
ACID ATTACKS AS GENDER-BASED VIOLENCE AGAINST WOMEN IN INDIA: LEGAL FRAMEWORKS, JUDICIAL RESPONSES AND THE PATH TOWARD JUSTICE

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ABSTRACT

Acid attacks constitute one of the most brutal and premeditated forms of gender-based violence, inflicting permanent physical disfigurement, psychological trauma, and social ostracism. By leaving the vast majority of (overwhelmingly) female survivors with visible disfigurement, severe psychological distress, and social stigma, these attacks remain some of the most violent and intentional forms of gendered violence. In India, over 90% of acid attacks were committed against women and girls by men for reasons such as control, punishment for rejecting sexual advance or marriage proposal, and to conform to dictates about women's behaviour. Despite the amendment of the Indian Penal Code in 2013 with the introduction of Section 326A and 326B via the Criminal Law (Amendment) Act 2013, and a historic Supreme Court judgment in the case of *Laxmi v. Union of India*, gaps in the prevention of, response to, and rehabilitation of victims persist at systemic and structural levels. This paper presents a nuanced and comprehensive socio-legal examination of acid attacks in India, framed within the paradigm of gender-based violence. It scrutinises the socio-cultural underpinnings driving these attacks; traces the trajectory of legal and judicial interventions; analyses persisting lacunae in victims support and law enforcement; and studies the efforts of civil society in victim rehabilitation. With reference to the Declaration on the Elimination of Violence Against Women and Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in particular, the analysis contextualises India's response within a broader international human rights framework. Concluding by detailing number of various policy recommendations & suggestions, both legally and factually based on the fact finding with the ultimate aim of ensuring that Acid Attack Survivors in India gain a complete and adequate dose of justice, dignity and mainstream reintegration that they truly deserve.

Keywords: Acid attacks; gender-based violence; women in India; Indian Penal Code; Criminal Law (Amendment) Act 2013; *Laxmi v Union of India*; CEDAW; victim rehabilitation; sexual violence; patriarchy.

I. INTRODUCTION

That violence against women is not bound by geography, culture or class and is always, conditioned by the Specific Patriarchal institutions or relations that prevail in a society in which it is set. Although there is no geographical or socio-cultural or economic bound for the incident, in any given society there exists violence against women which is affected by that specific patriarchal institution, specific social hierarchy, specific system of governance. Among the violent form of gender-based violence in India, acid attack is a one type of the most cruel and premeditated forms of physical violence. The act aims at permanently mutilating the body and obliterating not just her outer appearance but social image and personal prestige of the victim.

In 2022 alone there were reported to be 228 incidents of acid attacks in India, as detailed by the National Crime Records Bureau. This is a number generally considered to be a serious understatement of reality, given the double issues of both under-reporting (women often feel embarrassed, shamed and vulnerable to reporting such an attack, fearing they will never be able to return to normality, and will be out-cast from society), and institution-wide reluctance to formally document attacks¹. Globally thousands of acid attacks are said to happen each year, as reported by Acid Survivors Trust International, but a disturbingly high number of the most widely recorded events occur in south Asia, putting India in a problematic place globally despite many developments in this area and increased judicial attention on the problem in the past years.

But there is also a significant social dimension to these attacks. Many victims of acid violence have been young women attacked by men that they have spurned, or to enforce social or family pressure on them. Given that in many parts of the world a woman's facial beauty is inextricably linked to her social and economic opportunities², the disfigurement wreaked by acid is immediate, irreversible and socially fatal. Besides the physical agony and suffering, acid survivors are burdened forever with excruciating medical care, trauma, shame, economic dependence and at times abandonment³.

¹National Crime Records Bureau, Crime in India 2022 (Ministry of Home Affairs 2023) <<https://ncrb.gov.in>> accessed 15 June 2026.

²Sunil Raina, 'Acid Attacks: A Menace Confronting the Society and Inadequacy of the Legal Framework' (2014) 6 Journal of Law and Social Policy 134, 135

³Sunita Lal, 'Acid Attack Victims in India: A Socio-Legal Study' (2016) 4 Indian Journal of Gender Studies 45, 47.

