Acid Attack- A Violence against Women: “Need For a New Legislation”
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ABSTRACT

Acid attacks have emerged as the contemporary form of violence which is generally targeted against women with the intention of deforming her face and body and even to kill her. The increasing number of acid attacks over the last period of time has created an alarming situation that needs to be redressed. A recent study reveals that 78% of the reported acid attack case is for refusal to marriage proposals or rejection of romance, refusal to pay dowry, and rejection of sexual advances. This paper explains the various physical, psychological and socioeconomic consequences which ensue upon the victims of the acid attack and make their life worse than death. Furthermore, the paper delineates the various legal provisions to combat the menace of acid attack and how the recent amendments have changed the Indian legal system with respect to vitriolage. Efforts have been made in this paper to highlight the deficiency in the role played by the judiciary and police while dealing with acid attacks. A study of laws of other countries in relation to vitriolage has also been made. This paper seeks to delineate the grave issue of Vitriolage, its consequences on victims, and the dire need for the evolution of society and rehabilitation of victims of such crime. This includes the role of Police and law enforcement agencies, Judiciary and legislations. Furthermore, an attempt will also be made to highlight measures that can be effectively adopted to curb the growing magnitude of acid the attacks. Towards the end, the authors have tried to give certain suggestions that might prove helpful in curtailing the perils of such an attack.

Keywords: - Acid Attack, Acid Survivors Foundation, Violence against women, Vitriolage

Introduction:-

Women are the most beautiful creation of God, after god they are the creator of life as they are the ones who bear the pain for nine long months and give birth to children. It is one of the harsh realities of the society that women have been ill-treated for ages. India is a nation where women deities are worshipped at large by the people whereas on the other hand, the same is a dangerous country for women due to existence of wrongs like acid attack, honour killings, forced abortion, female genital mutilation, child marriage forced use of contraceptives, prenatal sex selection, rape, sexual harassment, stalking, enforced sterilization of pregnancy, forced prostitution, girl trafficking, heterosexual and same-sex, domestic violence and enslavement of women.
Violence against women can fit into several broad categories but these outbreaks of violence are highly unreported due to the fear and stigma of social assault. One of the most heinous and severe violence against women is the acid attack. Acid attack, also known as acid throwing, a vitriol attack or vitriol, is defined as an act of intimate terrorism that involves the premeditated throwing of sulphuric, nitric, or hydrochloric acid onto the body another with the main intention of disfigurement, maim, torture or kill. These acids are used for household works thus they are cheaply and easily available. Acid attacks violence occurs in many countries but countries like India, Bangladesh, Cambodia, and Pakistan are more prevalent. India is witnessing an alarming growth of this sadist and heinous crime of acid attack, especially on women over the last decade. There are many unreported cases of acid attacks where victims die, especially in rural areas. Sometimes people try to hide information if the attacker was the husband or a family member of the victim. Acid attack, in general, does not gender-specific crime, and it can happen with both man and women, but according to a report by Acid survivors trust international its research indicates that the majority of victims are women and girls and unlike Bangladesh where most of the attacks happens in the home itself, in India these offenses occur in the public places such as roads, schools, and colleges. Many of the reported cases of acid attacks committed on women, especially the young women/girls for rejecting the proposals of their suitors, for rejecting the marriage proposals, love, sexual favors, denying the dowry, etc. The reason behind the offense is that the offender could not accept his rejection, loss of honor and shame, insecurity, jealousy, patriarchy, aggression and frustration and his so-called male ego comes in between all this, and as a result he takes revenge by destroying the body, especially the face of the women who dared to refuse him. The acid attack is the most heinous and severe crime as compared to others because it kills the inner soul of the victim, it is a “fate worse than death.

