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Acid Attack: Causes and Consequences

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ABSTRACT

The current research paper focuses on how women in India and other countries become a victim of acid attack and how they suffer for the rest of their lives. The reason behind this heinous crime of acid attack is to kill a woman or disfigure her for the rest of her life. It is a way to silence a woman when she speaks for herself and disagrees with a man or rejects his proposal for marriage or to become his partner. This paper will also focus on the dark and horrendous impact an acid attack has on a woman and her mental, physical and emotional health and how our medical and legal system fails to protect and handle such cases.

I. INTRODUCTION

Acid attack is a crime which can be committed against both women and men but in India, it is mainly committed against women. In India, mainly young women are a victim of this crime because they reject proposals or deny dowry which hurts the ego of some men who then decide to disfigure the woman who dares to stand up for herself and against them. Acid attack is a crime done out of revenge, it shows how mentally sick a person can be to do this much harm to a woman for saying no to an unreasonable demand. Acid attack is a highly violent crime in which the perpetrator wants to inflict high amounts of physical and mental pain on the victim all because of his own insecurities, jealousy and the urge to take revenge. Acid attack is a premeditated crime which has a well established motive as the perpetrator buys or obtains the acid first and then follows the victim to execute the crime. A study in India reported that 72% of acid attack reports from 2002-2010 included atleast one female victim.²

Perpetrators intend to demolish a woman by ruining her most valued features by the society: her face. They mean to punish these women by taking away the features women are most proud of.³ The perpetrator also intends to make the woman a burden in her own family as she will become unmarriagable and also will not be accepted by the society after what happens to her

¹ Author is a student at Unitedworld School of Law, India.

² CAMBODIAN ACID SURVIVORS CHARITY (CASC), ANNUAL REPORT 4 (2009)

³ Interview with Md. Mahbulul Haque, Trustee & Director, Policy Research Center, in Dhaka, Bangladesh (Dec. 10, 2009) [hereinafter Md. Mahbulul Haque Interview].

face.

II. A STATISTICAL OVERVIEW

Very little data is available for acid attacks as the victims are ashamed of the way they look and out of fear of acceptance by society. According to a study 174 cases of acid attack were reported in India in 2000.⁴ The crime of acid attack is generally seen as a form of gender based crime against women by men because women are victims in more than 80% of cases and the perpetrators are male in 84% of cases. The majority of victims is between 18-22 years of age, and over 84.48 % are committed in urban areas⁵. In more than 76 % of cases acid attacks are committed by someone known to the victim, and in the vicinity of their residence.⁶

Table 1: India Acid Attack Trends (2002-2010)⁷

YEAR	NEWSPAPER REPORTS OF ACID ATTACKS
2002	4
2003	6
2004	10
2005	22
2006	19
2007	19
2008	25
2009	21

⁴ Acid Attacks: Bangladesh's Efforts to Stop the Violence, Jordan Swanson, Harvard Health Policy Review Archives, Spring 2002; Vol 3, No 1

⁵ Patel, M. (2014). A desire to disfigure: Acid attack in India. International journal of criminology and sociological theory, 7(2), 1-11. <https://ijcst.journals.yorku.ca/index.php/ijcst/article/view/39702>

⁶ Acid Survivors Foundation (ASF), Statistics, <http://www.acidsurvivors.org/statistics.html>.

⁷Ibid

2010	27
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Table 1 is made out of newspaper reports of acid attacks between 2002 and 2010. However, the reported cases are much lower than the actual number of cases of acid attack that go unreported but still India's number of acid attack cases are growing because there is no proper law in the

Indian Penal code, 1860⁸ for acid attack perpetrators and there are no strict restrictions for selling of acid.