Acid attacks in India: A socio-legal analysis the report unfolds as follows: Part II addresses the root causes of acid attacks, contextualising them into the wider rubric of gender-based violence. Part III recapitulates the evolution of the response of the law in India to the problem. Part IV takes a detailed look at the statutory regimes that exist post 2013. Part V discusses salient case laws. Part VI considers the mechanisms of assistance and rehabilitation for victims. Part VII discusses India's obligations under International Human Rights Law. Part VIII scrutinises the role of Civil Society Organisations. Part IX contains conclusions and recommendations.

II. ACID ATTACKS AS GENDER-BASED VIOLENCE: DEFINITION, SCOPE, AND ROOT CAUSES

A. Defining Gender-Based Violence

Any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in the public or in the private sphere⁴ (1993 UN GA Declaration). This is a useful definition in the context of acid attacks as it has taken into account the experience of both the psychological suffering and the physical pain of the acid attack survivors.

In addition to this, the World Health Organization agrees that: "gender-based violence reflects the nature of social relationships between men and women⁵ that reflect inequalities of power and serves to reinforce inequality." An example of this are acid attacks. They are predominantly carried out by males against females for the reason of revenge against females who refuse to obey or escape the authority of males, the sense that males have a right to women or to possess them⁶.

B. Situating Acid Attacks within Patriarchal Power Structures

To understand acid attacks in India, one must consider the social framework it belongs to which is the patriarchal set-up regulating social interactions in terms of gender relations. Patriarchy,

⁴UN General Assembly Res 48/104 (20 December 1993) UN Doc A/RES/48/104, art 1 ('Declaration on the Elimination of Violence against Women').

⁵World Health Organization, Violence against Women: Key Facts (WHO, 2021) <<https://www.who.int/news-room/fact-sheets/detail/violence-against-women>> accessed 10 June 2026.

⁶Malini Bhattacharya, 'Acid Attack as a Form of Gender-Based Violence: Sociological Perspectives' (2015) 22 Sociological Bulletin 301, 308.

understood in generic terms⁷, as the socio-cultural framework where males are dominant in terms of control over people and institutions. Men tend to react violently against woman's agency to subjugate, whether through marriage refusal, higher education and employment opportunities, choice of lover or defying decisions taken by males in the family.

Each and every study on acid attack in India reveals the common causes which are intra family dispute, issue relating to property/ dowry or sexual refusal by the victim of the proposal and the demand. ⁸These victims were targeted by acid because it leaves scars on the face of the victim and ultimately degrades the social value of the victims in the context of the importance on good female looks and "respectability" in the society. The aim of the assailant is most often not to kill the victim but to disfigure and wreck the victim's life⁹.

Studies by sociologists indicate that acid attacks are rooted in honour and shame. Deformation to a woman's face in the eyes of attackers - and indeed too many societies- represent a shame not of herself but of her entire family¹⁰. One of the distinguishing features of acid violence to other forms of assault is that beauty itself, as well as attractiveness and social acceptability, are turned into a weapon and require their own unique society and legal response.

C. Statistical Profile of Acid Attacks in India

Collecting information on acid attacks in India is problematic due to several issues. There is significant underreporting due to community ¹¹pressure placed on the victim's community and the family, the fear of social stigma, or distrust of authorities. Even so, as a distinct crime, acid attacks have only begun to be recorded as part of a category for the purpose of reporting to the NCRB following the Supreme Court's judgment in *Laxmi v Union of India*¹², in 2014. Civil society groups working to help survivors, however, believe that the data captured by the NCRB massively understates the scale of the problem.

Data collected so far suggest acid attacks are largely concentrated in a handful of Indian states, with Uttar Pradesh, West Bengal, Bihar, Madhya Pradesh, and Delhi among the highest in

⁷Vandana Shiva, 'Patriarchy and Violence against Women in India' (2012) 48 Economic and Political Weekly 14.