Historical jurisprudence:-

Physician Dioscorides recorded that the vitriol (a hybrid of sulphuric acid) was used to purify gold and fabricate imitation precious metals during the 1st century AD. Acid throwing or Vitriol appeared in Europe during the 16th century and a case of acid attack occurred in the 17th century in France under the rule of Louis XIV. There are many reports which suggest that vitriolic attacks were fashion during the late nineteenth century in the United Kingdom and Europe\(^1\). A ‘wave of vitriolage’ occurred, particularly in France, wherein 1879, 16 cases of vitriol attacks

went before the assize court; and from 1888 to 1890 there were 83 reported cases.\(^2\) During that period the rhetorical and theatrical term *La Vitrioleuse* was coined, and their violent acts were largely reported in the popular press as ‘crimes of passion’, the crime was predominantly committed by women on other women because of “fuelled by jealousy, vengeance or madness and provoked by betrayal or disappointment.”\(^3\) The intentions of the *La Vitrioleuse* were to disfigure the individual facial features of their disloyal mate or female rival. *Saphiro* in his writing explains that the vitriol was mainly and popularly used in household works for cleaning purposes and was cheaply available in the market, and thus many *Vitrioleuse* obtain this cheaply from grocers, dispensaries and hardware dealers. According to 19th-century criminal writer Paul Aubry, the majority of Vitrioleuses were poor women who chose this weapon when they believed themselves to be economically vulnerable, with no leverage or resources.\(^4\) The widespread publicity of vitriol in ‘crimes of passion’ promoted an increase in these types of cases where middle-class and bourgeois women also threw acid. It is also suggested by the commentators that the juries in many of the cases often excused women’s premeditated, violent acts as they had ‘honorable motives’ in avenging their loss of love, loyalty, and social position.\(^5\)

**Case of Marie Couffin** - In the year 1885 the famous case of vitriol happened were Mrs. Marie Couffin in front of nearly 500 people attacked her husband and her mistress with vitriol. This ‘crime of passion’ was deemed less revolting than her husband’s errant ways, and she was acquitted of the crime.

**Reasons behind acid attack:**

Women are considered as the weaker gender in society from the very beginning. For ages, people accept that children are the property of their fathers and then after marriage, women are the property of their husbands. Thus it is the mindset of the people that the women are dependent on the man although this mind-set of the people is changing gradually but even today in the rural areas the thinking is the same even the worst which inflicts in the evil practices in the society such as the sex-selective abortion and female foeticide, This is done due to various

reasons. Some of the prominent reasons include traditional practices, customs, beliefs and the mindset of the people.

There are many reasons behind the acid attacks but the most common and obvious is the “love rejection” A study of Indian news reports, from January 2002 to October 2010 uncovered that victim’s rejected love or marriage proposals motivated attacks in 35% of the 110 news stories, providing a motive for the attack. The Campaign and Struggle against Acid Attacks on Women (CSAAAW) an organization in India working on acid violence in its report found that sexual harassment or assault in response to a woman or girl refusing such advances or demanding that the violence stop often precede such attacks.

This reflects the traditional orthodox mindset of masculine gender to regard women as "possession". In many of the cases the victim reported that immediately prior to their attacks, the attacker said that "if he could not possess her, then no one else could" this shows the very patriarchy thinking of the society which is the heart and soul of the Indian society where man is entitled to take all the decisions. When the proposal of man is refused it hampers their reputation and honour and as a result, they take revenge by acid attacks. They do so to derive the sadistic pleasure by destroying the life of the woman who dares to refuse their proposal and thus their so-called male ego is satisfied.

The other prominent reasons for acid attacks are related to dowry and other marital disputes. Dowry is very common in countries like India. In India, expected dowries are inclusive of – monetary benefits, cars, property. In many cases, it is well beyond the capacity of families to afford this, especially in rural areas (where the expectancy is mostly high). Dowry is illegal in India, but this has failed to stop this practice. Also in almost all the cases, the bride’s family is expected to arrange and sponsor the wedding which includes an immense amount of effort, money, and energy. In many, the cases refusal to pay Dowry or additional money instigates the husband to resort to an acid attack on his wife as a form of punishment to the wife’s family. In India, several women have claimed that they have attacked with acid by their husband and the because of this reason. In addition to this land and property, a dispute may also be said to constitute the main reason behind this barbaric crime. The study of newspaper reports in India exhibits that nearly 20% of the attacks occurred between unrelated people, due to business

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7 Campaign and Struggle against Acid attacks on women (CSAAAW), Burnt not defeated 21-22(2007).

