

GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

LOK SABHA  
UNSTARRED QUESTION NO.†755

TO BE ANSWERED ON THE 15<sup>TH</sup> JULY, 2014/ASHADHA 24, 1936 (SAKA)

REGULARISATION OF SALE AND PURCHASE OF ACID

†755. SHRI HANSRAJ GANGARAM AHIR:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government is taking any steps to check the sale and purchase of acid in view of the rising acid attacks on women in the country;

(b) if so, the details thereof;

(c) whether the Government has any regulation for wholesale, retail sale and purchase of acid;

(d) if so, whether the laws and rules laid down by the Government imposing ban on the sale of acid are being violated openly in the markets in the country; and

(e) if so, the details thereof and the corrective action taken by the Government in this regard?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI KIREN RIJJU)

(a) to (c): As per direction of the Hon'ble Supreme Court in the W.P. (Crl) no. 129 of 2006; Laxmi vs. Union of India a draft "Poisons Possession and Sales Rules 2013 to be formulated by the States/UTs has been sent on 30<sup>th</sup> August, 2013, alongwith an advisory on measures to be taken to prevent acid attack on people and free treatment and rehabilitation . A copy of the the advisory is available in Ministry of Home Affairs website [http://www.mha.nic.in/sites/upload\\_files/mha/files/AdvisoryAfterSupremeCourtOrderInLaxmCase\\_Short.pdf](http://www.mha.nic.in/sites/upload_files/mha/files/AdvisoryAfterSupremeCourtOrderInLaxmCase_Short.pdf)

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The advisory also directed the States and 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 Chief Secretaries of the concerned States/Administrators of the Union Territories shall ensure the compliance of the following directions 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.

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.

(d) and (e) 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. The formulation of the rules is being monitored by Hon'ble Supreme Court directly. However, Ministry of Home Affairs is also pursuing the States / UTs to expedite the formulation and effectively implement the rules and interim measures as enumerated in the aforesaid advisory.

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