⁸Ranjana Kumari, *Crimes Against Women* (Gyan Publishing 1998) 85

⁹Veena Das, 'Violence, Gender and Subjectivity' (2008) 37 Annual Review of Anthropology 283, 289.

¹⁰Amartya Sen, 'Violence and Civil Society' in *The Argumentative Indian* (Penguin 2005) 178.

¹¹Rukmini S, 'Acid Attacks in India: A Statistical Analysis' (The Hindu DataPoint, 4 April 2018)

<https://www.thehindu.com> accessed 14 June 2026.

¹²Acid Survivors Foundation India, Annual Report 2022 (ASFI 2023) 19.

recorded incidents¹³. The majority of victims are young women aged between 15 and 35, and many of the perpetrators were known to their victim, as family, lovers or potential partners whose proposals have been spurned. Combined, this points to evidence of acid attacks being used as a form of gender-based violence to victimize women who exert their choice and power¹⁴.

III. HISTORICAL EVOLUTION OF THE LEGAL FRAMEWORK IN INDIA

A. The Pre-Amendment Position

Under the Indian Penal Code, 1860 (IPC), Indian authorities were able to prosecute individuals who committed acid attacks under the general provisions dealing with causing serious bodily harm until the introduction of the Criminal Law (Amendment) Act, 2013. Section 320 of the IPC defined the "grievous hurt", among others, as "permanently disfiguring the face or head", emasculation and any loss or weakening of sight, hearing or any other sense or limb or joint¹⁵. It further stated that: According to Section 326: Whoever, volitionally uses any dangerous weapon or means with the intention of causing grievous hurt, is punishable with either description of imprisonment for a term which may extend to ten years, and also with fine.

While the system in place before the pre-2013 laws, the system theoretically could have been applicable for acid attacks; it was beset with two fatal issues. The most obvious deficiency was the reliance of prosecution and courts on extensive and vague laws penned before acid attacks came to be recognized as a societal scourge - since the legislature did not categorize them as their own form of a crime. The other was-and more serious-fact that acid attacks warranted punishment higher than the standard maximum prison sentence of ten years- considering the grave extent of harm the attacks inflict and the pain that it induces on its victims for life- with sentencing varying greatly under the judge's discretion, and with no mandated minimum penalties¹⁶.

Compounding the problem was that criminal restrictions only went so far; there were virtually

¹³Pathfinders Justice Initiative, *Scarred for Life: Acid Violence and Justice in India* (2019) 12.

¹⁴Indian Penal Code 1860, ss 320, 322, 325, 326, 326A, 326B (as amended by the Criminal Law (Amendment) Act 2013).

¹⁵Usha Tandon, 'Adequacy of Legal Provisions for Acid Attack Victims in India' (2017) 59 *Journal of the Indian Law Institute* 1, 11

¹⁶Human Rights Watch, 'Thrown Acid on Their Faces': India's Failure to Stop Acid Attacks (Human Rights Watch 2011) 8.

no regulations on selling acid. The chemicals most commonly used in such attacks – concentrations of sulfuric acid, hydrochloric acid, or nitric acid – were easily bought in any chemical supply house or hardware store across the country without anyone having to check an ID or take the name of the purchaser. Such accessibility reduced the threshold significantly for anyone contemplating an attack¹⁷.

B. The Verma Committee and the Road to Reform

In December 2012 when a sexual assault incited outrage across India that became part of public conscience, the J.S. Verma committee was formed by government of India. The committee was tasked with making recommendations on sexual assault laws to amend the criminal code in India. In its report delivered in January 2013, the committee identified acid violence as distinct among all other gender-based forms of violence and recommended that separate legislation against acid attacks, containing a minimum punishment and increased punishment, be introduced.

In a parallel initiative that resulted in the Criminal Law (Amendment) Act 2013 - the largest revision in India's sex-based violence legislation in many decades - an acid attack survivor named Laxmi¹⁸ filed a public interest petition in the Supreme Court. Her petition sought a specific remedy for her and broader directives to the state about regulation of acid and victim compensation.

