

## Orders & Forms

2636  
9/9/16



GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department - Order of the Hon'ble Supreme Court of India in WP(Cr) No.129/2006 filed by Smt.Laxmi - Instructions for Providing Free Medical Treatment to acid attack victims - Approved - Orders issued.

### HEALTH & FAMILY WELFARE (F) DEPARTMENT

G.O.(R) No. 382/2016/H&FWD Dated, Thiruvananthapuram, 02/02/2016.  
Head-1. Order dated 18/07/2013, 03/12/2013 and 06/02/15 of the Hon'ble Supreme Court of India in WP(Cr) 129/2006 filed by Smt.Laxmi.

- G.O.(MS) No.454/13/H&FWD dated 25.11.2013.
- G.O.(MS) No.37/14/Home dated 24.02.2014.
- Letter No.2.28015/46/13-H dated 02.05.2013 of Ministry of H&FW, Government of India.
- Letter No.22085/F1/13/H&FWD dated 29.10.2013.
- Order dated 10.04.2015 in WP(c) Cr.129/06 of Hon'ble Supreme Court of India

### ORDER

Smt. Laxmi, an acid attack victim filed WP(Cr) No. 129/06 before the Hon'ble Supreme Court of India for an order directing the States of India to make necessary amendment for controlling the easy availability of acid which lead to offences of acid attacks in several parts of the country. Accordingly, as per order read as 1<sup>st</sup> paper above, the Hon'ble Supreme Court of India has directed all State Governments to take necessary steps to regulate the sale and storage of acids in order to curb human attacks using Acids. In compliance to the order of the Hon'ble Apex Court, Government as per G.O read as 2<sup>nd</sup> paper above, have issued order restricting the sale of acids. It was also specified in the order that the victims of acid attack will get an amount of Rs.3. Lakhs compensation out of which Rs.1.lakh will be provided within 15 days of acid attack. It was also instructed to the State Police Chief to direct all Police Stations that as and when an FIR is lodged with the Police relating to acid attack, the concerned Police Station will send a communication to the jurisdictional Sub Divisional Magistrate about receipt of such information. Moreover as per G.O read as 3<sup>rd</sup> paper above, sanction was also accorded for the implementation of the Victim Compensation Scheme in which there is provision for providing compensation to the victim of acid attack as ordered by the Apex Court in its order read above.

2. Meanwhile, the Ministry of H&FW, Government of India as per letter read as 4<sup>th</sup> paper above has informed that the Criminal Law (Amendment) Act 2013 (No.13 of 2013),has come into force on 3<sup>rd</sup> February,2013 and has been gazetted on 2<sup>nd</sup> April,2013. It was further informed that as per the Section 357-C inserted in Code of Criminal Procedure, 1973 by the amendment, it has been provided that "All Hospitals, public or private whether run by the Central Government, the State Government, Local Bodies or any other person shall immediately, provide the first aid or medical treatment, free of cost, to the victims of any offence covered under section 326-A,376, 376-A,376-B,376-C,376-D or Section 376-E of the Indian Penal Code and shall immediately inform the police of such incident". Thus it was requested to issue necessary instructions to all concerned such as State/UT officials,all hospitals irrespective of Government, autonomous institutions, private institutions etc. for compliance of the above said provisions in the right earnest manner.

3. Accordingly Government as per letter read as 5<sup>th</sup> paper above, directed the Director of Health Services and Director of Medical Education to issue urgent directions to all concerned to provide adequate medical treatment and rehabilitation of the acid attack victims in the State in all hospitals irrespective of Government/Private/Autonomous institutions.

4. As per the order of the Hon'ble Supreme Court, dated 06/02/2015 in WP(Cr)No.129/2006, the Ministry of Home Affairs and Ministry of Health and Family Welfare jointly convened a meeting regarding the issues of acid attack victims and the following decisions were taken:

- The States/UTs will take a serious note of the directions of the Hon'ble Supreme Court with regard to treatment and payment of compensation to acid attack victims and to implement these directions through the issue of requisite orders/notifications.
- The Private hospitals will also be brought on board for compliance and the States/UTs will use necessary means in this regard.
- No hospital/Clinic should refuse treatment citing lack of specialized facilities.
- First-aid must be administered to the victim and after stabilization, the victim/patient could be shifted to a specialized facility for further treatment wherever required.
- Action may be taken against hospital/clinic for refusal to treat victims of acid attacks and other crimes in contravention of the provisions of Section 357C of the Code of Criminal Procedure,1973.

## IMA Pension Scheme

### Who can join Pension Scheme?

Any life member of IMA KSB can join the Scheme irrespective of age.

### At what age one can claim pension?

Monthly pension starts when the member attains 60 years or when they prefer.

### What is the minimum premium of Pension Scheme?

A member can deposit any amount not less than Rs.12,000/- per year.

### What is the pension amount?

Pension amount depends upon the capital amount one person deposited and interest rate in force.

### Can anybody join the Scheme after 60 years?

Yes. A locking period of one year will be there to avail pension in case of a member who join the Scheme at the age of 60 or later.

### What is the maximum amount one can deposit at a time?

There is no limit for the deposits in the Scheme.

One can deposit any amount twice or thrice a year.

### What about the capital amount after the death of a member in the Scheme?

In case of death of Scheme member, either before or after maturity of the policy, the principal amount and existing interest rate will be handed over to the nominee.



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