



(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "acid attack" means the act of throwing acid, or causing to or using it in any form on a person with the intent to cause grievous harm or with the knowledge that such use may lead to permanent or partial disability or deformity or disfiguration of any part of the body; 5

(b) "acid" is any substance that has an acidic or corrosive character or burning nature that is capable of causing bodily injury leading to scars or disfigurement, or both or, temporary or permanent disability; 10

(c) "appropriate Government" means in the case of a State, the State Government and in all other cases, the Central Government;

(d) "authority" means the Central Victims of Acid Attack Rehabilitation Authority under sub-section (1) of section 3;

(e) "compensation" means compensation as provided for by this Act; 15

(f) "family" includes a person, his/her spouse, minor children and minor siblings dependent on them:

Provided that surviving spouses, divorcees, and persons deserted by families shall be considered spate families.

*Explanation:* An adult of any gender with or without spouse or children or dependents shall be considered as a separate family for the purposes of this Act; 20

(g) "fund" means the Acid Attack Rehabilitation and Support Fund mentioned in section 14;

(h) "guardian" means a person having the care of the person of a minor or a disabled person; 25

(i) "medical treatment" means medical, surgical, or rehabilitative treatment (including any corrective surgeries, psychological counselling or diet, or other regimens);

(j) "notification" means a notification published in the official gazette by the appropriate Government; 30

(k) "person" includes any company or association or body of persons, whether incorporated or not;

(l) "prescribed" means prescribed by rules made under this act;

(m) "rehabilitation" includes medical and psychological care as well as legal and social services with the intent to enable victims to attain as well as maintain optimal physical, sensory, intellectual, psychological environmental and social function levels; 35

(n) "State Authority" means the State Victims of Acid Attack Rehabilitation Authority established under sub-section (1) of section 9;

(o) "victim" means a person who has suffered any loss or injury caused by acid attack and includes the guardian or legal heir; 40

(p) Words and expressions used and not defined in this Act but defined in the Indian Penal Code, 1860 or Code of Criminal Procedure, 1973 shall have the meanings respectively assigned to them in those Acts provided that they shall be applied in a gender-neutral manner. 45

## CHAPTER II

## CENTRAL VICTIMS OF ACID ATTACK REHABILITATION AUTHORITY

3. (1) With effect from such date as the Central Government may, by notification, appoint, there shall be constituted, for the purposes of this Act, an Authority, to be known as the Central Victims of Acid Attack Rehabilitation Authority;

Central  
Victims of  
Acid Attack  
Rehabilitation  
Authority.

(2) The Authority shall consist of the following members, namely:—

(a) Minister of State, Ministry of Social Justice and Empowerment as the *ex-officio* Chairperson;

(b) Minister of State, Ministry of Home Affairs as the *ex-officio* Co-Chairperson;

(c) Minister of State, Ministry of Women & Child Development as the *ex-officio* Vice-Chairperson;

(d) Minister of State, Ministry of Law and Justice as the *ex-officio* Vice-Chairperson;

(e) Chairperson of National Commission for Women, as the *ex-officio* member;

(f) Chairperson of National Human Rights Commission, as the *ex-officio* member;

(g) Director, National Legal Services Authority as the *ex-officio* member;

(h) Two retired High Court judges to be appointed by the Central Government as members;

(i) Four members to be appointed by the Central Government from amongst persons having knowledge of, or practical experience in, matters relating to providing assistance to victims of acid attack:

Provided that at least two of the members shall be women or non-binary persons;

(j) Such other representatives of the Ministries or Departments of the Government of India or experts representing different states or union territories, as may be prescribed as members.

(3) The Central Government shall appoint such number of officers and staff as it considers necessary for the functioning of the Authority.

(4) The rules by which salary and allowances payable to and other terms and conditions of services of officers and staff of the Authority shall be such, as may be prescribed.

4. (1) It shall be the duty of the Authority to take all such steps as it may think fit, to ensure planned and coordinated rehabilitation of victims of acid attack and for the purposes of performing its functions under this Act, the Authority shall:—

Functions of  
the Authority.