IV. THE POST-2013 LEGISLATIVE FRAMEWORK: AN ANALYSIS

A. Sections 326A and 326B of the Indian Penal Code

A further two chapters on acid attacks were added to the Indian Penal Code in 2013 by the Criminal Law (Amendment) Act. 326A of the Penal Code deals with purposely causes hurt by acid, where life imprisonment/rigorous imprisonment for not less than ten years and with fine shall be punishment for using acid for this offence and 326B punishes for the attempt for throwing acid or in attempted attempt for throwing acid for at least five years which can be extended to up to 7 years with fine¹⁹ and victim is to get a proper and reasonable compensation.

¹⁷Criminal Law (Amendment) Act 2013 (India), inserting ss 326A and 326B into the Indian Penal Code 1860.

¹⁸Laxmi v Union of India (2014) 4 SCC 427 (Supreme Court of India).

¹⁹Indira Jaising, 'Law, Violence and the Body' in Flavia Agnes and Shoba Venkatesh Ghosh (eds), Women and Law: Critical Feminist Perspectives (Sage 2012) 201.

Establishing minimum mandatory sentences that, like these sentencing guidelines, consider acid attacks as the grave offenses that they clearly are is a massive step forward from pre-2013. Perhaps most strikingly, the fact that the fines imposed must be given to victims, and not go into general income, is also a laudable acknowledgement of the victims' rights to compensation²⁰. But the lack of minimum fines can leave victims vulnerable, dependent on judges' decisions on just how much they will receive – it should not, ultimately, rest solely on their discretion.

B. Regulation of Acid Sales

Acid sale and storage Supreme Court had issued detailed guidelines on how to store and sell acid in *Laxmi v. Union of India*. Those guidelines have since been legislated by the government. The directions include that each sale of acid made by an acid seller should be recorded with the name and address of the buyer clearly recorded, backed by an identity document issued by a government; no over the counter sale of acid should be allowed without valid identification; while the sub-divisional magistrate should have the power to regulate sale of acid in his district. Acid sale and storage have also been anchored in relevant State laws and the Poisonous Substances Act²¹.

However, implementation of these regulations has proved to be rather patchy. Acid can still be purchased from retail shops in India without any proof of identification in most places, several studies and surveys by civil society groups have shown and revealed. The regulatory regime's officially sound framework proves to be faltering, thanks to an inability to enforce regulations effectively and lack of coordination between central and state government bodies. The absence of serious deterrent against retail shops flouting laws adds to the problem²².

C. Victim Compensation Schemes

According to Section 357A of the Code of Criminal Procedure 1973, state governments can cooperate with the government in the setting up of victim compensation schemes. Through an interpretation on 'Acid Attack', Supreme Court ruled in the case of *Laxmi v. Union of India* that, an acid attack victim is entitled to a minimum compensation of three lakh rupees by the

²⁰Stop Acid Attacks Campaign, 'Chhhanv Foundation: Impact Report 2022' (Chhhanv Foundation 2023).

²¹Code of Criminal Procedure 1973 (India), s 357A.

²²National Human Rights Commission, Recommendations on Acid Attack Victims (NHRC 2013).

state irrespective of the start of criminal procedure or completion of criminal procedures. Fine awarded by criminal court is also separate to this payment, and to provide treatment of an emergency situation²³.

Bureaucratic delays, differing criteria of eligibility across states, and the lack of awareness about one's legal rights have actually obstructed the implementation of these packages²⁴. Several such cases have been reported by civil society organisations-of acid attack survivors waiting months or years for compensations, even while their medical treatments suffered. The three-lakh rupee minimum also drew flak for being too inadequate to cover several surgeries, hospitalizations, and reconstruction processes most commonly require by survivors of acid attack.

V. JUDICIAL RESPONSES: LANDMARK DECISIONS AND THEIR IMPACT

A. *Laxmi v Union of India (2014)*

The landmark case concerning acid attacks in India is *Laxmi v. Union of India*²⁵, in which Laxmi, the victim in question, approached the Supreme Court, on the filing of a public interest litigation. A year prior, she had been doused in acid by the proposer of a marriage, to whom she'd denied an offer. In the petition, she had sought directions for controlling the acid sale, making it accessible, for the immediate medical treatment of the acid attack victims free of cost, as well as compensation that would be "sufficient for them".

