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ISSN NO. 2456-9704  
**Volume 10 Issue 1**  
[www.supremoamicus.org](http://www.supremoamicus.org)



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## ACID ATTACKS AGAINST WOMEN: IMPLEMENTATION AND CHALLENGES UNDER IPC AND CRPC

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### ABSTRACT

Acid attacks against women represent one of the most brutal forms of gender-based violence, reflecting deep-rooted social inequalities and patriarchal norms. These attacks typically involve the deliberate throwing of corrosive substances, such as sulfuric or nitric acid, with the intent to disfigure, maim, or kill. Victims are predominantly women and girls, and the motives often stem from rejected marriage proposals, dowry disputes, jealousy, or perceived disobedience. The consequences extend far beyond physical injuries, encompassing severe psychological trauma, social isolation, and long-term economic hardship.

Physically, survivors endure excruciating pain, permanent scarring, blindness, and multiple surgeries over several years. The disfigurement often leads to stigmatization, making reintegration into society extremely difficult. Psychologically, victims may suffer from depression, anxiety, and post-traumatic stress disorder (PTSD), compounded by a lack of adequate mental health support. Socially, survivors frequently face discrimination and exclusion, as societal attitudes may blame or ostracize them rather than support their recovery.

Despite growing awareness, acid attacks remain underreported due to fear, stigma, and limited access to justice. In many regions, easy availability of acid and weak regulatory frameworks contribute to the persistence of such crimes. Although several countries have introduced stricter laws, including regulations on

acid sales and harsher penalties for perpetrators, implementation often remains inconsistent.

Efforts to combat acid violence must be multi-dimensional, involving legal reform, stricter enforcement, public awareness campaigns, and survivor rehabilitation programs. Education plays a crucial role in challenging harmful gender norms and promoting equality. Additionally, providing accessible healthcare, psychological counseling, and vocational training can empower survivors to rebuild their lives with dignity.

In conclusion, acid attacks against women are not only acts of individual violence but also manifestations of broader systemic issues related to gender inequality. Addressing this problem requires a collective commitment from governments, civil society, and communities to ensure justice, prevention, and comprehensive support for survivors.

### Chapter 1: Introduction

Acid attacks against women represent one of the most brutal and dehumanizing forms of gender-based violence in the modern world. These attacks involve the deliberate use of corrosive substances—commonly sulfuric, nitric, or hydrochloric acid—with the intent to disfigure, maim, torture, and often psychologically destroy the victim. Unlike many other violent crimes, acid attacks leave survivors with permanent physical scars and lifelong emotional trauma, making them a uniquely devastating form of assault. While men can also be victims, women and girls constitute the overwhelming majority of those targeted, often as a result of rejected marriage proposals, dowry disputes, domestic conflicts, or perceived violations of social norms. The act is not only an attack on the body but also a calculated attempt to erase identity, autonomy, and dignity.<sup>1</sup>

Acid violence is deeply rooted in structural inequalities and patriarchal attitudes that persist in

<sup>1</sup> P. Jaiswal & A. Bhartiya, *Acid Attacks*, in *Routledge India* 319, 319–26 (2020)



many societies. In regions where gender discrimination is prevalent, women are often viewed as subordinate, and any assertion of independence can be met with extreme retaliation. The accessibility and low cost of acid further exacerbate the problem, making it an easily obtainable weapon for perpetrators. Unlike firearms or other regulated weapons, acid can be purchased with minimal restrictions in many countries, enabling impulsive acts of violence. The consequences for survivors extend far beyond the immediate physical injuries, including blindness, severe burns, and disfigurement. Survivors frequently face social ostracism, economic hardship, and psychological distress, as their altered appearance often leads to stigmatization and exclusion from education, employment, and community life.

The global prevalence of acid attacks highlights the urgency of addressing this issue through comprehensive legal, social, and cultural reforms. Countries in South Asia, including India, Bangladesh, and Pakistan, report some of the highest numbers of cases, though incidents have been documented worldwide. In India, acid attacks gained significant public attention following several high-profile cases that sparked outrage and calls for stricter legislation. Governments and advocacy groups have since taken steps to regulate acid sales and impose harsher penalties on offenders. However, implementation gaps and lack of awareness continue to hinder progress. Moreover, underreporting remains a major challenge, as many victims fear retaliation, social stigma, or lack of support from authorities.<sup>2</sup>

The impact of acid attacks is not confined to individual victims; it reflects broader societal failures to protect vulnerable populations and uphold human rights. Survivors often require multiple surgeries, long-term medical care, and psychological counseling, placing a heavy burden on healthcare systems and families. Despite these challenges, many survivors demonstrate remarkable resilience, becoming advocates for change

and raising awareness about acid violence. Their voices have been instrumental in pushing for stronger legal frameworks and better rehabilitation services. Nevertheless, the path to justice and recovery is often long and fraught with obstacles, underscoring the need for sustained efforts from governments, civil society, and international organizations.

