

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON INTERIOR AND NARCOTICS CONTROL ON THE ACID AND BURN CRIME BILL, 2014

1. Chairman of the Standing Committee on Interior and Narcotics Control, have the honor to present this report on the Bill to further to make provisions to specifically criminalize acid and burn related violence by providing fair and speedy trial of such heinous offences [The Acid and Burn Crime Bill, 2017] (Private Member's Bill) referred to the Committee on 08th March, 2014.

2. The Committee consists of the following members: -

1) Rana Shamim Ahmad Khan	Chairman
2) Syed Javed Ali Shah	Member
3) Mr. Ghalib Khan	Member
4) Dr. Ibadullah	Member
5) Sheikh Muhammad Akram	Member
6) Syed Iftikhar-ul-Hassan	Member
7) Makhdoomzada Basit Bokhari	Member
8) Mian Shahid Hussain Khan Bhatti	Member
9) Makhdoom Syed Ali Hassan Gillani	Member
10) Ms. Tahmina Daultana	Member
11) Mir Dostain Khan Domki	Member
12) Mr. Nauman Islam Shaikh	Member
13) Mr. Ehsan-ur-Rehman Mazari	Member
14) Nawab Muhammad Yousuf Talpur	Member
15) Mr. Khial Zaman Orakzai	Member
16) Dr. Arif Alvi	Member
17) Kanwar Naveed Jameel	Member
18) Mr. Salman Khan Baloch	Member
19) Ms. Naeema Kishwer Khan	Member
20) Mr. Sher Akber Khan	Member
21) Ch. Nisar Ali Khan, Minister for Interior and Narcotics Control	Ex-officio Member

3. The Committee in its meeting held on 14-02-2017 considered the said bill in detail and suggested following amendments, therein: -

(1) **Clause-6**

In clause 6, in paragraph (i), for the words "rigorous imprisonment for life" the words "capital punishment" shall be substituted.

(2)

Clause-17

In clause 17, after the words "seven days", the words "where possible" shall be added.

(3)

Clause-21

In clause 21, in sub-clause (2).-

(i) for Paragraph (iv) the following shall be substituted, namely:-

"(iv) One medical doctor in burn field".

(ii) for Paragraph (v) the following shall be substituted, namely:-

"(v) One Lawyer".

4. The Committee recommends that the Bill placed at Annex-B may be passed by the Assembly. The Bill as introduced in the National Assembly is placed at (Annex- A).

Sd/-

(JAWAD RAFIQUE MALIK)

Secretary

Sd/-

(RANA SHAMIM AHMAD KHAN)

Chairman

Standing Committee on
Interior and Narcotics Control

Islamabad, the 15th May, 2017

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

to make provisions to specifically criminalize acid and burn related violence by providing fair and speedy trial and speedy trial of such heinous offences and for matters connected therewith and incidental thereto

that to further prevent the misuse of corrosive substance and provide treatment and rehabilitation of acid and burn victims and their dependents.

to further give legal support and protection to them.

It is hereby enacted as follow:

Chapter I

1. Short title, extent and commencement.- (1) This Act may be called the Acid and Burn Crime Bill, 2014.

(2) It shall be applicable in ICT (Islamabad Capital Territory).

(3) It shall come into force at once.

2. Definitions.- (1) In this Act, unless the subject or context otherwise, requires :

(i) "Crime" means any act of omission punishable by this Act;

(ii) "Corrosive substance" means a substance tending to destroy, causing hurt, deface, dismember any person and includes every kind of acid corrosion, sulphuric acid, poison, mercuric chloride, explosive substance or heating substance or noxious things mercuric or bi-chloride or mercury, a white crystalline which acts as poison and includes a substance having corroding affect which is deleterious to human body and otherwise.