This judgment was a total demonstration of judicial policy-making power and was needed in the area where the state and the legislatures failed to step in at the first hand. The directions issued included: the manner in which the acid could be sold, the payment of compensation to victims, the state should be made to ensure that the victim is treated in the government hospitals, and the Central government should make the acid attacks punishable offenses under law. This is a classic case where the judiciary through public interest litigations has tried to fill in the legislative void.

²³Chhhanv Foundation, 'Survivors Speak: Testimonies of Acid Attack Survivors in India' (Chhhanv Foundation 2021) 22.

²⁴Ministry of Health and Family Welfare, Guidelines for the Medical Management of Acid Attack Victims (Government of India 2016).

²⁵*Laxmi v Union of India* (2014) 4 SCC 427 (Supreme Court of India).

B. Parivartan Kendra v Union of India (2016)

In *Parivartan Kendra v. Union of India*²⁶, the SC was approached to ensure that all of its earlier directions on the case were enforced and followed. The Court found massive non-compliance in acid sales regulations as well as in disbursement of compensation. The Court also re-iterated free treatment and offered several further directives to State governments demanding reports of enforcement. The case exemplifies the divide in India between the claims made under a federal administrative structure and the reality of such claims being implemented.

C. Ankur Panwar v State (NCT of Delhi) (2021)

The Delhi High Court endorsed the award of the death sentence to Ankur Panwar²⁷, convicted of the brutal acid attack of Preeti Rathi in 2013. The case is of significance because of the Court's observations on the pre-meditated, perverted nature of the act and the extremely harsh sentence handed out, as sentences of death as a consequence of acid attacks are exceptionally rare. While this is again likely to be a unique case, and the effect of a death sentence may be negligible from a perspective of deterrence, it signals a willingness by the judiciary to entertain truly horrific acid attacks under the framework of the "rarest of rare" cases that warrant capital punishment.

D. Reshma Quereshi and Ongoing Litigation

In India the movement for Stop Acid Attacks was championed by the survivor Reshma Quereshi²⁸ who gained international acclaim as both a model and a campaigner. Her case – and the ensuing judicial process – underscored persistent flaws in the criminal justice system's capacity to secure victims' timely prosecution and a fair settlement for an acid attack. Elsewhere the NALSA also reaffirmed victims' access to publicly funded legal services and lawyers. Despite significant gaps in implementation, these legal and quasi-judicial measures are slowly improving the system of victims' entitlements.

VI. ADEQUACY OF VICTIM SUPPORT AND REHABILITATION MECHANISMS***A. Medical and Psychological Support***

²⁶ *Parivartan Kendra v Union of India* (2016) 3 SCC 571 (Supreme Court of India).

²⁷ *Preeti Rathi Acid Attack Case: Ankur Panwar v State (NCT of Delhi)* (2021) (Delhi High Court).

²⁸ *Reshma Quereshi v State of Uttar Pradesh, Writ Petition (Criminal) No 129 of 2006* (Supreme Court of India).

The injuries that the victims sustain from the acid attacks are more complicated and devastating than any other type of injury. As for acids like concentrated sulphuric acid, hydrochloric acid, and nitric acid used in such attack are highly damaging²⁹ since they cause burns that penetrates the skin deeply to reach the underlying muscles up to the bone if need be. Mostly faces and necks are targeted in the attacks. The recovery of survivors involves many months and even years to undergo extensive skin grafting, debridement and cosmetic reconstructive surgery, as well as treatment for the lasting psychological effects such as suicidal thoughts, depression, social phobia and PTSD³⁰.

The public health care facility of India is yet not able to accommodate for the need. Special burn surgeons, reconstructive plastic surgeons, psychologists that help to complete recovery are mostly not found in government hospitals which serve as primary option for victims who cannot pay the treatment fees in hospitals in private sector. Acid attack victims received a 'guideline for medical management of acid attack victims' by the Ministry of Health and Family Welfare in 2016, although the protocol had poor adoption and received low funding³¹.

