

GOVERNMENT OF PUDUCHERRY

Abstract

Home Department - Directions of Hon'ble Supreme Court of India in W.P.(Cr.)No.129 of 2006 - Lakshmi Vs Union of India and Ors. regarding regulation of sale of acid - Orders - Issued.

OFFICE OF THE SUPDT. OF POLICE (NORTH) No. 582/1000/2013 Dated 26/09/13

HOME DEPARTMENT

G.O.Ms.No.43

Pondicherry, dt.17.09.2013

READ: Order dated 18.7.2013 of Hon'ble Supreme Court of India, New Delhi in W.P.(Cr.) No.129 of 2006.

ORDER:

The following order shall be published in the next issue of the extra-ordinary Official Gazette:-

ORDER

The Hon'ble Supreme Court of India in the order dated 18.07.2013 in W.P.(Cr.) NO.129 of 2006 Laxmi Vs. Union of India & Ors. relating to acid attack victims has inter alia directed the following:-

- (i) The States and Union territories which have not yet framed Rules regulating the sale of Acid and other corrosive substance are to frame Rules in line with model Rules framed by the Central Government within 3 months from the receipt of the draft Model Rules from the Central Government. Central Government will circulate the Model Rules within a week from 18.07.2013.
- (ii) The Central and States/Union territories were directed to make the offences under the Poisons Act, 1919 as cognizable and non-bailable.
- (iii) Until the above Rules are framed and made operational, the Chief Secretaries of States/UTs shall ensure the compliance of directions with immediate effect.
- (iv) Educational Institutions, Government Departments, Laboratories Hospitals etc, which are required to keep and store acid to follow the guidelines.

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(viii) The Sub Divisional Magistrate concerned shall implement the above directions of the Supreme court with full responsibility by taking appropriate action for the breach/default/ violation of any of the above directions by any person in the Union territory.

// BY ORDER OF LIEUTENANT GOVERNOR//

02/11/2013
(PANKAJ KUMAR JHA)

ADDITIONAL SECRETARY TO GOVERNMENT

To

The Director of Stationery and Printing, Puducherry - with a request to supply 20 copies of the above Notification to this Department.

Copy to:

1. The Chief Judge, Puducherry
2. The Secretary (Education), Puducherry.
3. The Collector, Puducherry and Karaikal.
4. The Inspector General of Police, Puducherry
5. The Director of Prosecution, Puducherry.
6. All Sub-Divisional Magistrates.
7. The Director of Industries, Puducherry.
8. The Director of Higher and Technical Education, Puducherry.
9. The Director of School Education, Puducherry.
10. The Director of Health and Family Welfare Services, Puducherry.
11. The Central Record Branch, Puducherry.
12. G.O. file. 13. Stock file.

2. In compliance to the above directions of the Hon'ble Supreme Court of India in the above case, the directions as found in the said order of the Supreme Court as mentioned below shall be strictly implemented by the District Magistrate/Additional District Magistrate/Sub-Divisional Magistrate and all other Additional / Assistant / Sub-Divisional Magistrates subordinate to them in the Union territory with immediate effect:-

DIRECTIONS OF THE HON'BLE SUPREME COURT OF INDIA IN ORDER DATED 18-07-2013 IN W.P.(CR.) NO.129/2006 BETWEEN LAXMI IS. UNION OF INDIA & ORS RELATING TO ACID ATTACK VICTIMS

(i) Over the counter, sale of acid is completely prohibited unless the seller maintains a log/register recording the sale of acid which will contain the details of the person(s) to whom acid(s) is/are sold and the quantity sold. The log/register shall contain the address of the person to whom it is sold.

(ii) All sellers shall sell acid only after the buyer has shown:

(a) a photo ID issued by the Government which also has the address of the person.

(b) specifies the reason/purpose for Procuring acid.

(iii) All stocks of acid must be declared by the seller with the concerned Sub-Divisional Magistrate (SDM) within 15 days.

(iv) No acid shall be sold to any person who is below 18 years of age.

(v) In case of undeclared stock of acid, it will be open to the concerned Sub Divisional Magistrate to confiscate the stock and suitably impose fine on such seller up to Rs. 50,000/-

(vi) The concerned Sub Divisional Magistrate may impose fine up to Rs.50,000/- on any person who commits breach of any of the above directions.

(vii) The educational institutions, research laboratories, hospitals, Government Departments and the departments of Public Sector Undertakings, who are required to keep and store acid, shall follow the following guidelines:

(a) A register of usage of acid shall be maintained and the same shall be filed with the Sub Divisional Magistrate.

(b) A person shall be made accountable for possession and safe keeping of acid in their premises.

(c) The acid shall be stored under the supervision of this person and there shall be compulsory checking of the students/ personnel leaving the laboratories/place of storage where acid is used.

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