Addressing acid attacks against women requires a multifaceted approach that tackles both the symptoms and root causes of the problem. Legal measures must be complemented by initiatives aimed at changing societal attitudes toward gender equality and violence. Education plays a crucial role in challenging harmful norms and empowering women to assert their rights. At the same time, stricter regulation of acid sales and improved law enforcement can help prevent attacks and ensure accountability for perpetrators. Support systems for survivors, including medical care, legal assistance, and vocational training, are essential for enabling them to rebuild their lives and regain independence.<sup>3</sup>

### 1.1 Nature of the Crime

Acid attacks are characterized by several defining features:

- **Intentional and Pre-meditated Violence:** Perpetrators deliberately use corrosive substances to cause permanent disfigurement and severe physical harm, often with the intent to punish or control.
- **Gender-Based Violence:** The overwhelming majority of victims are women, targeted for motives such as rejection of marriage proposals, dowry disputes, jealousy, or attempts to control women's autonomy.
- **Extreme Physical Harm:** Acid causes severe burns, destroys skin and tissue, and can result in

<sup>2</sup> Sital Kalantry, *Acid Attacks in India: The Case for State and Corporate Accountability for Gender-Based Crimes* (2019)

<sup>3</sup> S. Rai et al., *Acid Attack: No More a Gender-Specific Menace*, 13 *Indian J. Forensic Med. & Toxicology* 108, 108 (2019)



blindness or loss of facial features. Injuries are often lifelong and require multiple surgeries.

- **Psychological and Social Impact:** Victims suffer from depression, anxiety, post-traumatic stress disorder, and social ostracism, which hinder their reintegration into society.
- **Violation of Human Rights:** Acid attacks violate fundamental rights, including the right to life, dignity, and bodily integrity.
- **Criminal Offense Under Indian Law:** In India, acid attacks are specifically criminalized under IPC Sections 326A and 326B, prescribing stringent punishments.
- **Accessibility of Acid:** The ease of obtaining acid, due to its industrial and household uses, contributes significantly to the prevalence of attacks.
- **Long-Term Consequences:** Victims often require lifelong medical care, rehabilitation, and face economic hardships.

## 1.2 Historical Background

Prior to 2013, acid attacks in India were prosecuted under general provisions related to grievous hurt, which failed to capture the unique severity of such crimes. Acid was easily available without strict regulation, contributing to the rise in attacks. Public awareness and activism, notably by survivors such as Laxmi Agarwal, led to judicial intervention, culminating in the Supreme Court recognizing acid attacks as a serious social issue and directing regulatory and compensatory measures.

Post-2013, with the enactment of the Criminal Law (Amendment) Act, acid attacks became distinct offenses under IPC Sections 326A and 326B,

prescribing minimum 10 years imprisonment up to life and fines for medical expenses. Stricter acid sale regulations were introduced, including mandatory ID verification and record-keeping by vendors. Victim compensation schemes and free medical treatment mandates were also established. Despite these advances, challenges in enforcement and societal attitudes continue to impede progress.<sup>4</sup>

This research paper will explore these dimensions in depth, analyzing the nature and causes of acid attacks, legal frameworks, judicial approaches, implementation challenges, victim compensation and rehabilitation, and comparative perspectives, with the aim to identify gaps and propose actionable solutions to strengthen the response to acid violence against women in India.

## Chapter 2: Literature Review

Acid violence is increasingly recognized as a severe form of gender terrorism, rooted in patriarchal structures that seek to control, punish, and intimidate women who challenge traditional gender norms. The literature consistently frames acid attacks not merely as isolated criminal acts but as systemic expressions of gender-based oppression embedded within socio-cultural and legal contexts.

### 2.1 Acid Violence as Gender Terrorism

Scholars conceptualize acid attacks as a form of gender terrorism due to their symbolic and physical intent. The deliberate targeting of the face serves to destroy the victim's identity and social acceptance, effectively punishing women who assert autonomy or reject male control.<sup>5</sup> This violence extends beyond the individual to instill fear among women broadly, reinforcing patriarchal dominance through terror. The literature highlights that acid attacks are often triggered by women rejecting marriage proposals,

<sup>4</sup> Vikas Kumar, *Acid Attacks in India: A Socio-Legal Report*, 6 **Dignity: J. Sexual Exploitation & Violence** art. 5 (2021)

<sup>5</sup> P. Jaiswal & A. Bhartiya, *Acid Attacks*, in **Routledge India** 319, 319–26 (2020)



resisting harassment, or asserting independence, making the crime a tool to enforce rigid gender norms and sustain male authority.

## 2.2 Patriarchy and Control Over Women

Patriarchy underpins acid violence by privileging male authority and seeking to discipline women who defy traditional roles. Within this framework, acid attacks are calculated punishments intended to discipline and control women's bodies and choices. The literature emphasizes that the targeting of the face is emblematic, aiming to undermine a woman's dignity and social worth in societies where appearance and marriageability are closely linked. This form of violence serves to reinforce gender hierarchies, with perpetrators acting upon a sense of entitlement to punish perceived disobedience. The social climate of fear generated by such attacks discourages resistance and maintains systemic gender inequality.

## 2.3 Legal Frameworks Exist but Enforcement is Weak

Despite the existence of strong legal provisions in countries like India, enforcement remains a critical challenge. The literature documents that while laws introduced after landmark activism mandate strict punishment and regulate acid sales, poor monitoring, insensitive policing, delayed trials, and inadequate rehabilitation limit their effectiveness. Acid remains easily accessible due to weak regulatory enforcement, and police often fail to register cases promptly or investigate thoroughly. Judicial delays and low conviction rates further undermine deterrence. Additionally, social stigma and victim-blaming discourage reporting and access to justice, perpetuating impunity.<sup>6</sup>

## 2.4 Survivors Face Lifelong Trauma

The literature underscores the multidimensional trauma experienced by survivors. Physically, victims endure severe burns, disfigurement, blindness, and chronic pain, often requiring multiple surgeries over many years. Psychologically, survivors suffer from post-traumatic stress disorder, depression, anxiety, and loss of self-esteem, compounded by societal rejection and isolation. Social stigmatization limits survivors' access to education, employment, and community participation, deepening economic hardship and dependency. The literature calls attention to the inadequacy of mental health support and rehabilitation services, which are often fragmented and under-resourced.