rivalry, sales disputes, land disputes or revenge between families. In the case of *Ram Charitter and Anr v. State of Uttar Pradesh*, the accused was the husband of the deceased, Sushila and wanted to kill her and their daughters, Bindu and Nalini to grab the property as he was the immediate beneficiary to her estate. He poured acid over her, in order to kill her. He was convicted under Section 302/34 of the Indian Penal Code, 1860. The case of Chennamma Deve Gowda, wife of former Indian Prime Minister H.D Deve Gowda has created sustained and widespread interest in the issue. On 21 February 2001, H.D Lokesh, nephew of the former Prime Minister of India, brutally attacked his aunt with acid in a temple over a family feud. Newspapers reported that it was an act of vengeance between the two families. One reached the top-most position in the country while the other family was facing grinding poverty with six children, including two physically challenged ones. Thus from the above discussion, it can be extracted that the men resort to acid attacks as a means to intimidate women and to impose their authority on her. Such kind of barbaric attacks nurtures his male ego and makes him feel that he is the proud creator of God and has created a patriarchal society. Females between 11 and 30 years are the most vulnerable to such attacks, in 36% of the incidents the victims are targeted for rejection of marriage proposals. Thus the main reason behind the acid attacks is the love rejection and the rejection of sexual advances. Thus the author wants to contend that the acid attacks on women should be seen from the perspective of sexual offenses.

**Consequences of acid attack:**

The acid attack leaves the women with long term consequences as after the attack, the life of the victim changes completely. The wounds and injuries of acid attack are different from the other wounds and injuries, it is unparalleled the most painful of all. The people started avoiding to meet the victims, even their loved ones also started ignoring the victims. Due to their horrific appearance, society looks at them as an alien. They themselves feel embarrassed and don’t want to come out of their houses and meet people. The remaining life of the victim becomes hell and sometimes which leads to suicide. After the attack, they are not able to work because

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11 Jane Welsh.(2009)."It was like burning in hell": A Comparative exploration of acid attack violence, Carolina Papers on International Health, 1-115.
of deformities. The consequences of acid attack are endless and only the acid attack survivors know the pain behind it. But the most important consequences are follow:

**Physical consequences:** - The acid thrown not only burns the skin but also melts the flesh and the bones of the victim. The damage to the body depends on the amount of acid thrown and the duration of time it remains on the body. The intensity of the burn continues if it is not washed immediately. In many of the acid attack cases, the acid is thrown on the face of the victim due to which the acid rapidly spreads into the eyes, ears, nose, and mouth. The eyelid and lips areas are the softer parts of the body thus it started burning immediately and completely due to which end with the blindness of the victim. One study found that on average, the patient suffered burns to 14% of the body surface area with areas most commonly affected, including the face (81%) of the victim, head and neck (67%), upper limbs (60%), and chest (54%). Around a third of the victims suffered (31%) suffered complete or partial blindness.13

**Psychological Consequences:** - The psychological consequences as compared to the physical consequences can be more pathetic and painful. The acid attack leaves a deep impact not only on the victim but on their family too. A psychological trauma feels by the victim when she feels that her skin is burnt, she looks ugly and after the attack the disfigurement and the disabilities with which they have to bear for the rest of their lives. Some of the psychological problems which the victims suffer are insomnia, nightmares, depression, fear of facing the world, headache, tiredness, fear of other acid attacks. The victims also feel depressed and worried about being boycotted and isolated from society. Many a time the victims locked themselves in their rooms for days and months. At times when the victim is unmarried, it turns out to be a moral and societal pressure on the family which gradually turns into a psychological issue for every family member as well as the victim. The victim sees her life fully devastated whenever she looks herself into the mirror, as our traditional society is more concerned about outer beauty than the inner beauty.

**Social and Economic Consequences:** - The victims of acid attack faces lifetime discrimination from society. They fear coming out and face society thinking that people will look them as alien and will be scared of them. They are embarrassed about their looks, and thus they hesitate to come out of their home. The victims who are no married (which is mostly in this case) are not likely to get married, as they suffer from many disabilities such as

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blindness, deafness, and many others and our society's mindset is not that broad enough to accept a disabled person as their better half. The victims don’t even get jobs even if they are qualified for that. Also, society makes their life more troubled as people start sympathizing with them, the people think that they are helping them but instead they demotivate them in living their life peacefully. The society should treat the victims normally who wants to live a normal life and not to realize how hard their life is.