Table 2: Acid Attacks in India, 2010 to 2019⁹

YEAR	NUMBER OF CASES REPORTED
2010	80
2011	83
2012	106
2013	122
2014	309
2015	222
2016	167
2017	244
2018	228
2019	240

⁸ THE INDIAN PENAL CODE, 1860 <https://legislative.gov.in/sites/default/files/A1860-45.pdf>

⁹ Kannadasan, 2015; National Crime Records Bureau (India), Reports of 2014-2019

These figures do not show the entire scope of acid attacks in India because 60% of incidents go unreported as the victims feel ashamed because of the social stigma. The actual number of annual incidents in India are believed to be around 1000¹⁰

Table 3: Number and Disposition of Cases of Acid Attacks, 2016-2018¹¹

YEAR	CASES WENT TO TRIAL	CASES DISPOSED BY THE POLICE	CASES DISPOSED BY COURTS	CONVICTION RATE
2016	407	196	27	2.4%
2017	442	182	44	3.39%
2018	523	150	32	3.36%

These statistics tell us two things: first that 90% of acid attack cases reported in one year do not reach trial until the following year, and second that investigations and dispositions of cases by the courts are slow in India.¹² It takes up to 5-10 years on an average for an acid attack case to be disposed of completely by the courts.¹³ This leads to the low conviction rates and injustice. The latest crime data for 2018 from the National Crime Bureau (NCRB)¹⁴ tell us that acid attack cases are constantly getting transferred or sitting in police files year after year. A very few cases are disposed of in a year and it shows how slow the Indian justice system is.

Table 4: Women victims of Acid attack in major states of India in 2011, 2012 and 2013¹⁵

STATES/UTs	2011	2012	2013	TOTAL
DELHI	12	8	16	36
UTTAR PRADESH	18	15	NA	33

¹⁰ Supra note 5

¹¹ National Crime Records Bureau, Crime in India, Reports of 2016, 2017, 2018

¹² Gupta P. (2020, Jan 16). India is failing acid attack survivors, here is the data. shethepeople. <https://www.shethepeople.tv/top-stories/issues/india-acid-attacks-survivorsdata/>

¹³ Supra note 5

¹⁴ Supra note 10

¹⁵ https://www.lkouniv.ac.in/site/writereaddata/siteContent/202004092006210804rajnesh_sw_Status_and_Types_of_Violence.pdf

PUNJAB	10	4	10	24
HARYANA	10	8	5	23
GUJARAT	2	5	13	20
MADHYA PRADESH	5	7	8	20
BIHAR	7	12	NA	19
MAHARASHTRA	7	3	8	18
ANDHRA PRADESH	8	6	NA	14
CHHASTTISGARH	1	3	5	9
KARNATAKA	3	2	4	9
RAJASTHAN	4	5	NA	9
ASSAM	0	4	3	7
JAMMU AND KASHMIR	2	3	2	7
KERALA	1	2	3	6
JHARKHAND	2	3	NA	5
UTTARAKHAND	2	3	NA	5
ODISHA	1	3	NA	4
TAMIL NADU	0	1	NA	1

HIMACHAL PRADESH	0	0	1	1
WEST BENGAL	NA	NA	NA	-
ALL INDIA	98	101	80	279

Table 5: Acid attack statistics : reasons¹⁶

REASONS	PERCENTAGE
LAND/PROPERTY/MONEY DISPUTE	39%
REFUSAL/REJECTION OF LOVE/MARRIAGE/ SEX	17%
NOT KNOWN	13%
MARITAL DISPUTE	9%
FAMILY RELATED DISPUTE	6%
DOWRY	5%
OTHERS	11%

Table 6: Victims of acid attack: gender perspective¹⁷

YEARS	WOMEN AND GIRLS	MEN AND BOYS
2011	77	42
2012	68	30

¹⁶ <https://gjacidviolence.weebly.com/origincauses.html>

¹⁷ https://www.researchgate.net/figure/Age-group-of-acid-survivors-during-2011-and-2012_tbl1_325527659

1999-2010	2152 (69%)	993 (31%)
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Table 7: Age of acid attack victims and reasons in 2011 and 2012¹⁸**2011:**

AGE	MEN	WOMEN	TOTAL
UNDER 18	12	14	26
19-25	08	15	23
26-35	08	26	34
36-45	07	09	16
46-55	03	06	09
OVER 55	02	01	03
TOTAL	40	71	123

