OFFICE OF THE COMMISSIONER OF POLICE : DELHI

CIRCULAR

No. 09 /2015

Subject: Regarding directions of Hon'ble Supreme Court of India pertaining to regulation of sale of Acid and other corrosive substance in NCT of Delhi.

The Hon'ble High Court of Delhi, vide order dated 02.03.2015 in Criminal Appeal No.859/2012 – Umesh Kumar Vs. State (Govt. of NCT) of Delhi, while departing from the judgement, observed that in a study conducted by Cornell University in January, 2011, 153 acid attacks were reported in the media form the year 1999 to 2010 and reiterated the directions of Hon'ble Supreme Court of India in case of ***Laxmi Vs Union of India and Others [2013 (9)scale 291] (Decided on 18.07.2013)*** which are as under :-

"7. In the States/Union Territories, where rules to regulate sale of acid and other corrosive substances are not operational, until such rules are framed and made operational, the compliance of the following directions will be ensured with immediate effect:

(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 SDM to confiscate the stock and suitably impose fine on such seller up to Rs.50,000/-

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

8. 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:

(i) A register of usage of acid shall be maintained and the same shall be filed with the concerned SDM.

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

(iii) 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.

9. The concerned SDM shall be vested with the responsibility of taking appropriate action for the breach/default/violation of the above directions.

30. Throwing of acid on helpless victims, mostly women, is on the rise, which is a dastardly and cowardly act and the same is to be controlled with an iron hand. It sometimes leaves them disfigured, blind and, as in this case, even death.

31. The source from where the acid was procured by the accused will be investigated properly by the investigating officer to take necessary steps against the sale of acid illegally.

32. It will be ensure that strong action is taken against the persons, who sells acid illegally and every efforts should be made to curb sale of acid illegally and strict legal should be taken against those found selling acid illegally.

The above directions of Hon'ble Supreme Court of India should be followed with immediate effect till orders/notification is issued by G.N.C.T. of Delhi in this regard since the framing of "Acid Control Prevention of Acid Attacks and Rehabilitation of Attack Victim bill, 2014 by Sh. Bhartruhari Mehtab, M.P. is in progress.

It is, therefore, emphasized upon all concerned that the above mentioned directions of Hon'ble Apex Court should be complied with meticulously.

(ARUN KAMPANI)
ADDL. COMMISSIONER OF POLICE
LEGAL CELL, PHQ, DELHI

No.969-1215/Record Branch/PHQ dated, Delhi, the 27/04/2015

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