Generally, acid attacks do not kill the victims. Attackers have an intention, of killing the victims’ life potential by creating a barrier between them and society, alienating them from others, hampering their ability to get a job and curtailing their chances of getting married or having a family. The treatment of the Acid attack victims are very expensive as they have to go for several plastic surgeries. The cost of plastic surgeries is high which many of the victim’s families cannot afford. It also burdened the family of the victim economically although the victims get compensation from the government it is not adequate to meet the expenses.

**Surgical Reconstruction for Acid Attack Victims:**

Dr. Douglas Henstrom, a board-certified reconstructive plastic surgeon based in Utah, advises that “the key to recovery is to limit the extent of exposure and injury from the acid by immediately removing acid-soaked clothing, rinsing with copious amounts of water, and quickly receiving first aid treatment. After the initial injury is properly limited and treated, a full assessment can be made to the extent of the soft tissue injuries.”

Acid attacks inflict permanent damage to the skin and are notoriously difficult to treat. The surgical treatment plan of the victim depends on the multiple factors including:

- The extent of the area affected by the acid
- The variant of acid that was used
- The concentration of the acid
- The parts on the body that have come into contact with the acid
- How quickly the first aid was applied following the attack
- How long the acid was in contact with the skin

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Despite the permanent or often lethal scarring inflicted by an acid attack, plastic surgery offers the victims the possibility of surgically reconfiguring their faces using a range of techniques. Which gives hope to restore their quality of life and recognition of self. In some of the cases, the rapid and effective removal of acid from the victim’s body allows the skin to heal with some scars. The reconstructive surgery is appropriate and offers better outcomes than simply allowing the skin to heal and scar.

The victims for whom the reconstructive plastic surgery is appropriate goes for the following procedures and techniques that can render significant improvements to the aesthetic appearance of an acid attack victim.

- **Excisional Surgery**
  Under the excisional surgery, the damaged layers of the dermis are carefully removed. The surgeon incises the necrotic (dead) skin and then carefully shaves layers of the permanently damaged tissue to prepare the wound for new skin. If the excision surgery is conducted following the attack as soon as possible it can give better outcomes to the victims. If the victims suffer the huge amount of skin damage they go for serial excisional surgery which entails multiple excisions that are performed months apart, giving the tissues time to heal. Each time the excisional surgery takes place the more and more of the affected area are removed until the victims left with one single scar with healthy tissue.

- **Skin Grafts**
  Skin grafts are one of the most difficult procedures for acid attack victims. The skin from the donor site is removed on the body and is transplanted to the affected area. There are two types of skin graft:
  - split-thickness grafts: where several layers of outer skin are transplanted, and
  - Full-thickness grafts: which encompass the complete replacement of the dermis.

Skin grafted reconstructions will always look like the skin was “pasted” on. It never looks like normal skin. Full-thickness grafts look better because they don’t contract as much as split-thickness grafts do, and they match the thickness of the surrounding skin. However, there is a limited supply of full-thickness skin to harvest, whereas split-thickness grafts are shaved off and regenerate at the donor site, creating a greater supply.
• **Alternative Grafting Techniques**
  For some of the victims, the damage inflicted by the acid is so extensive that a synthetic and alternative source of skin is required to complement the body’s own skin.

There are a range of possible skin sources:

- Donated skin from a cadaver
- Genetically modified pigskin
- Synthetic skin such as Matriderm, or Smart Matrix

• **Laser Treatment**
  Laser treatment has gained attention in recent years as a complementary non-surgical treatment for acid attack victims. Lasers can dramatically improve scarred skin by vaporizing old scars, creating a new wound that encourages healing.

Plastic surgery is the mechanism to restoring the quality of life to survivors of acid attacks it brings hope in the life of the victim. Sometimes the victims have to go for a number of surgeries which take several years to heal the wound. As in the case of Laxmi Agarwal she had to go for more than nine surgeries, including extensive skin grafts and complex operations to rebuild her nose, ears, throat, and lips, have helped empower her and facilitated her reintegration into social life.\(^{15}\)

**Acid violence in other south Asian countries:**

Acid attacks are widely increasing in many countries. Acids works as a dangerous weapon in the country. The acid attacks have been witnessed in various countries such as U.K, U.S, Sri Lanka, Malaysia, Italy, China but it has been found that it is more rampant in Bangladesh, Cambodia, Pakistan, Uganda and in India. In this paper, the author attempts to analyse the legal position of Bangladesh, Pakistan, and Cambodia.