2012:

AGE	MEN	WOMEN	TOTAL
UNDER 18	09	23	32
19-25	04	19	23
26-35	06	12	18
36-45	06	11	17

¹⁸Ibid

46-55	01	02	03
OVER 55	04	01	05
TOTAL	30	68	98

III. CHEAP AND EASY AVAILABILITY OF ACID

Acid, the weapon used by perpetrators to disfigure the face of a woman or to kill a woman while committing the act of acid attack is easily available in its concentrated form. The main forms of concentrated acids used to commit this crime are hydrochloric, sulfuric and nitric acid which are used by many industries in India and hence it is easily available. In India, a litre of hydrochloric acid costs between Rs. 16 and Rs. 25 (\$0.37 to \$0.57 USD)¹⁹ anyone can purchase acid legally in India at a pharmacy, automobile store or open-air markets.²⁰ Indians use acid as a cleaning agent²¹ and hence it is very common in India to buy acid. Acid is easy to carry in a jar, bottle or a beaker and can be thrown at a distance on the victim's face easily. However, on August 30th, 2013 the Ministry of Home Affairs issued an advisory on what measures can be taken to regulate the sale of acid by giving some directions²² to ban over the counter selling of acid. The intention of the manufacturers or retailers who sell acid openly may not be to encourage acid attacks but the selling of acid without seeing a license or examining the reason to buy the acid leads to very horrible consequences.

IV. FACTORS RELATING TO ACID ATTACKS VICTIMS

- **AGE-** Age plays a very important role when it comes to intentional acid attacks. In India the intended victims were between 18-29 years in 32% of the cases and in other cases victims were between 3 months-17 years of age in 14% of acid attack cases.²³ Society often compares the worth of a young woman by her looks and it has become a standard for her to marry in a country like India, by disfiguring her face a woman's face the perpetrator tries to

¹⁹ S. Bagashree & M.V. Chandrashekar, The 'Acid Test: Will Government Regulate Sale of Deadly Chemicals?', HINDU, Feb. 5, 2007, available at <http://www.hindu.com/2007/02/05/stories/2007020519590100.htm>

²⁰ BURNT NOT DEFEATED 14 (2007) [hereinafter BURNT NOT DEFEATED].

²¹ App. 16, 2008 ("Many Indians use (acid) to clean their kitchens and bathrooms instead of bleach, and that's why it has become a weapon."), available at <http://abcnews.go.com/International/story?id=4665251&page=1>

²² Advisory available at: https://www.mha.gov.in/sites/default/files/AdvisoryAfterSupremeCourtOrderInLaxmCase_Short_1.pdf

²³ LIVING IN THE SHADOWS: ACID ATTACKS IN CAMBODIA 10 (2003) [hereinafter LIVING IN THE SHADOW]

make her worthless in the society's eyes and make her a burden for her own parents. Young women fall prey to this crime the most.

- **SOCIO ECONOMIC STATUS-** The majority of victims of acid attack belong to lower economic classes²⁴ but that does not rule out the probability of attacks against high socio economic classes. Acid attacks crimes are committed out of jealousy and revenge and hence it can be committed upon anyone regardless of any class, the lower economic classes are more vulnerable.

- **GENDER-** Gender plays a very important role as statistics show that acid attack is a gender based crime. Victims of acid attack are usually young women who stand up against men for themselves in reference to refusal of marriage or having sex or to any unreasonable demand made by the man.

- **UNINTENDED VICTIMS-** this crime is when committed in a public area can have an impact upon the bystanders too, the people who are standing nearby the victim can fall prey to this crime and acid can damage their body parts as well. Nearly 5% of the acid attack cases studied included unintended victims in India.