(a) facilitate and ensure full and proper implementation of all provisions of this Act, including those pertaining to rehabilitation and relief services, including but not limited to compensation, reintegration to the victims, safety, care, protection and dignity of victims including prevention of re-traumatisation of victims, or recurrence of any acid attack against victims, in coordination with the concerned Ministries, Departments, prescribed authorities, statutory bodies;

(b) ensure effective coordination between the concerned authorities involved in the process of rehabilitation and support;

(c) coordinate with the appropriate Governments and other concerned authorities to maintain an updated national database of the victims under this Act for the sole purpose of providing relief and support;

(d) oversee the disbursement of funds allocated for the assistance of the victims;

(e) develop strategies to regulate and control the import, production, transportation, hoarding, sale, distribution of acid;

(f) make recommendations to the appropriate Government for efficacious implementation of various programmes for victim rehabilitation and also for preventing acid attacks;

(g) to make rules for disbursement of funds;

(h) enhance public awareness about the provisions of this Act and its rules and regulations and also create a national toll-free helpline to aid the victims and/or their family; 5

(i) perform such other functions as may be prescribed as considered necessary by the Authority for effective discharge of the provisions of this act;

(j) perform such other functions as may be entrusted to it by the Central Government. 10

Terms of office and conditions of service.

**5. (1)** The Chairperson and Vice-Chairperson shall hold office till the time they discharge the functions of their incumbent office;

(2) The conditions of service of the Chairperson, the Vice-Chairperson, and the members shall be such as may be prescribed; 15

(3) The term of office of the members appointed by Central Government shall be four years, or till they complete the age of sixty years or till fresh appointments are made, whichever is earlier, and other conditions of service of such members shall be such as may be prescribed;

(4) If a casual vacancy occurs in the office of Chairperson, whether by reason of death, resignation, or inability to discharge the functions of a chairperson owing to illness or other incapacity, the Vice-Chairperson holding office as such for the time being, shall act as the Chairperson and shall, unless any other person is appointed earlier as Chairperson, hold the office of the Chairperson for the remainder of the term of office of the person in whose place the said person is to so Act; 20

(5) If a casual vacancy occurs in the office of the Vice-Chairperson or any other member, whether by reason of death, resignation or inability to discharge their functions owing to illness or other incapacity, such vacancy shall be filled up by making a fresh appointment and the person so appointed shall hold office for the remainder of the term of the office of the person in whose place such person is so appointed; 25

(6) The Chairperson shall, in addition to presiding over the meetings of the Authority, exercise and discharge such powers and duties of the Authority as may be delegated to them by the Authority and such other powers and duties as may be prescribed; 30

(7) The Vice-Chairperson shall perform such functions as may be assigned to them by the Chairperson from time to time.

Disqualification for office of member.

**6.** A person shall be disqualified for being appointed as a member if he or she:— 35

(a) has been convicted and sentenced to imprisonment for an offence, which, in the opinion of the Central Government, involves moral turpitude; or

(b) is an undischarged insolvent; or

(c) is of unsound mind and stands so declared by a competent court; or

(d) has been removed or dismissed from the service of the Government or a body corporate owned or controlled by the Government; or 40

(e) has in the opinion of the Central Government such financial or other interest in the Authority as is likely to prejudicially affect the discharge by them of their functions as a member.

7. The Central Government shall remove a member if he or she:—

Vacation of  
office of  
member.

(a) becomes subject to any of the disqualifications mentioned in section 6:

5 Provided that no member shall be removed on the ground that he has become subject to the disqualification mentioned in clause (e) of section 6, unless he or she has been given a reasonable opportunity of being heard in the matter; or

(b) refuses to act or become incapable of acting; or

(c) in the opinion of the Central Government, has so abused their position so as to render his or her continuance in office detrimental to the public interest:

10 Provided that no member shall be removed under this clause unless he or she has been given a reasonable opportunity of being heard in the matter.

8. (1) The Authority shall regulate its own business.

Procedure of  
business.

(2) The Authority shall meet at such time and place, and shall observe such rules of procedure in regard to the transaction of business at its meetings, including the quorum at such meetings, as may be provided by regulations:

15 Provided that the Authority shall meet at least once in three months.

(3) The Chairperson, and in the absence of the Chairperson, the Vice-Chairperson shall preside at the meetings of the Authority.

20 (4) If for any reason the Chairperson and the Vice-Chairperson, both are unable to attend any meeting of the Authority, any other member chosen by the members present at the meeting shall preside at that meeting.