**Bangladesh:**

According to the report of *Acid Survivor Foundation Bangladesh*, the number of reported acid attacks victims in the country was 3115 since 1999\(^{16}\). This severe crime is growing drastically in the country of Bangladesh, hence to curb the acid attacks violence in the country the


\(^{16}\) Acid Survivors Foundation (ASF), Statistics, [http://www.acidsurvivors.org/statistics.html](http://www.acidsurvivors.org/statistics.html)
Bangladesh government came up with the two specific legislation in the year 2002 Acid Crime Control Act (ACCA) and the Acid Control Act (ACA). The Acid Crime Control Act (ACCA) enhances penalties and creates special court procedures for acid attack cases. Some of the important provisions of the (ACCA) are:-

i. Under the ACA the court has the power to impose the death penalty for acid attacks. The level of punishment is tied to the parts of the body affected. If the victim dies or loses sight or hearing, or if the victim's face, breasts, or sexual organs are damaged, the attacker faces the death penalty or life imprisonment, as well as a fine up to TK. 50,000 ($700 USD) 17

ii. Throwing acid or attempting to throw acid without causing either physical or mental suffering is also punishable, and a sentence of 3 and 7 years and a fine up to a TK. 50,000 can be imposed 18.

iii. Police must investigate acid attacks within 30 days, but can be given up to 60 days extension. If the investigation has not been completed within the designated timeframe, courts may request that the police department designate another investigating officer to complete the investigation within the given time period and may also take measures against investigating officer 19.

iv. The Act punishes the unlicensed production, import, transport, storage, sale, and use of acid by an imprisonment term of 3 to 10 years and fine of up to Tk.50,000 ($700 USD) 20

Pakistan:-

Pakistan also has a higher rate of acid attacks. According to New York Times reporter Nicholas D. Kristof, acid attacks are at an all-time high in Pakistan and increasing every year. In Pakistan mainly the offense is done by the husband against their wife who has dishonoured them. According to an article by the New York Times, there have been 150 acid attacks in Pakistan, up from 65 in 2010. The HRCP cites the number of acid attack victims to be as high as 400 to 750 per year. In the year, 2011 the Pakistani parliament came up with the amendments in the existing laws that criminalize such attacks stipulating a minimum sentence of 14 years in prison, a maximum sentence of life imprisonment and fines up to 1 million Pakistani rupees ($10,200). After the suicide of an acid attack victim, the government was pressurized to

17 S.5(b) of the ACCA
18 S.6 of the ACCA
19 S.11 of the ACCA
20 S.23 of the ACCA
introduce stronger laws. A bill titled "Acid throwing and burn crime bill 2012" was introduced in the Pakistani parliament. The case of Naiila Farhat gives the landmark decision dealing with acid attacks in Pakistan. The case also received enormous publicity. The perpetrator was sentenced to 12 years imprisonment and was ordered to pay 1.2 million Rupees in damages in this case. This decision was an exception in the landscape of acid attacks in Pakistan; in most cases the measures taken, if any, are not proportionate to the sufferings inflicted by the attacks.\footnote{Asian Human Rights Commission. (2010). Acid attack a serious concern in Pakistan. Ethics in action, 4(1). Retrieved from www.humanrights.asia/resources/journals-magazines/eia/eiav4a1/3-acid-attacks-a-serious-concern-in-pakistan.}