(iii) "Code" means Code of Criminal Procedure (Act V of 1898);

(iv) "PPC" means Pakistan Penal Code (Act XLV of 1860);

(v) "Acid attack" means any act or omission, caused by corrosive substance/acid to be thrown or administered in any form on the victim with the intention that such person is likely to cause to the other person permanent or partial damage/injury or deformity or disfigurement to any part of the body or organ or cause death of such victim;

- (vi) "Burn attack" means any act or omission caused by fire and any other hot substances directed towards the victim, with the other hot substances directed towards the victim, with the intention that such act or omission, may result in permanent or partial damage or deformity or disfigurement to any part of the body or organ of such victim or cause death through burn;
- (vii) "Acid and Burn Victim" means a person who has been subjected to an acid attack or burn attack who has either survived as a result thereof or is dead;
- (viii) "Child" shall mean all persons under the age of 18 years.
- (ix) "Rehabilitation" shall mean bringing or restoring a victim to a normal or optimal state of health, constructive activity, etc. by medical treatment and physical or psychological therapy, and also to prepare such victim for useful employment or successful integration into society by counseling, training, etc;
- (x) "Medical treatment" shall include surgeries or associated procedures, nursing care, physiotherapy, psychological support, psychotherapy etc;
- (xi) "Medical facility" means any premises either Government or privately operated which dispenses medical treatment and other rehabilitation services to public;
- (xii) "Appropriate Government" means the Federal Government or Provincial Government as defined in the Constitution of Islamic Republic of Pakistan 1973;
- (xiii) "Attempt to commit" whoever does any act with such intention or knowledge and under such circumstances that if he/she by that act may cause burn, injury or death;
- (xiv) "Medical personnel" shall mean every concerned medical staff/officer, doctor, surgeon, psychologist or hospital representative before whom acid attack or burn attack victim has been brought for treatment;
- (xv) "Acid and Burn Crime Monitoring Board" shall mean a monitoring body set up by appropriate Government, as defined under Chapter III section 24; and hereinafter referred as "the Board";
- (xvi) "Acid and Burn Crime Monitoring Board Fund" shall have the meaning as ascribed to it under Chapter IV, section 26 of this Act;
- (xvii) "Cognizable, Non-Bailable and Non-Compoundable" shall have the same meaning ascribed to as under Code of Criminal Procedure (Act V of 1898);
- (2) Words and phrases not defined in this Act shall have the meaning ascribed thereto in the PPC and the Cr. PC;

3. Overriding effect.- (1) Without prejudice to the provisions of this Act, the provisions of Criminal Procedure Code shall apply mutatis mutandis in respect of cases under this Act. Provided that if it appears that the offender has committed a different offence under any other law he/she may if the court is competent to try that offence, award such punishment.

(1) The Provisions of this Act shall have an overriding effect and shall be in addition to and not in derogation to any other law for the time being in force.

4. Application of certain Acts.- Victims of acid attack or burn attack shall be deemed to be person with disability and are entitled to benefits and all measures prescribed under The Disabled Person (Employment and Rehabilitation) Ordinance, 1981.

5. Criminal liabilities.- (1) All offences committed under this Act shall be cognizable, Non-Compoundable and Non-Bailable;

Chapter II

Investigation, Trial and Appeal

6. Offence of Acid attack or Burn attack.- (1) Whoever commits or attempts to commit an offence of acid or burn attack shall :

- (i) If such act has resulted in the death of any person, be punished with rigorous imprisonment for life; and;
- (ii) Whoever intentionally causes hurt by Acid and Burn attack shall be punished with rigorous imprisonment for not less than 7 years.

7. Interim Relief.- (1) The court may, at any stage of the trial, on an application by the victim, direct the government to pay interim monetary relief to the victim to meet the expenses incurred and losses suffered by him/her. Such relief may include, but is not limited to :-

- (a) loss of earning;
- (b) medical expenses;
- (c) damages on account of disfigurement and/or disability

(2) The Government shall pay monetary relief to the victim within the period specified in the order made in terms of sub-section (1) of section 8 and in accordance with the terms thereof.

(3) Such amount which has been paid by the government or the employer or debtor as the case may be, shall be adjusted towards monetary relief payable by the convict as ordered in the final judgment or shall be recovered as arrears of land revenue.