### CHAPTER III

#### STATE VICTIMS OF ACID-ATTACK REHABILITATION AUTHORITY.

25 **9. (1) Every appropriate Government shall establish a State Victims of Acid Attack Rehabilitation Authority for ensuring overall effective implementation of the provisions of this Act within the State, for coordination wherever necessary.**

State Victims  
of Acid Attack  
Rehabilitation  
Authority.

(2) The State Authority shall consist of the following members, namely:—

(a) Chief Secretary—*ex-officio* Chairperson;

(b) Secretary, Social Justice Department—*ex-officio* member;

(c) Principal Secretary, Home Department—*ex-officio* member;

30 (d) Secretary, Department of Women and Child—*ex-officio* member;

(e) Secretary, Labour Department—*ex-officio* member;

(f) Secretary, Health Department—*ex-officio* member;

(g) Secretary, State Legal Services Authority—*ex-officio* member;

(h) Secretary, Law Department—*ex-officio* member;

35 (i) Officer of the state police department, not below the rank of inspector general of police to be appointed by the appropriate Government—member;

40 (j) Two social workers or representatives of civil society organisations or non-governmental organisations working in the area of providing aid to the victims of acid-attacks and related matters to be appointed by the appropriate Government, out of which at least one shall be a woman or non-binary person—members;

(k) Such other persons to be appointed by the appropriate Government as may be prescribed—members.

**(3) The terms of office and condition of service of the State Authority will be the same as the Authority as may be prescribed under section 3.**

**(4) In case of a Union Territory, the Central Authority shall discharge its functions.**

Functions of  
the State  
Victims of  
Acid-Attack  
Rehabilitation  
Authority.

**10. (1) The State Authority Shall:—**

(a) act as the nodal agency at state level for the compensation of victims of acid attack and to create a single window for compensation of victims under all the applicable schemes already in place; 5

(b) facilitate and ensure full and proper implementation of all provisions of this Act, including those pertaining to rehabilitation and relief services including compensation, reintegration to the victims, safety, care, protection, and dignity of victims including prevention of re-traumatisation of victims, or recurrence of any acid attack against victims, in coordination with the concerned ministries, departments, prescribed authorities, statutory bodies; 10

(c) ensure effective coordination between the concerned authorities involved in the process of rehabilitation and support; 15

(d) inquire into and constitute fact-finding teams to inquire into incidents of acid violence;

(e) monitor the allocation and utilization of the funds allocated by the Authority;

(f) coordinate with District Legal Service Authority and State Legal Service Authority to provide appropriate legal aid to the victims; 20

(g) recommend the appropriate Government to notify medical facilities and other services including psychological help and other needs of the victims;

(h) develop strategies to regulate and control the import, production, transportation, hoarding, sale, distribution of acid;

(i) make recommendations to the State Governments for efficacious implementation of various programmes for victim rehabilitation and also for preventing acid-attacks; 25

(j) arrange for appropriate training and sensitisation of functionaries and governmental and non-governmental personnel;

(k) develop effective networking and linkages with governmental and non-governmental organisations for specialised services and technical assistance like vocational training, education, healthcare, nutrition, mental health intervention, and legal aid services; 30

(l) enhance public awareness about the provisions of this Act and its rules;

(m) perform such other functions as may be prescribed as considered necessary by the Authority. 35

#### CHAPTER IV

##### REHABILITATION AND SUPPORT OF VICTIMS

Providing  
monetary  
assistance.

**11. (1) Upon registration of a first information report of an offence of acid attack, the investigating officer shall forward a copy of the same to the State Authority and the District Legal Services Authority, which shall provide immediate relief to the victim and dependent, if any, including aid and assistance for medical and rehabilitation needs, as maybe required after due assessment, in such manner as may be prescribed, within seven days of the receipt of the same. 40**

**(2) The State Authority shall award interim relief to a victim or any dependent within a period of thirty days of an application submitted by or on behalf of them in this regard, after due assessment, in such manner as may be prescribed. 45**

(3) The State Authority shall ensure that all measures have been taken for relief and rehabilitation of the victim and dependent, if any, including for his safety and relocation, at the earliest after registration of the first information report under this act, and within thirty days of an application having been made in this regard by or on behalf of the victim:

5        Provided that, in case appropriate relief is not awarded, or has not been awarded within thirty days from the application, the victim shall approach the Authority as per the provisions of section 15.