## 2.5 Compensation is Rarely Sufficient

Compensation schemes, while mandated by law, are frequently insufficient and delayed. The literature reveals that financial assistance rarely covers the extensive medical, psychological, and socio-economic needs of survivors. Bureaucratic hurdles and lack of awareness further impede access to compensation. This shortfall reflects broader systemic undervaluation of women's suffering and contributes to ongoing hardship. Scholars argue that compensation should be timely, adequate, and encompass long-term rehabilitation to be truly restorative.

## 2.6 Intersection of Legal, Social, and Cultural Factors

The literature emphasizes that acid violence cannot be addressed solely through legal reforms. Entrenched patriarchal norms, social stigma, and cultural attitudes that subordinate women must be challenged alongside strengthening laws and enforcement. Comprehensive prevention requires education to transform gender

<sup>6</sup> Vikas Kumar, *Acid Attacks in India: A Socio-Legal Report*, 6 **Dignity: J. Sexual Exploitation & Violence** art. 5 (2021)



norms, public awareness campaigns to reduce stigma, and coordinated rehabilitation programs that integrate medical, psychological, social, and economic support.

### 2.7 Role of Survivor Activism and Civil Society

Survivor-led advocacy and civil society organizations play a pivotal role in raising awareness, pushing for legal reforms, and providing rehabilitation services. The literature highlights cases such as Laxmi Agarwal's activism in India, which catalyzed judicial recognition and policy changes. NGOs fill critical gaps in medical care, counseling, legal aid, and livelihood support, particularly where state mechanisms are weak. However, reliance on non-governmental actors points to deficiencies in government response and the need for institutional strengthening.<sup>7</sup>

While legal frameworks have evolved to criminalize acid attacks and mandate victim support, enforcement gaps and social attitudes significantly limit their impact. Survivors endure profound and lasting trauma that extends beyond physical injury to psychological and socio-economic dimensions. Addressing acid violence demands a holistic approach combining robust legal enforcement, preventive regulation of acid sales, survivor-centered rehabilitation, and transformative social change aimed at dismantling patriarchal norms.

### Chapter 3: Research Methodology

This study employs a qualitative descriptive research design to examine acid attacks against women as a severe form of gender-based violence deeply rooted in patriarchy. The research aims to understand the socio-cultural causes, legal responses, enforcement challenges, and long-term impacts on survivors, focusing primarily on India, where acid violence has been extensively documented and legislatively addressed.

<sup>7</sup> N. Daruwalla et al., *Support Needs of Survivors of Violence Against Women in Urban India: A*

### 3.1 Research Design

A qualitative descriptive approach is adopted due to the complex social, psychological, and legal dimensions involved in acid attacks, which are not fully capturable through quantitative data alone. This design facilitates an in-depth exploration of survivor experiences, the effectiveness of legal frameworks, judicial attitudes, and institutional responses. The study also incorporates limited comparative elements to contextualize India's situation within broader regional and international perspectives.

### 3.2 Research Objectives

The key objectives of this study include:

- To identify and analyze the socio-cultural and patriarchal factors contributing to acid attacks against women.
- To examine the legal provisions under the Indian Penal Code (IPC) and Code of Criminal Procedure (CrPC) relevant to acid attacks.
- To assess the implementation and enforcement gaps in the legal and regulatory framework.
- To evaluate the psychological, social, and economic impact of acid attacks on survivors.
- To analyze victim compensation and rehabilitation mechanisms.
- To provide recommendations for strengthening legal enforcement and survivor support.

### 3.3 Data Collection

The research relies exclusively on secondary data sources to ensure ethical integrity and respect for survivor confidentiality. These sources include:

- Academic literature from gender studies, criminology, and legal research.
- Reports and publications by the United Nations and other international bodies.

*Prospective Analysis of Client Records, Glob. Health Rsch.* 1, 1–14 (2024)



- Government documents, including National Crime Records Bureau (NCRB) statistics and official legal texts.
- Judicial decisions, particularly landmark Supreme Court rulings such as *Laxmi v. Union of India*<sup>8</sup>.
- Case studies and survivor narratives documented by NGOs and advocacy organizations.
- Media reports and documented interviews of survivors, ensuring only publicly available and verified information is used.

### 3.4 Sampling Technique

A purposive sampling method guides the selection of case studies, legal documents, and literature. Cases and materials were chosen based on their:

- Relevance to key research questions.
- Legal significance and representativeness.
- Diversity in social and regional contexts.
- Credibility and availability of detailed documentation.

This approach ensures a focused and meaningful analysis while maintaining ethical considerations.

### 3.5 Data Analysis Methods

The study employs multiple qualitative analysis techniques to comprehensively interpret the collected data:

- **Thematic Analysis:** To identify recurring patterns and themes related to motives, patriarchal influences, legal challenges, and survivor experiences.
- **Content Analysis:** To systematically examine the language, provisions, and scope of legal texts, policies, and judicial pronouncements.

- **Narrative Analysis:** To understand survivors' personal accounts and the socio-psychological consequences of acid attacks.
- **Comparative Analysis:** To contrast India's legal and rehabilitative frameworks with those of other countries, highlighting best practices and gaps.