Cambodia:-

According to research conducted by the Cambodian Acid Survivors Charity (CASC) acid attack victims in the hospital, there have been 271 acid violence victims between 1985 to 2010 in Cambodia. According to “The Cambodia Daily” report it states that from October 1999 to December 2006 there have been 111 acid attacks with a total of 181 victims.\footnote{The Cambodia Daily, 5 Dec 06, retrieved from www.cambodiadaily.com/date/2006/12/} In 2012 Cambodian Acid Survivors Charity (CASC) recorded 7 acid attacks and 17 in 2011. The Royal Government of Cambodia has taken some positive steps to combat this severe offense, a special committee was set up to form a new law and it was passed on 4\textsuperscript{th} November 2011 and came into force on December 2011. The new law incorporated penalties and death for the accused that disable the victim’s life. In case of the death of the victim by an acid attack, the offender is sentenced to life imprisonment. Acid law provides that unless a person or legal entity has a license or letter issued by the concerned ministry or responsible authority of the RGC, they shall not be allowed to import, transport, distribute, buy, sell, store or use acid.\footnote{Article 5 and 8 of Acid Law} Article 14 of the acid law provides for penalties of fines and confiscation for those operating without a license. The Acid Law also includes an obligation on the part of the responsible or the relevant authority to immediately bring the victim to the closest medical health center, state-owned hospitals or other state-owned health institutions, which must provide support and treatment to the victim free of charge.\footnote{Articles 10 and 11 of the Acid Law} Although Cambodia has the special law for acid attacks, this law has been rarely used in the courts of law, in the case of the Pnom Penh the Municipal Court for the first time sentenced a perpetrator of acid violence under the new law in the year 2013. Therefore it is necessary for these countries to have effective implementation machinery.
Legal Perspectives of Acid Attack in India:-

In India, we don’t have separate legislation for acid attacks. This offense is registered under Sections 320, 322, 325, 326 and 307 of the Indian Penal Code (I.P.C).

Section 320 of the Indian penal code provides for the grievous hurt and identifies the hurt which falls under “grievous”- Firstly- Emasculation, Secondly - Permanent privation of the sight of either eye. Thirdly - Permanent privation of the hearing of either ear, fourthly - Privation of any member or joint. Fifthly - Destruction or permanent impairing of the powers of any member or joint. Sixthly-Permanent disfiguration of head or face. Seventhly- Fracture or dislocation of a bone or tooth. Eighthly -Any hurt which endangers life or which causes the sufferer to be during the space of twenty days in severe bodily pain, or unable to follow his ordinary pursuits.25

Section 322 of the Indian penal code provides for the “voluntarily causing grievous hurt” where it states that -Whoever voluntarily causes hurt, if the hurt which the intends to cause or knows himself to be likely to cause is grievous hurt, and if the hurt which he causes is grievous hurt, is said to “voluntarily to cause grievous hurt”.

Explanation. - A person is not said voluntarily to cause grievous hurt except when he both causes grievous hurt and intends or knows himself to be likely to cause grievous hurt. But he is said voluntarily to cause grievous hurt, if intending or knowing he to be likely to cause grievous hurt of one kind; he actually causes grievous hurt of another kind.26

Section 325 of the Indian penal code provides for the Punishment for voluntarily causing grievous hurt, which read as follows- Whoever, except in the case provided for by section 335(Voluntarily causing grievous hurt on provocation), voluntarily causes grievous hurt, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.27

Section 326 of the Indian penal code provides for the Voluntarily causing grievous hurt by dangerous weapons or means: Whoever, except in the case provided for by section 335, voluntarily causes grievous hurt by means of any instrument for shooting, stabbing or cutting, or any instrument which , used as a weapon of offence , is likely to cause death, or by means of fire or any heated substance, or by means of any poison or any corrosive substance, or by

25 Indian penal code section 320
26 Indian penal code, section 322
27 Indian penal code, section 325
means of any explosive substance, or by means of any substance which it is deleterious to the human body to inhale, to swallow, or to receive into the blood, or by means of any animal, shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.  

Section 307 of the Indian penal code provides for Attempt to Murder, which read as follows:

Whoever does any act with such intention or knowledge, and under such circumstances that, if he by that act caused death, he would be guilty of murder, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and if hurt is caused to any person by such act, the offender shall be liable either to [imprisonment for life], or to such punishment as is hereinbefore mentioned.

The provided sections are not adequate to deal with the severe crime of acid attacks. Some of the reasons are the definition of grievous hurt is not broad enough to cover the various injuries inflicted by the acid attacks. After seeing the number of cases related to acid attack the law commission of India, then headed by Justice A.R. Lakshmanan, proposed that a new section 326A should be added to the IPC.