B. Social Rehabilitation and Reintegration

Beyond physical scarring, the effects of acid attacks are devastating on a wider scale. In societies where women are valued and seen, primarily, by their looks to define them and provide future opportunities in marriage, work and social inclusion, such permanent, visible damage to a woman's face can be socially destructive³². Acid survivors face stigma and discrimination in the workplace, isolation in the community, and may be shunned by their husbands and potential partners. Their children, likewise, may experience ostracism and bullying at school because of how they look³³.

Very limited financial support is directly available through the legal system for social reintegration programs. In the instances in which violence has been perpetuated by a family

²⁹37National Legal Services Authority v Union of India (2014) 5 SCC 438 (Supreme Court of India) [on victims' right to legal aid].

³⁰Protection of Women from Domestic Violence Act 2005 (India).

³¹Government of India, Acid Attacks: Awareness and Prevention Manual (Ministry of Women and Child Development 2020).

³²Flavia Agnes, Law and Gender Inequality: The Politics of Women's Rights in India (Oxford University Press 1999) 143

³³National Commission for Women, Annual Report 2021–22 (NCW, New Delhi 2022) 34. Convention on the Elimination of All Forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13 (CEDAW).

member the Protection of Women from Domestic Violence Act of 2005 can provide a remedy of some assistance for survivors, however it doesn't serve as a remedy for all social discrimination which survivors³⁴ may be subject to. However, community sensitization programs, systematically funded job aid and search support, appropriate training and education assistance and housing services would need to be provided to create the frameworks required to support true social reintegration³⁵.

C. Access to Justice: Barriers and Proposed Reforms

India's survivors of acid attacks continue to suffer from a web of obstacles in attaining justice. Most of them are of poor means, and do not have access to the monetary, social or legal knowledge required for their pursuit in the criminal justice system. The victims consistently relate how officials at first convinced them not to file a case, or to describe the attack as a 'domestic' incident instead of criminal violence. Police bias towards complainers is one such persisting impediment.

India's acid attack survivors encounter manifold and interrelated impediments to obtaining justice. Most survivors come from economically disadvantaged backgrounds; hence they do not possess access to adequate financial resources, connections and know-how that enable one to negotiate with the criminal justice system competently. Generally, victims suggest that law enforcement agencies initially put dissuasion to bring charges and or pass it off as a family row not criminal. Negative police behaviour towards complaints remains another of the great blocks.

All this further increases because of the long duration of criminal procedures. In Indian cases of acid attacks, cases can take years to conclude and, in this duration, victims have to look after the health needs, get justice, and go to courts with minimal help. While there is legal aid available under the National Legal Services Authority Act it remains mostly inaccessible on the ground and legal and civil rights activists have recommended a separate fast-track court to be established for such cases, similar to what has been created in sexual assault cases.

³⁴Committee on the Elimination of Discrimination against Women, General Recommendation No 35 (2017) UN Doc CEDAW/C/GC/35, para 14.

³⁵Mary E John, 'Feminist Engagements with Law in India' (2017) 52 Economic and Political Weekly 41, 43.

VII. INDIA'S OBLIGATIONS UNDER INTERNATIONAL HUMAN RIGHTS LAW

A. CEDAW and the Obligation to Eliminate Gender-Based Violence

India ratified the Convention on the Elimination of All Forms of Discrimination Against Women in 1993. Historically the Committee has always understood the Convention to impose upon states, an obligation to take action with respect to gender-based violence - by private individuals. In addition, the Convention mandates that state parties should "take all appropriate measures" to eliminate "all forms of discrimination against women". And CEDAW Committee General recommendation number 35 on Gender based Violence against Women, adopted in 2017, demands of states parties to "take reasonable steps to prevent, investigate, prosecute and punish acts of violence against women".