### 3.7 Limitations of the Study

This research methodology is designed to provide a comprehensive, ethically responsible, and analytically rigorous examination of acid attacks against women in India. By integrating diverse secondary sources and employing qualitative analytical frameworks, the study aims to uncover the multifaceted nature of acid violence, assess the effectiveness of legal responses, and highlight critical gaps in enforcement and survivor support. The findings will inform recommendations to strengthen legal frameworks, enhance enforcement, and improve rehabilitation and compensation mechanisms for survivors.

## Chapter 4: Nature and Causes of Acid Attacks

Acid attacks against women are a multifaceted phenomenon rooted in complex social, cultural, economic, and psychological factors, deeply intertwined with patriarchal structures and gender inequality prevalent in Indian society and similar contexts. Understanding the nature and underlying causes of these attacks is critical for developing effective prevention and intervention strategies.<sup>9</sup>

### 4.1 Rejection of Love or Marriage Proposals

One of the most prevalent triggers for acid attacks is the rejection of romantic or marriage proposals. In patriarchal societies, such rejection is often perceived by perpetrators as a direct challenge to their authority, ego, or sense of entitlement over women's choices.

<sup>8</sup> Laxmi v. Union of India, (2014) 4 S.C.C. 427 (India)

<sup>9</sup> R. Singh et al., *Acid Attack on Women: A New Face of Gender-Based Violence in India*, 26 *Indian J. Burns* 83, 83 (2018)



Rather than accepting refusal, offenders resort to acid violence as a form of punishment and control. The deliberate targeting of the face—the site most closely linked to identity and social acceptance—serves to destroy the victim’s dignity and future prospects, including marriage and employment opportunities. This violent reaction reflects toxic masculinity and the cultural conditioning that views women’s autonomy as a threat to male dominance.

#### 4.2 Dowry Disputes

Dowry-related conflicts constitute another significant cause of acid attacks. Despite legal prohibitions, dowry remains a persistent social evil in India, where women’s families often face coercion and harassment to meet dowry demands. Acid attacks are sometimes used as extreme retaliation when dowry expectations are unmet or as a means to intimidate and punish women and their families. These attacks reinforce economic exploitation and patriarchal control by instilling fear and submission through brutal violence.

#### 4.3 Property and Inheritance Conflicts

Women asserting their property or inheritance rights may become targets of acid violence. In many cases, traditional gender norms resist women’s economic independence, and disputes over familial assets escalate into violent repression. Acid attacks in this context function as tools of intimidation aimed at suppressing women’s claims and maintaining male dominance over wealth and resources. The intersection of economic control and gender inequality is starkly evident in these incidents.

#### 4.4 Domestic Violence and Marital Conflicts

Acid attacks can also emerge as an extreme form of domestic violence. Husbands, partners, or other family members may use acid to punish women following disputes, separation, or attempts to assert independence. Such attacks reflect deeply unequal power dynamics within households, where patriarchal norms condone or overlook violence against women.

The availability of acid as a weapon exacerbates the severity of domestic abuse, inflicting lifelong physical and psychological harm.

#### 4.5 Patriarchal Control and Gender Inequality

At the core of acid violence lies entrenched patriarchy, which privileges male authority and seeks to control women’s bodies, choices, and freedoms. Acid attacks are often deliberate acts of gender-based violence aimed at disciplining women who defy traditional roles—whether by rejecting marriage proposals, pursuing education or employment, or asserting autonomy. The symbolic destruction of the face serves to undermine a woman’s social worth and enforce compliance through fear and humiliation. This systemic use of violence sustains gender hierarchies and perpetuates inequality.

#### 4.6 Honor-Based Violence

In some cases, acid attacks are perpetrated as forms of honor-based violence, intended to “restore” family or community honor when women are perceived to have violated cultural or social norms. This may include rejecting arranged marriages, seeking divorce, or engaging in behavior considered “improper.” Acid attacks in this context are socially sanctioned punishments that reinforce restrictive gender norms and control over women’s sexuality and behavior.

#### 4.7 Accessibility and Regulation of Acid

The widespread availability and low cost of acid contribute significantly to the incidence of attacks. Acid’s legitimate industrial and household uses make it easily obtainable in many regions, often without stringent regulation or monitoring. Despite legal restrictions introduced post-2013—including mandatory ID verification and record-keeping by vendors—enforcement remains inconsistent. This easy accessibility facilitates impulsive or premeditated attacks, complicating prevention efforts.



#### 4.8 Psychological and Social Motivations

Beyond socio-cultural factors, psychological motives such as jealousy, revenge, rivalry, and personal enmity also drive acid attacks. Perpetrators may act out of anger or desire to exert power and control. The act of throwing acid is both a physical assault and a psychological weapon intended to terrorize victims and their communities. Social stigma associated with disfigurement further isolates survivors, reinforcing the attack's impact beyond immediate physical harm.

#### 4.9 Long-Term Consequences for Victims

Acid attacks inflict lifelong physical, psychological, and socio-economic consequences. Survivors endure severe burns, disfigurement, blindness, and multiple surgeries. Psychologically, they face depression, anxiety, post-traumatic stress disorder, and social ostracism. The stigma linked to altered appearance often results in exclusion from education, employment, and social life, deepening economic hardship and dependency. These enduring effects underscore the severity of acid violence as a human rights violation.<sup>10</sup>

Acid attacks against women are not isolated criminal acts but manifestations of systemic gender-based violence rooted in patriarchal control, social inequality, and cultural norms that condone or perpetuate discrimination and violence against women. Causes range from personal vendettas and domestic conflicts to broader societal factors such as dowry practices, property disputes, and honor-based violence. The ease of acid availability exacerbates the problem, while survivors face lifelong trauma and marginalization. Effective responses must address both the immediate triggers and the underlying structural inequalities that fuel acid violence.