(4) The relief and compensation, including those provided under sub-section (1), shall be in addition to any other compensation including any amount or benefit payable by way of  
10 any damages or under any scheme of the appropriate Government or pursuant to any order of the court under any law for the time being in force.

(5) The Authority shall frame rules for the effective implementation of the provisions of sub-section (1) and (2) and disbursement of monetary assistance within one month from the commencement of this Act.

15        (6) The designated court may order, where applicable, any back wages due to the victim to be paid to them, in addition to any relief extended to the victim under this section.

(7) In case of the death of the victim caused by or as a consequence of the acid attack the children or any other dependent of the victim may apply to the State Authority for relief in accordance with the rules notified under this Act.

20        **12. (1) Free medical treatment shall be provided to the victim at all the private, government, and municipal corporation hospitals and the hospitals and medical facilities, as may be notified, shall provide free and life-long care to the victims.**

Medical and  
legal  
assistance.

(2) **Free psychological help shall be provided to the victim and their family for such period as the concerned psychologist deems fit.**

25        (3) **The Authority shall provide funds for any elective surgery opted for, by a victim, to alleviate the harm caused by or as a consequence of the acid attack which may include skin grafting or plastic surgery as per the rules prescribed by the authority:**

**Provided that in the opinion of the operating surgeon and one other surgeon, the procedure does not cause substantial risk to the victim.**

30        (4) The treating doctor shall inform the nearest police station in case of an acid attack and it shall be the duty of the police officer in charge of the station to inform the District Legal Services Authority as well as the State Authority.

35        (5) On receipt of such information, the District Legal Services Authority, shall along with a representative send a mental trauma team to provide psychological and mental relief to the victim and their family.

(6) The State Authority along with either District Legal Services Authority or State Legal Services Authority shall ensure that the victim is provided free counseling at a medical facility or a doctor of their choice and under circumstances where the victim is unable to choose, a psychologist may be appointed as may deem necessary.

40        (7) The State Authority shall mandate the creation of skin banks at the medical facilities to be notified under the Act and ensure that there is at least one skin bank in every district.

45        (8) The State Authority shall, through either District Legal Services Authority or State Legal Services Authority provide free legal aid and support through all the stages of the trial and also in case if the victim wants to initiate civil action for claiming damages against material and non material sufferings caused by any offence under this Act.



Setting up of skill development institutes.

**13. (a) The appropriate Government shall, by notification in the official gazette, set up skill development institutes to provide skill training opportunities for those acid attack victims seeking educational resources in order to re-integrate themselves into society.**

**(b) The state Governments shall contribute to the funding of the unit set up under sub-section (I) in such manner as may be prescribed.**

(c) The appropriate Government shall encourage private firms to set up enterprise-based training institutes as a part of corporate social responsibility for imparting high-quality job-oriented training to youth and ensure sufficient opportunities for employment to acid attack victims on completion of training.

Acid Attack Rehabilitation and Support Fund.

**14. (1) The Central Government shall, within one month of the commencement of this Act, establish and maintain a fund to be called the Acid Attack Rehabilitation and Support Fund, for the relief and rehabilitation of acid attack victims.**

**(2) The Central Government, after receiving due reports from the Authority, shall provide adequate funds, after due appropriation made by Parliament by law in this behalf, for the purpose of carrying out the provisions of this Act.**

**(3) All moneys belonging to the fund shall be deposited in such banks or invested in such manner as may be decided by the Authority.**

**(4) The Authority may spend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the fund of the Authority.**

#### CHAPTER V MISCELLANEOUS

Appellate Authority.

**15. (1) In case the State Authority rejects or fails to provide compensation or relief, either immediate or interim, or any further compensation within the prescribed period then such victim may apply to the Authority, for compensation or relief in such manner as may be prescribed.**

(2) In case of applications received under sub-section (1), the Authority shall ensure disbursement of funds in a time-bound manner, not later than fifteen days after receiving the application.

Delegation of powers and functions.

