three lakh as mandated by the Hon'ble Supreme Court and also prescribes modalities to be followed in this regard.

The Ministry of Health and Family Welfare has also issued an advisory on 02.05.2013 to all the States/UTs for providing free medical treatment to the acid attack victims.

The Ministry of Home Affairs is of the view that a software with features to track sale of acids from point of origin to end-users should be developed and used by the States. The Union Government has requested the State Governments and the High Courts to consider setting-up Fast Track Courts (FTCs) for disposal of cases relating to offences against women and other vulnerable sections of society as resolved in the Conference of Chief Ministers and Chief Justices held on 7th April, 2013. The States/UTs were periodically requested through advisories to strengthen their legal and administrative machinery to deal with the cases of crimes against women.