<sup>10</sup> M. A. Kumar Shaw & D. S. Roy, *Scars Beyond Skin: A Critical Examination of Existing Legislation, Law Enforcement, Judicial Response and Recommendations for Improvements*, 10 *Int'l J. Rsch. & Innovation Applied Sci.* 696, 696–708 (2025)

#### Chapter 5: Statistical Analysis

Acid attacks against women in India represent a low-frequency but highly severe form of gender-based violence, with profound physical, psychological, and social consequences. Statistical data from authoritative sources such as the National Crime Records Bureau (NCRB), supplemented by academic and NGO reports, offer critical insights into the trends, distribution, and challenges associated with acid violence.

#### 5.1 Overall Trends and Incidence

According to NCRB data spanning recent years (2017–2023), acid attack cases in India have exhibited a fluctuating but generally declining trend. The statistical coefficient for the trend analysis indicates a slight decrease (approximately  $-0.236$ ), suggesting some progress in reducing the incidence. Nevertheless, the absolute number of reported cases remains significant, with hundreds of attacks occurring annually across the country.<sup>11</sup>

Despite this decline, acid attacks constitute less than 0.1% of all crimes against women reported nationally. For example, in 2021, around 107 acid attack victims were officially recorded, compared to over 4.45 lakh total crimes against women in 2022. This demonstrates that while acid attacks are relatively rare, their impact is disproportionately severe due to the nature of injuries and lifelong consequences for survivors.

#### 5.2 Gender and Victim Profile

Women constitute approximately 80% of acid attack victims globally and within India, reinforcing the gendered nature of this violence. The attacks are

<sup>11</sup> Fathiya Rahbi & Sana Nasir, *Acid Attacks on Women in India: Examining Legal Gaps, Accountability Failures, and Barriers to Justice* (Dec. 2022)



predominantly motivated by gender-specific factors such as rejection of marriage proposals, dowry disputes, domestic conflicts, and attempts to control women's autonomy.

Victim demographics typically include young women and girls, often in their reproductive or economically active years. The targeting of women's faces and bodies underscores the symbolic intention to destroy identity, social acceptance, and future prospects.

### 5.3 Geographic Distribution and Urban Concentration

Data reveal that acid attacks are more frequently reported in urban and semi-urban areas, likely due to better reporting mechanisms and higher population density. Cities such as Bengaluru, Delhi, and Ahmedabad report some of the highest numbers of cases, with Bengaluru consistently ranking highest among metropolitan areas.

This urban concentration may also reflect greater access to medical and legal services, encouraging reporting, whereas rural cases remain underreported due to social stigma and lack of awareness.

### 5.4 Reporting and Underreporting

Underreporting remains a significant concern, driven by social stigma, fear of retaliation, victim-blaming, and distrust in the justice system. Many survivors do not report attacks due to fear of social ostracism or inadequate institutional support. Consequently, official statistics may underestimate the true scale of acid violence.

### 5.5 Conviction Rates and Legal Outcomes

Conviction rates for acid attack cases are notably low compared to other violent crimes. NCRB and judicial data indicate that a large proportion of cases remain pending in courts for extended periods, with only a small fraction resulting in convictions. Delays in investigation, weak evidence collection, and

procedural inefficiencies contribute to this low conviction rate.

The introduction of specific legal provisions under IPC Sections 326A and 326B has increased sentencing severity, prescribing minimum imprisonment terms of 10 years to life for perpetrators. However, the deterrent effect is diminished by prolonged trials and inconsistent enforcement.

### 5.6 Acid Sale Regulation and Accessibility

The easy availability of acid remains a critical factor facilitating acid attacks. Despite regulatory measures introduced post-2013, including mandatory ID verification and record-keeping by vendors, enforcement on the ground is inconsistent. Acid continues to be accessible through informal markets, undermining prevention efforts and contributing to ongoing incidents.

### 5.7 Comparative Statistical Insights

Comparative data from neighboring countries such as Bangladesh and Pakistan show similar patterns of gendered victimization and challenges in enforcement. Bangladesh has seen some success in reducing acid attacks through stricter licensing and monitoring of acid sales, whereas India continues to grapple with enforcement gaps despite strong laws.

### 5.8 Statistical Findings

Acid attacks constitute a small percentage of crimes against women but are among the most severe due to permanent disfigurement and trauma.

- Women represent the majority of victims, with young women disproportionately affected.
- Urban centers report higher numbers, possibly reflecting reporting bias.
- Underreporting due to stigma and fear likely masks the true prevalence.



- Conviction rates remain low, hindered by judicial delays and investigative weaknesses.
- Regulatory enforcement on acid sale is inadequate, sustaining accessibility.
- Comparative data emphasize the need for integrated legal, regulatory, and social interventions.

The statistical analysis underscores acid attacks as a critical indicator of extreme gender-based violence in India. While some progress is evident in declining trends and legal reforms, persistent enforcement and social challenges necessitate sustained policy focus and multi-sectoral action.

#### Chapter 6: Legal Frameworks (IPC & CrPC)

Acid attacks against women in India are addressed through a combination of specific provisions under the Indian Penal Code (IPC) and procedural safeguards under the Code of Criminal Procedure (CrPC). These legal frameworks aim to criminalize acid violence distinctly, prescribe stringent punishments, regulate acid sale, and provide compensation and rehabilitation to survivors. Despite these comprehensive laws, enforcement challenges persist, undermining their full effectiveness.