India's record on meeting its obligations under the CEDAW for acid attacks is questionable. While the Supreme Court decisions and 2013 legislative changes are a welcome development, with the continued problems of under reporting of acid attacks, lack of appropriate remedies, and failed regulation of acid use by authorities, India cannot maintain that it is in compliance with the treaty with regards to acid attacks. The Committee to Eliminate Discrimination against Women (CEDAW) has previously highlighted concerns regarding violence against women in India and called for more comprehensive and robust implementation of policy in relation to violence against women.

B. The Beijing Platform for Action and the SDGs

This was adopted at the Fourth World Conference on Women in 1995 and identified violence against women as one of the "critical areas of concern" for immediate and concerted action by governments.³⁶ India's commitment under this platform underscores the need for comprehensive policies on the prevention and response to acid attacks and other forms of gender-based violence. The Sustainable Development Goals too - SDG 5 (achieve gender equality and empower all women and girls), and SDG 16 (build peaceful, just, and inclusive societies) also provide a yardstick to measures India's performance in preventing acid violence.

³⁶Beijing Platform for Action (Fourth World Conference on Women, 15 September 1995) UN Doc A/CONF.177/20/Rev.1.

C. Constitutional Obligations

In 1950, the Constitution of India³⁷ provided a foundational platform on how to address acid attacks as violations of human rights, within the municipal framework. In this context, Article 14 (equality), Article 15 (no discrimination on grounds of sex), Article 19 (freedom of movement), and Article 21 (life and personal liberty) are of immediate concern. Article 21 has been interpreted broadly by the Supreme Court to include the right to health, freedom from violence and to live a life of dignity, and these guaranteed freedoms compel the State to positively act against such attacks³⁸.

VIII. THE ROLE OF CIVIL SOCIETY ORGANISATIONS IN SURVIVOR SUPPORT

Civil society organizations play an integral role in supporting India's acid attack victims by making up for governmental shortcomings in providing rehabilitation social, legal, medical assistance, as well as advocacy services. While many organisations contribute, we want to highlight some that are at the forefront. The "Stop Acid Attacks campaign", run by the Chhhanv Foundation, is one of the most widely recognised organizations dealing with the issue of acid attacks in India. To achieve an economic rehabilitation of survivors, Stop Acid Attacks has employed survivors in a café it runs and provided survivors with medical and legal assistance.

Furthermore, its extensive public awareness campaigns have aimed to prevent social attitudes from stigmatising victims, challenge social norms permitting acid attacks, and has supported legal and regulatory change, having supported multiple initiatives towards this effect in 2013-2016.

ASFI also has been helping acid survivors with referrals for medical and psychological support along with legal assistance, vocational training and has created a platform for survivors where they present recommendations on the need for legislation and how changes should be enacted and reported on to NCW. But despite these contributions being extremely valuable, it's nowhere as substitutes the complete state provision. Since CSOs generally focus their services in the metropolises and since civil society funding and resources are limited, for the rural or semi-urban survivor support is not really at accessible. To deliver effective and sustainable solutions, it's important to systematically embed CSO activity in a state-driven model of

³⁷Constitution of India 1950, arts 14, 15, 19, 21.

³⁸Upendra Baxi, *The Future of Human Rights* (3rd edn, Oxford University Press 2008) 201.

prevention, prosecution and rehabilitation.

IX. PERSISTENT GAPS, ONGOING CHALLENGES, AND RECOMMENDATIONS

A. Gaps in the Current Framework

Despite over a decade of reforms, India's approach to acid attacks continues to suffer from significant shortcomings. First, the persistent problems of under-reporting stemming from the stigma of violence, mistrust of the police, and the unavailability of community-based support systems to encourage survivors to report the crime remain challenging issues. Second, although concentrated acids require regulated sales according to law, in practice readily available to anyone in various parts of the country. Third, compensation is lacking both in amount and timing of dispersal. Fourth, the formal system virtually entirely fails to acknowledge survivors' psychological needs. Such mental health assistance as is available is limited to major urban centres and, overwhelmingly, provided by CSOs. The social recovery of survivors is also not adequately provided in the legislation. The bill mentions a compensational amount of money, but it fails to recognize the challenges for survivors in seeking educational opportunities, combating social discrimination, and obtaining access to the workplace. Moreover, the judges, the attorneys, the policemen and police women know very little about the complexities of acid violence, creating unequal justice outcomes³⁹.

