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Vande Mataram Protection Act + SC Expands Acid Attack Victim Definition under RPwD Act

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Vande Mataram Protection Act + SC Expands Acid Attack Victim Definition under RPwD Act

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WHY IN NEWS

Two landmark legal developments on May 5–7, 2026:

- 1 Union Cabinet** amended the **Prevention of Insults to National Honour Act, 1971** to explicitly protect **Vande Mataram** (National Song) — making insult or obstruction to its singing a criminal offence punishable with up to **3 years imprisonment**.
- 2 Supreme Court** expanded the definition of “acid attack victim” under the **Rights of Persons with Disabilities (RPwD) Act, 2016**, to include survivors who were **forcibly made to ingest acid** and suffered internal injuries — even without visible external disfigurement. The ruling has **retrospective effect from 2016**.

PART I — VANDE MATARAM PROTECTION

Amendment Details

FEATURE	DETAIL
Act amended	Prevention of Insults to National Honour Act, 1971
New provision	Insult or obstruction to singing of Vande Mataram = criminal offence
Punishment	Up to 3 years imprisonment , or fine, or both
Existing provisions (unchanged)	Insult to National Flag: 3 years; Insult to National Anthem: 3 years
Approved by	Union Cabinet, May 5, 2026

About Vande Mataram

FEATURE	DETAIL
Composed by	Bankim Chandra Chatterjee (1882)
First song book publication	Published in the novel <i>Anandamath</i> (1882)
First sung at	1896 Indian National Congress session (Calcutta) – sung by Rabindranath Tagore
National Song status	Adopted as National Song of India on January 24, 1950
Distinction from National Anthem	Vande Mataram = National Song; “Jana Gana Mana” = National Anthem (Article 51A)
Current status	Singing is voluntary; schools required to sing it at least twice a week
Constitutional provision	Article 51A(a) – duty to abide by and respect national symbols

Constitutional and Legal Framework

SYMBOL	LEGAL PROTECTION	CONSTITUTIONAL BASIS
National Flag (Tricolour)	Prevention of Insults to National Honour Act 1971; Flag Code 2002	Article 51A(a)
National Anthem (Jana Gana Mana)	Prevention of Insults to National Honour Act 1971	Article 51A(a)
National Song (Vande Mataram)	Prevention of Insults to National Honour Act 1971 (amended 2026)	Article 51A(a)

PART II — SC EXPANDS ACID ATTACK VICTIM DEFINITION (RPWD ACT 2016)

The Ruling

The Supreme Court held that the definition of “acid attack victims” under **Schedule I of the RPwD Act, 2016** must be read to include survivors who:

- Were **forcibly made to consume/ingest acid** (not just those attacked externally)
- Suffered **internal injuries** (digestive tract, oesophagus, stomach damage) even without external disfigurement

- Had previously been **excluded** because they bore no visible scars or disfigurement

Retrospective effect: Ruling applies from the date the RPwD Act came into force (**October 19, 2016**) — all qualifying survivors from 2016 onwards become eligible.

What the RPwD Act 2016 Covers

FEATURE	DETAIL
Full name	Rights of Persons with Disabilities Act, 2016
Replaces	Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995
Disabilities covered	21 specified disabilities (expanded from 7 in 1995 Act)
Acid attack victims	Listed in Schedule I as a specified disability category
Benefits available	Disability certificate, reservation (4% in government jobs), rehabilitation, compensation
Authority	Chief Commissioner for Persons with Disabilities (national); State Commissioners (state-level)
UN Convention	Implements UNCRPD (UN Convention on Rights of Persons with Disabilities, 2006); India ratified 2007

Why It Matters — Acid Attack Context in India

STATISTIC	DATA
Acid attack cases (NCRB 2022)	~200+ cases reported annually
Underreporting	Significant — many internal injury cases never reported as acid attacks
Previous exclusion	Internal injury survivors could not access disability certificates
States with highest cases	Uttar Pradesh, West Bengal, Delhi, Odisha
IPC provisions	Section 326A (acid attack — min 10 years, max life); Section 326B (attempt)
BNS provisions (2023)	Section 124 (acid attack), Section 125 (attempt)

UPSC RELEVANCE

PAPER	ANGLE
GS2 — Polity	Article 51A, national symbols, Prevention of Insults Act, constitutional duties
GS2 — Social Justice	RPwD Act 2016, acid attack victims, disability rights, UNCRPD
GS4 — Ethics	State responsibility, dignity, access to justice for marginalised victims

Mains Keywords: Vande Mataram National Song, Prevention of Insults to National Honour Act 1971, Bankim Chandra Chatterjee, Anandamath, RPwD Act 2016, acid attack victims, UNCRPD, disability certificate, Article 51A, retrospective ruling, Schedule I disabilities

Prelims Facts Corner

ITEM	FACT
Vande Mataram composed by	Bankim Chandra Chatterjee (1882, in novel <i>Anandamath</i>)
First sung	1896 INC session (Calcutta), by Rabindranath Tagore
National Song adopted	January 24, 1950
Punishment (Vande Mataram insult)	Up to 3 years — same as Flag and Anthem
Act amended	Prevention of Insults to National Honour Act, 1971
RPwD Act year	2016 (replaces 1995 Act)
Disabilities in RPwD 2016	21 specified disabilities
SC ruling effect	Retrospective from October 19, 2016 (RPwD Act commencement)
UNCRPD ratified by India	2007
Acid attack IPC section	326A (attack); 326B (attempt); minimum 10 years

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