##### 6.1 Evolution of Legal Recognition

Before 2013, acid attacks were prosecuted under general IPC provisions related to grievous hurt (Sections 320, 322, 325),<sup>12</sup> which failed to capture the unique severity and intent behind acid violence. The landmark Supreme Court case *Laxmi v. Union of India* (2013),<sup>13</sup> driven by survivor activism, recognized acid attacks as a distinct social problem and mandated regulatory and compensatory measures.

<sup>12</sup> India Penal Code, No. 45 of 1860, §§ 320, 322, 325 (India)

<sup>13</sup> *Laxmi v. Union of India*, (2014) 4 S.C.C. 427 (India)

<sup>14</sup> A. Bora et al., *The Concept of Victimology Through the Lens of Acid Attack Victims: A Judicial*

Subsequently, the Criminal Law (Amendment) Act, 2013 introduced dedicated sections in the IPC specifically criminalizing acid attacks.<sup>14</sup>

##### 6.2 Indian Penal Code Provisions

Section 326A IPC<sup>15</sup> – Voluntarily Causing Hurt by Acid:

This section specifically criminalizes causing permanent or partial damage, deformity, burns, or disability by throwing or administering acid. The punishment prescribed is rigorous: imprisonment for a minimum of 10 years, extendable to life imprisonment, along with a fine. The fine is intended to cover the victim's medical treatment, ensuring financial support for recovery.

Section 326B IPC<sup>16</sup> – Voluntarily Throwing or Attempting to Throw Acid:

This provision addresses attempted acid attacks, prescribing imprisonment for a term between 5 to 7 years and a fine. This ensures that even unsuccessful attempts are treated with legal seriousness, emphasizing prevention.

Other Relevant IPC Sections:

Acid attacks may also invoke related provisions such as:

Section 307<sup>17</sup> (Attempt to Murder), where intent to kill is established.

Section 120B<sup>18</sup> (Criminal Conspiracy), for planned attacks involving multiple perpetrators.

*Paradigm*, 6 *Int'l J. Sci. & Rsch. (IJSR)* 1458, 1458–61 (2017)

<sup>15</sup> India Penal Code, No. 45 of 1860, § 326A (India).

<sup>16</sup> India Penal Code, No. 45 of 1860, § 326B (India)

<sup>17</sup> India Penal Code, No. 45 of 1860, § 307 (India)

<sup>18</sup> India Penal Code, No. 45 of 1860, § 120B (India)



Sections 34/149<sup>19</sup> (Common Intention/Common Object), for group liability.

Section 506<sup>20</sup> (Criminal Intimidation), if threats precede the attack.

### 6.3 Procedural Safeguards under the Code of Criminal Procedure

Section 357A CrPC<sup>21</sup> – Victim Compensation Scheme:

Mandates that every state government formulate a Victim Compensation Scheme to provide financial relief to victims of acid attacks for medical treatment, rehabilitation, and social reintegration. Courts can recommend compensation even if the offender is not convicted, ensuring victims receive support irrespective of legal outcomes.

Section 357 CrPC<sup>22</sup> – Compensation by Court:

Courts may order the accused to pay compensation to the victim from the fines imposed, reinforcing restorative justice principles.

Section 164A CrPC<sup>23</sup> – Medical Examination of Victims:

Requires prompt medical examination of acid attack victims to document injuries accurately and facilitate forensic evidence collection.

Free Medical Treatment:

Following Supreme Court directives in *Laxmi v. Union of India*, all hospitals, including private ones, are mandated to provide free medical treatment to acid attack survivors, covering emergency care and reconstructive surgeries.

### 6.4 Regulation of Acid Sale

The Poison Act, 1919<sup>24</sup>, and subsequent government rules regulate the sale and distribution of acid to prevent misuse:

Acid cannot be sold without valid identification and proof of legitimate purpose.

Vendors must maintain detailed records of buyers and quantities sold.

Sale to minors is prohibited.

Despite these regulations, enforcement is inconsistent, and acid remains accessible through informal channels, undermining preventive efforts.

### 6.5 Challenges in Enforcement

Although the statutory framework is robust, several implementation challenges persist:

Weak enforcement of acid sale regulations allows easy access to acid.

Police often delay or inadequately investigate cases, compromising evidence collection.

Judicial delays lead to prolonged trials, reducing deterrence and increasing survivor trauma.

Victim compensation is often delayed or insufficient to meet extensive medical and rehabilitation costs.

Rehabilitation services lack coordination, and social stigma further marginalizes survivors.

<sup>19</sup> India Penal Code, No. 45 of 1860, §§ 34, 149 (India)

<sup>20</sup> India Penal Code, No. 45 of 1860, § 506 (India).

<sup>21</sup> Code of Criminal Procedure, No. 2 of 1974, § 357A (India)

<sup>22</sup> Code of Criminal Procedure, No. 2 of 1974, § 357 (India)

<sup>23</sup> Code of Criminal Procedure, No. 2 of 1974, § 164A (India).

<sup>24</sup> Poisons Act, No. 12 of 1919 (India)



### 6.6 Judicial Directives and Monitoring

The judiciary has played an active role in strengthening the legal response:

Courts have emphasized the gravity of acid attacks as violations of the constitutional right to life and dignity (Article 21).<sup>25</sup>

Fast-track courts have been directed to expedite trials of acid attack cases.

Judicial monitoring ensures compliance with acid sale regulations and victim compensation directives.

Courts have expanded the scope of victim support to include reconstructive surgery, employment assistance, and social rehabilitation.