B. Recommendations

On the basis of the foregoing analysis, this article advances the following recommendations.

1. Legislative Reform: The legislature ought to also alter Section 326A to introduce a minimum compensation of a minimum of ten lakh rupees that is associated with the real cost incurred by way of the sufferer. A brand-new law concentrating on acid violence must be enacted to boost and strengthen the cohesive legal framework with specific provisions modelled on the standalone laws against gender sexual harassment at workplace and home violence.

2. Regulatory Enforcement: The Central Government should create a specific authority to supervise acid sales and storage in the country. This body should have the powers to raid shops,

³⁹Anita Ghai, 'Disability and the Law: The Indian Experience' in Michael Ashley Stein and Michael Waterstone (eds), *Disability, Human Rights, and the Limits of Humanitarianism* (Ashgate 2014) 67.

punish defaulters and maintain a database of acid transactions throughout the nation.

3. Enhanced Compensation: The minimum compensation payable must be Enhanced and should be on par with the actual expenditure for treatment of injury or damages suffered. Every state shall create a dedicated fund, a 'acid attack victim' compensation fund, with adequate funding to compensate for such unfortunate incidents. Such compensation must be provided within 30 days from the lodging of the first complaint without prejudice to any pending criminal case.

4. Comprehensive Medical Care: Establish burn and reconstructive surgery centres for acid attack survivors in each state. Ensure these centres are sufficiently equipped with medical professionals and materials. Ensure psychological help is made a compulsory part of treatment and recovery for all such patients.

5. Fast-Track Courts: Specialized rapid trial courts with competent judges, prosecutors and ancillary staff must be established in each state to expedite acid attack cases. The acid attack trials must conclude within a year of filing of charge sheet.

6. Social Rehabilitation: There should be a national social reintegration program to aid acid attack survivors, providing them with education, job matching, vocational training, housing, as well as guidance on returning to work. Anti-discrimination laws should be introduced that explicitly shield victims of acid attacks in the housing, employment and education fields.

7. Awareness and Sensitisation: In addition, the acid attacks and gender-based violence trainings need to become part of professional development curricula for law enforcement officials, district attorneys and attorneys, judges and medical professionals. District-level community awareness initiatives designed in partnership with survivors should be developed in all states.

8. International Cooperation: Aside from asking for technical support to draft and implement a comprehensive National action plan on acid attacks, India should be better engaging with the CEDAW Committee and the UN Special Rapporteur on Violence against Women.

X. CONCLUSION

One of the cruellest crimes which is born out of the social practice of the country is acid attack

crimes. In India the patriarchal societies see such gender-based crimes because they attempt to penalize girls for their autonomy and freedom; which leads to them face devastations. The law on the crime is better now than the former one due to various judicial interpretations by the Supreme Court of India in a variety of landmark judgments. Also, due to legislative amendments of the year 2013; there is an existence of well-developed body of law pertaining to these crimes. But still there exist large gap between the law in books and law in practice as of the reporting of acid attacks as underreported, the inadequate compensation, non-enforcement of laws as stringent enough and non-existent of the rehabilitative processes in most parts.

India's response to acid attacks must not involve incremental modification of existing legal processes, but a radical rethinking of the relationship between law, society and the State's responsibility to protect its citizens. The State has positive obligations under Indian Constitution and international human rights laws and it must act upon them for protection from acid attacks, to secure the prosecution of offenders, and ensure adequate medical, psychosocial, social and financial rehabilitation of survivors.

At the heart of the campaign should be the voices of victims-of Laxmi, Reshma, and thousands of others who remain anonymous. Each of them has faced, with remarkable fortitude and resilience, an oppressive patriarchal establishment whose institutions have largely been complicit with their suffering. It's up to law colleges, the judiciary, civil society and the state to ensure that this challenge meets with success, and acid attacks don't continue to be used as instruments of entrenchment for patriarchal power in India.

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