The proposed Section 326A will read as follows:

Section 326A. (i) Hurt by acid attack- Whoever burns or maims or disfigures or disables any part or parts of the body of a person or causes grievous hurt by throwing acid on or administering acid to that person, with the intention of causing or with the knowledge that he is likely to cause such injury or hurt, shall be punishable with imprisonment of either description which shall not be less than 10 years but which may extend to life and with fine which may extend to rupees ten Lakhs provided that any fine levied under this section shall be given to the person on whom acid has been thrown or administered. Classification of offence: Minimum Imprisonment of 10 years extendable up to imprisonment for life and fine. It should be made a cognizable, non-bailable, non-compoundable offence and triable by Court of Session.

326B. (ii) Intentionally throwing or administering acid- Whoever throws acid on, or administers acid to, any person with the intention of causing burns or maiming or disfiguring or disabling or causing grievous hurt to that person shall be liable to imprisonment of either

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28 Indian penal code, section 326
29 Indian penal code, section 307
30 Indian penal code section 326 A
description for a term not less than five years but which may extend to 10 years and with fine which may extend to Rs. 5 Lakh. Classification of offence: Minimum Imprisonment of five years extendable up to 10 years and fine. It should be made a cognizable, non-bailable, non-compoundable offence and triable by Court of Session. But are these laws adequate for the acid attack victims. What if the victim suicide who will be responsible for that then? Whether the sentence of the offender will be changed to the murder? These are not yet answered.

The case of Laxmi v Union of India & others

In this case the honourable Supreme Court has taken note of increasing trend in commission of vitriolage and the necessity to curb the same. The Court gave the following guidelines in the instant case-

i. Over the counter sale of acid is completely prohibited unless the seller maintains a log/register recording the sale of acid which will contain the details of the person(s) to whom acid(s) is/are sold and the quantity sold. The log/register shall contain the address of the person to whom it is sold.

ii. All sellers shall sell acid only after the buyer has shown: a) a photo ID issued by the Government which also has the address of the person: b) specifies the reason/purpose for procuring acid.

iii. All stocks of acid must be declared by the seller with the concerned Sub-Divisional Magistrate (SDM) within 15 days.

iv. No acid shall be sold to any person who is below 18 years of age.

v. In case of undeclared stock of acid, it will be open to the concerned SDM to confiscate the stock and suitably impose fine on such seller up to Rs. 50,000/-

vi. The concerned SDM may impose fine up to Rs. 50,000/- on any person who commits breach of any of the above directions.

vii. The acid attack victims shall be paid compensation of at least Rs. 3 lakhs by the concerned State Government/Union Territory as the after care and rehabilitation cost. Of this amount, a sum of Rs 1 lakh shall be paid to such victim within 15 days of occurrence of such incident (or being brought to the notice of the State Government/Union Territory) to facilitate immediate medical attention and expenses.

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31 Indian penal code section 326 B
in this regard. The balance sum of Rs. 2 lakhs shall be paid as expeditiously as may be possible and positively within two months thereafter.\textsuperscript{32}

\textbf{Conclusion and Suggestion}

Acid attacks can be termed as the gender based violence against women that results in physical, psychological, sexual and emotional harm or suffering in the women. the declaration on the elimination of violence against women 1993 stipulates that The After so much incident of acid attacks and the famous case of laxmi Aggarwal the government of India after the 226\textsuperscript{th} report of law commission report came up with the two sections which were added under the Indian penal code after 2013 criminal amendment act. The national commission for women came up with a bill named prevention of offences by (acid), Act 2008. In this bill they talked about the establishment of National acid attack victim’s assistance board. The bill is very much needed to be enacted to help the acid attacks victims, with some amendments such as.

There should be the establishment of special court for the speedy trial in every district and a special prosecutor should also be appointed for that matter. There should be adequate compensation scheme should be granted to the victims which can help in the treatment. The selling of acids should be regulated, it should be licensed. It can be sold only from the licensed shops like liquor and people should mention the purpose of buying it. The guidelines of the honourable Supreme Court in the laxmi Agarwal case should be followed strictly and should be mentioned in the special act. The punishment for the offence should be dealt in different structure and should be given according to the loss of the victim. If the victim commits the suicide the offender shall be liable under the murder or should be punished under abatement to suicide. There should be the reservation policy in the government jobs for the victims. Only two section are not enough for this severe and harsh offence. We are in critical need of the new legislation to curb this severe offence and to give justice to the acid attack victims.

\textsuperscript{32} Laxmi v Union of India & others \textit{Writ Petition Cri. No. 129 of 2006}