India's legal framework, anchored in IPC Sections 326A and 326B<sup>26</sup> and supported by CrPC provisions, establishes acid attacks as distinct and grave offenses with stringent punishments and victim support mechanisms. Regulatory measures aim to control acid accessibility, while judicial interventions emphasize victim dignity and swift justice. However, enforcement gaps, regulatory weaknesses, and social barriers impede the full realization of these legal protections. Strengthening implementation, ensuring consistent regulatory compliance, and enhancing survivor rehabilitation remain critical to effectively combating acid violence in India.

**Chapter 7: Judicial Approach, Implementation Challenges, and Victim Compensation & Rehabilitation**

### 7.1 Judicial Approach

The Indian judiciary has played a pivotal role in shaping the legal response to acid attacks, recognizing these crimes as severe violations of fundamental rights, particularly the right to life and dignity under Article 21 of the Constitution<sup>27</sup>. Judicial pronouncements emphasize a victim-centered approach that balances strict punishment with comprehensive rehabilitation.

Courts have consistently classified acid attacks as grave gender-based violence, warranting stringent interpretation of IPC Sections 326A and 326B<sup>28</sup>. The judiciary treats acid attacks as "rarest of rare" cases in sentencing, mandating minimum imprisonment of 10 years to life.

Landmark judgments, notably *Laxmi v. Union of India* (2013)<sup>29</sup>, have mandated strict regulation of acid sales, compulsory free medical treatment in all hospitals (including private), and victim compensation schemes.

Fast-track courts have been directed to expedite acid attack trials to minimize delays and reduce survivor trauma.

Judicial monitoring mechanisms ensure compliance with acid sale regulations and timely disbursement of compensation.

Courts have expanded victim support beyond punishment to include reconstructive surgery, employment assistance, psychological counseling, and social rehabilitation, recognizing the lifelong impact of acid attacks.

The judiciary also emphasizes the importance of upholding survivor dignity and facilitating their social reintegration, countering stigma and marginalization.

<sup>25</sup> INDIA CONST. art. 21.

<sup>26</sup> India Penal Code, No. 45 of 1860, §§ 326A–326B (India).

<sup>27</sup> INDIA CONST. art. 21.

<sup>28</sup> India Penal Code, No. 45 of 1860, §§ 326A–326B (India).

<sup>29</sup> *Laxmi v. Union of India*, (2014) 4 S.C.C. 427 (India).



## 7.2 Implementation Challenges

Despite a robust legal framework, the implementation of laws and policies addressing acid attacks faces significant obstacles:

- **Weak Enforcement of Acid Sale Regulations:** Although the Poison Act, 1919<sup>30</sup>, and subsequent rules require ID verification and record-keeping for acid sales, enforcement is inconsistent. Acid remains easily accessible through informal markets, undermining preventive efforts.
- **Police and Investigative Delays:** Law enforcement agencies often exhibit insensitivity, delay FIR registration, and conduct inadequate investigations, compromising evidence collection and weakening prosecution.
- **Judicial Delays:** Protracted trials due to court backlogs and lack of dedicated fast-track courts reduce the deterrent effect of legal provisions and prolong survivor suffering.
- **Victim Compensation Delays and Insufficiency:** Compensation schemes under CrPC Section 357A<sup>31</sup> are frequently delayed and insufficient to cover the extensive medical, psychological, and livelihood rehabilitation needs of survivors.
- **Fragmented Rehabilitation Services:** Lack of coordinated medical, psychological, and social support services hinders holistic recovery. Many survivors face social stigma and exclusion, which institutional support often fails to adequately address.
- **Socio-Cultural Barriers:** Deep-rooted patriarchal norms, victim-blaming attitudes, and stigma discourage reporting and access to justice.

- **State-Level Variability:** Enforcement and support mechanisms vary widely across states, leading to uneven protection and rehabilitation outcomes.
- **Lack of Awareness:** Limited knowledge among victims, law enforcement, and vendors about legal rights, procedures, and regulations further impedes effective implementation.
- **Addressing these challenges** requires systemic reforms, enhanced accountability, capacity building for police and judiciary, and strengthened inter-agency coordination.

## 7.3 Victim Compensation & Rehabilitation

Victim compensation and rehabilitation are critical components of the response to acid attacks, aiming to mitigate the lifelong physical, psychological, and socio-economic consequences survivors endure:

- **Legal Mandates:** Under CrPC Section 357A<sup>32</sup>, state governments are required to formulate Victim Compensation Schemes, providing financial assistance for medical treatment, rehabilitation, and social reintegration. Courts can order compensation irrespective of conviction outcomes.
- **Compensation Schemes:** The Supreme Court and various state governments have established compensation mechanisms, typically mandating minimum amounts (e.g., ₹3 lakh), with provisions for interim relief.
- **Medical Rehabilitation:** Free medical treatment, including emergency care and reconstructive surgeries, is mandated in all hospitals following judicial directives. However, availability of specialized burn units and reconstructive services remains uneven, especially in rural areas.

<sup>30</sup> Poisons Act, No. 12 of 1919 (India).

<sup>31</sup> Code of Criminal Procedure, No. 2 of 1974, § 357A (India).

<sup>32</sup> Code of Criminal Procedure, No. 2 of 1974, § 357A (India).