**16. The Authority may, by general or special order in writing, delegate to the Chairperson or any other member or any officer of the State Authority, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act, as it may deem necessary.**

Protection of action taken in good faith.

**17. No prosecution or other legal proceeding shall lie against the Central Government, the Authority or any State Authority, or any member of the authority or any officer or employee of the Central Government or the Authority or any other person authorised by that Government or the Authority, for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.**

Directions by the Central Government.

**18. (1) The Authority shall, in the discharge of its functions and duties under this Act be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time.**

(2) The decision of the Central Government as to whether a question is one of policy or not shall be final.

Power to remove difficulties.

**19. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the official gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:**



Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

5       **20.** The provisions of this Act, shall be in addition to and not in derogation of the provisions of any other law for the time being in force and, in case of any inconsistency, the provisions of this Act shall have an overriding effect on the provisions of any such law to the extent of the inconsistency. Provision not in derogation of any other law.

**21. (1)** The Central Government may, by notification in the Gazette of India, make rules and regulations for carrying out the purpose of this Act. Power to make rules and regulations.

10       (2) Every rule and regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule and regulation or both  
15       the Houses agree that the rule and regulation should not be made, the rule and regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule and regulation.

## STATEMENT OF OBJECTS AND REASONS

The report of National Crime Records Bureau published in 2020 indicates that there has been no decline in the number of acid attack victims even after amending the criminal laws to curtail such abhorring attacks. There is an impending need to support these victims as they have suffered enough and alleviation of the suffering of victims of such horrendous crimes is the duty of the state. International Human Rights law requires Governments to act affirmatively and with due diligence to protect human rights and adequately respond to human rights violations. Due diligence imposes upon Governments the obligations to enact legislation designed to combat acid attack violence, ensure effective implementation of laws, and provide redress to victims.

Although the Government has recognized the need for the formulation of a compensation scheme for victims of acid attacks, it has come up with a scheme that is too complicated for a victim who has already suffered enough. Many victims have reported that they have not received the compensation in full or there have been arbitrary cuts. Although, certain States have been efficaciously disbursing relief funds, there is a need to address the issue with a central legislation. This legislation aims to create a single window for compensation for the victims of acid attack so as to alleviate their suffering. The legislation mandates the creation of skin banks and also provides necessary measures to deal with psychological trauma as well. Many acid attack survivors must undergo numerous complicated surgical procedures. These medical procedures are very costly and require specialized expertise and facilities. Thus the Bill provides medical treatment and elective surgeries to be conducted free of cost.

Further, as a result of disfigurement, victims are either temporarily or permanently incapacitated and are forced to give up their lives, their livelihood, and their education. In this regard, compensation to cover vital surgeries for victims who can no longer support themselves becomes imperative. There is also a need to prevent the supply of such corrosive acids in the ordinary consumer market. Hence, the Authority under this Bill shall also aid in the creation of policy to prevent acid attacks and shall also formulate rules for the import or production of acid. There is a need for comprehensive legislation which provides holistic relief to victims of acid attacks and does so in a gender-neutral manner. Under the current laws, there are barriers to access to relief and rehabilitation for male, transgender and non-binary persons.

Hence, this Bill.

DR. FAUZIA KHAN

#### FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of a Central Victims of Acid Attack Rehabilitation Authority. Clause 9 Bill provides for constitution of a State Victims of Acid Attack Rehabilitation Authority. Clause 11 provides for monetary assistance and clause 12 provides for free medical and legal assistance for the victims. Clause 13 provides for setting up of skill development institutes for the victims and clause 14 provides for Acid Attack Rehabilitation and Support Fund to be established for the relief and rehabilitation of acid attack victims. The Bill, therefore, if enacted will involve expenditure from the Consolidated Fund of India. However, at this stage, it is not possible to give an estimate of recurring or non-recurring expenditure involved.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 21 of the Bill empowers the Central Government to make rules and regulations for carrying out the purposes of the Bill. As the matters in respect of which rules may be made are matters of procedure and details only and it is not practicable to provide for them in the Bill itself the delegation of legislative power is, therefore, of a normal character.

RAJYA SABHA

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**BILL**

to ensure proper rehabilitation and relief to victims of acid attacks and for matters connected therewith or incidental thereto.

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*(Dr. Fauzia Khan, M.P.)*