

ACTIONS TO COUNTER ACID ATTACKS: OVERVIEW AS ON NOVEMBER 2016

Laxmi vs. Union of India (W.P.Criminal 129 of 2006), the Hon Supreme Court gave two important orders during hearing - 8/7/13, 10/4/15: Issues addressed were:

- Actions against sale of acid over counter tops (by issuing immediate G.O. and then covering acids under Poison Act, 1919 and due notification of Rules in every State),
- Creation of victim compensation scheme covering acid victims under 357A CrPC, 1973 (minimum three lakhs),
- Providing of free medical aid and free surgeries to victims in hospitals (covering both **public and private**) and ensure proper rehabilitation of victims

Parivartan Kendra vs Union Of India (W.P.867 OF 2013), Hon Supreme Court gave decision on 7/12/15, re-emphasising the agony of the victims and need for ensuring minimum of 3 lakhs as compensation and proper medical care and rehabilitation of victims

- Relevant to point out that Hon.High Court, Allahabad, have been directing State Government vis a vis acid attack victims and the directions have also been regularly complied with.

All Important judgments have been uploaded in the Home Department website for wide dissemination as directed by Hon.Courts

Compliance by State Government of Uttar Pradesh of Hon Supreme Court Orders and MHA Advisory on acid attack victims as well as various Hon.High Court Orders(All documents available in webpage)

- UP issued a **GO, signed by Chief Secretary** controlling over the counter sales of acid and laying out scope of inspections and due punishments on **16/8/2013**
- U.P. subsequently **notified Acid among the controlled poisons in the Poison Act 1919** as per the model rules circulated by the Centre and notified it on **14 July 2014**
- U.P. Home Department has been **sending continuous GOs and guidelines to District Magistrates and SPs**, highlighting the mandatory checks and inspections for controlling acid sales. (10/5/16, 13/6/16, 22/6/16,29/6/16,5/7/16)

- U.P. Government has notified the **UPVictim Compensation Scheme** on 9/4/2014, duly modified in 7/6/2016 and has raised maximum compensation to 5 lakhs for acid victims, among others, to be implemented through District Legal Services Authority(DLSA) and SLSA. Rs 2 crores have been given as budget for the scheme in the year 2016-17.
- The relevant GOs are uploaded for the public in the Home Department Website under its special webpage for acid victims in both Hindi and English. Gos are being regularly issued to DMs/SPs/Prosecution department/SLSA to help maximum victims by making them aware of two relevant schemes.

<http://uphome.gov.in/writereaddata/Portal/Images/U.P-Victim-Compensation-Scheme.PDF>

- Almost **60 lakhs** have been distributed by various DLSAs to acid attack victims till October 2016
- UP Government (via Women and Child Department) launched the **Rani Laxmi Bai Scheme** which has paid **152 female victims (Rs 5 laks for acid victims and 10 lakhs for deaths due to acid attack)** , and also **paid imprest money to 5 medical colleges for their treatment and a non-recurring grant to 6 medical colleges for establishing a burn and reconstructive surgery unit.**(Total Rs 5.5crores has been spent on compensation and imprest money)

<http://mahilakalyan.up.nic.in/msk/>

- UP Government (via Women and Child Department) has helped **acid victims to be employed with dignity** by helping to set up SHEROES café in cities like Lucknow , Agra et al from its Mahila Samman Kosh
- UP Medical Department **has notified all government hospitals about provision of free medical treatment at government expenditure**

Based on crime figures:(FIRs registered under IPC 326A for acid attacks)

Year	Total FIRs
2013	46
2014	48
2015	56
2016 (Till Oct)	24

It is relevant to understand that the punishment for 326A IPC is as below:

326A: Whoever causes permanent or partial damage or deformity to, or burns or maims or disfigures or disables, any part or parts of the body of a person or causes grievous hurt by throwing acid on or by administering acid to that person, or by using any other means with the intention of causing or with the knowledge that he is likely to cause such injury or hurt, shall be punished with imprisonment of either description **for a term which shall not be less than ten years but which may extend to imprisonment for life, and with fine:**

Provided that such fine shall be just and reasonable to meet the medical expenses of the treatment of the victim:

Provided further that any fine imposed under this section shall be paid to the victim.

Explanation 1.- For the purposes of this section, "acid" includes any substance which has acidic or corrosive character or burning nature, that is capable of causing bodily injury leading to scars or disfigurement or temporary or permanent disability.

Explanation 2.- For the purposes of this section, permanent or partial damage or deformity shall not be required to be irreversible

Following instructions of Honourable Supreme Court , advisories were issued by Centre and many GOs regarding various action points were issued by the U.P.State Govt.

In compliance of instructions to check open and unregulated sale of acid over counters, all over U.P, in the year 2016, DMs and SPs conducted 314 meetings for due publicity of Hon SC orders and relevant GOs regarding sale of acid , there are 111 licensees across 75 districts of UP, 250 inspections were conducted in districts, and where violations in stock registers, id maintenance and checks etc were found, stocks were confiscated and sealed, notices issued and in one place FIR was registered.

Extra Efforts Taken:

- UP Home department has created a **special webpage called STOP ACID ATTACKS** in its website uphome.gov.in, which contains all the advisories, GOs, compliance actions, Rules,

Notifications, Hon SC and Hon HC orders related to acid victims so that the public is aware of the steps.

- **UP Mahila Samman Prakosht has been made the Nodal agency to coordinate the activities against acid attackers**, to help victims, to collate and analyse information regarding acid attacks and to empower women. It is headed by a DG rank lady officer.
- The Govt of UP under the ageis of Women and Child Department and with the help of Home and Medical departments, have conducted a series of **intense medico-legal training sessions** as below , to sensitise them on medico-legal procedures for helping the victims.

Training of Doctors on Medico-Legal Support under UP Rani Lakshmi Bai Mahila Samman Kosh for Women survivors of Sexual Assault, Acid Attack and Children under POCSO Act, 2012	<ol style="list-style-type: none">1. Training of Doctors of Medical Colleges, District Hospitals and CHCs across the State on Medico Legal examination of Victims of Acid Attack and Sexual Violence.2. Since April 2015 about 1755 Doctors from 17 divisions has been trained so far.3. Two medical legal sample kits have been distributed to each participating districts from the financial support of UNICEF to use as training tool.4. Resource Persons from Forensic Science Lab,Department of WCD and Department of Medical Heath are facilitating the trainings.
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