- **Psychological Support:** Survivors face severe mental health challenges such as PTSD, depression, and anxiety. Although counseling services exist, access is limited and often insufficiently sustained.
- **Social Reintegration:** Disfigurement leads to stigma and social exclusion, impacting education, employment, and personal relationships. Rehabilitation efforts emphasize vocational training, employment assistance, and community sensitization to facilitate reintegration.
- **Challenges:** Delays in compensation disbursement, inadequate financial support, fragmented rehabilitation services, and persistent social stigma undermine recovery. Many survivors lack awareness of their entitlements and face bureaucratic hurdles.
- **Role of Civil Society:** NGOs and survivor-led groups fill critical gaps by providing medical aid, counseling, legal assistance, and livelihood support, highlighting deficiencies in state mechanisms.

Comprehensive rehabilitation requires integrated medical, psychological, social, and economic support, along with timely and adequate compensation to enable survivors to rebuild their lives with dignity.

## Chapter 8: Suggestions and Conclusion

### 8.1 Suggestions

Addressing acid attacks against women in India requires a comprehensive, multi-dimensional strategy that strengthens legal enforcement, enhances survivor support, and fosters societal transformation. Based on the analysis of legal frameworks, judicial approaches, implementation challenges, and comparative insights, the following key recommendations are proposed:

### 1. Strengthen Enforcement of Acid Sale Regulations

Implement a strict licensing and digital tracking system for acid production, distribution, and sales to prevent unauthorized access.

Mandate rigorous ID verification and maintain centralized databases accessible to enforcement agencies.

Conduct regular inspections and impose stringent penalties on vendors violating regulations.

Prohibit over-the-counter sales and informal market transactions through coordinated monitoring.

Enhance public awareness among sellers and buyers regarding legal obligations and consequences.

### 2. Establish Dedicated Fast-Track Courts

Set up exclusive fast-track courts for acid attack cases to ensure timely investigation, trial, and judgment.

Enforce fixed timelines for case disposal to reduce prolonged legal proceedings and minimize survivor trauma.

Train judicial officers and prosecutors on gender sensitivity and the specific nature of acid violence.

### 3. Improve Police Training and Accountability

Conduct specialized training programs for police personnel focusing on victim-sensitive handling, prompt FIR registration, and thorough investigation.

Establish accountability mechanisms to monitor police performance in acid attack cases.

Create dedicated units within police departments to handle gender-based violence, including acid attacks.

### 4. Expand Medical and Psychological Care Infrastructure

Increase the number and geographic distribution of specialized burn units and reconstructive surgery centers, especially in rural and semi-urban areas.

Ensure free, lifelong medical treatment for survivors, including emergency care, multiple surgeries, and rehabilitation.



Integrate sustained mental health services, including counseling and trauma therapy, as a core component of survivor care.

**5. Enhance Victim Compensation and Rehabilitation**

Standardize and increase compensation amounts to realistically cover medical, psychological, and livelihood rehabilitation costs.

Ensure timely disbursal of compensation through streamlined administrative processes.

Develop comprehensive rehabilitation programs incorporating vocational training, education support, and employment opportunities.

Promote survivor empowerment through community engagement and survivor-led advocacy initiatives.

**6. Promote Public Awareness and Societal Change**

Launch sustained public education campaigns targeting gender norms, stigma reduction, and legal rights awareness.

Engage schools, media, and community organizations in sensitization programs to challenge patriarchal attitudes and victim-blaming.

Encourage community participation to create supportive environments for survivors' social reintegration.

**7. Foster Inter-Agency Coordination**

Strengthen collaboration among police, judiciary, healthcare providers, social welfare agencies, and NGOs to provide integrated support.

Establish centralized monitoring systems to track acid sales, case progress, compensation disbursal, and rehabilitation outcomes.

Facilitate data transparency and accountability at state and national levels.

**8. Support Survivor-Centered Legal Aid and Protection**

Provide accessible, free legal aid tailored to acid attack survivors.

Implement witness protection and survivor confidentiality measures to safeguard against intimidation and retaliation.

Ensure survivor participation and dignity throughout the legal process.

**8.2 Conclusion**

Acid attacks against women in India constitute one of the most heinous and gendered forms of violence, reflecting entrenched patriarchal norms and systemic gender inequality. While India has developed a robust legal framework under the Indian Penal Code and procedural safeguards through the Code of Criminal Procedure, significant gaps in enforcement, judicial efficiency, victim support, and societal attitudes continue to undermine the effectiveness of these measures.

Judicial pronouncements have emphasized a victim-centered approach, mandating stringent punishment, free medical treatment, victim compensation, and fast-tracked trials. However, implementation challenges such as weak regulation of acid sales, police insensitivity, protracted legal proceedings, inadequate compensation, and fragmented rehabilitation services persist. Social stigma and victim-blaming further exacerbate survivors' marginalization and hinder access to justice and support.

Comparative analysis with countries like Bangladesh and the United Kingdom underscores the importance of combining legal severity with preventive regulation, coordinated rehabilitation, and societal transformation. India's experience highlights that strong laws alone cannot eliminate acid violence



without effective enforcement, comprehensive survivor care, and cultural change.<sup>33</sup>

To truly address acid attacks, a multi-dimensional strategy is essential—one that integrates strict regulation of acid availability, expedited and sensitive justice delivery, holistic medical and psychological rehabilitation, adequate financial compensation, and sustained public awareness campaigns aimed at dismantling patriarchal norms. Enhanced coordination among government agencies, civil society, and survivor groups is critical for creating a supportive ecosystem that empowers survivors and deters perpetrators.

Ultimately, acid attacks are not merely criminal acts but manifestations of deeper social injustices. Combating this violence requires collective commitment from all sectors of society to uphold women's rights, dignity, and safety. By bridging the gap between legal provisions and lived realities, India can move towards a future where survivors receive justice, healing, and the opportunity to reclaim their lives with dignity.

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