V. LEGAL SCENARIO IN INDIA IN RELATION TO ACID ATTACKS

Before the passing of The Criminal Law (Amendment) Act, 2013²⁵ In India the cases of acid attacks were only able to grab the attention of the media but there was no there was no separate legislation to deal with the cases of acid attacks. After the passing of The Criminal Law (Amendment) Act. 2013 the offence was registered under Sections 320²⁶, 322²⁷, 325²⁸, 326²⁹ and 307³⁰ of the Indian Penal Code (I.P.C).³¹

Compensation for acid attack is given under section 357 B which has been newly inserted in CrPC which reads as :

*"The compensation payable by the State Government under section 357A shall be in addition to the payment of fine to the victim under section 326A or section 376D of the Indian Penal Code."*³²

²⁴ See Farzana Zafreen et al., Socio-Demographic Characteristics of Acid Victims in Bangladesh, 6 J. ARMED FORCES MED. COLLEGE BANGLADESH 14 (2010).

²⁵ The Criminal Law (Amendment) Act, 2013, <https://www.iitk.ac.in/wc/data/TheCriminalLaw.pdf>

²⁶ <https://devgan.in/ipc/section/320/>

²⁷ <https://devgan.in/ipc/index.php?q=322&a=1>

²⁸ <https://devgan.in/ipc/index.php?q=325&a=1>

²⁹ <https://devgan.in/ipc/index.php?q=326&a=1>

³⁰ <https://devgan.in/ipc/index.php?q=307&a=1>

³¹ Supra note 7

³² <http://devgan.in/crpc/section/357B/>

Free medical treatment for acid attack survivors is given under section 357 C which has also been newly inserted whereby all hospitals, public or private are required to provide first aid or medical treatment free of cost.³³

VI. ACID ATTACK AND ITS CONSEQUENCES

An acid attack victim goes through insufferable pain and mental damage for the rest of her/his life. It changes their perception of seeing their own selves. Acid attack lowers self-esteem of the victim forever, changes the way he/she looks for the rest of his/her life. Here are some horrible consequences an acid attack has on a person

1. PSYCHOLOGICAL CONSEQUENCES - The physical damage and trauma of an acid attack is well known to all of us but it does more harm than what is already visible, it changes the way of how victims perceive themselves, it changes the way they think and act. This type of psychological trauma occurs because of the terror the victims went through during the time of the attack and also after the attack as they lose their body, catch infections and become disfigured. Victims suffer from a number of psychological problems such as depression, insomnia, nightmares, fear about another attack and/or fear about facing the outside world, headaches, weakness and tiredness, difficulty in concentrating and remembering things, etc.³⁴ they carry the sense of shame with them as they do not look how they used to and people get easily scared of them. This feeling may not leave them for the rest of their lives.

2. MEDICAL AND ECONOMIC CONSEQUENCES - Due to the attack of the acid which takes place directly on the victim, disfiguring them forever, the victims go through a lot of discrimination in the society, they sometimes become lonely. While in public people stare or laugh at them because of the way they look and this causes them to think twice before leaving their houses. Their social life changes forever and they get abandoned by their friends and families sometimes, the unmarried victims are unable to find partners for their entire life sometimes. After the attack the victims develop disabilities like blindness and are unable to find jobs as they are not suitable for it. They become dependent on others for food and shelter and do not have a social life which makes their mental health worse and they develop mental health conditions too.

VII. CONCLUSION

Acid eats a person's two layers of skin, the fat and the muscles below the fat and if it is highly concentrated and the duration of contact of the acid with the skin is more it can also damage

³³ <http://devgan.in/crpc/index.php?q=357c&a=2>

³⁴ <https://lawcommissionofindia.nic.in/reports/report226.pdf>

the bone by dissolving it, it continues until it is thoroughly washed off. It is generally thrown on the face and thus it eats up the person's nose, eyes, lips, melting the nostrils, sometimes blinding the victim. Acid damages and burns every part of the body that it splashes on to, it can cause breathing problems if inhaled more causing a poisonous infection in the lung and also leading to lung failure sometimes. It is a crime of cruelty and it is committed by people who are mentally unstable. This crime may not take the life of the victim but it kills them internally till the day they are alive. This crime still has weak laws in a country like India, with such a huge population and with no strictness on buying and selling of acids. This country needs more laws and stricter amendments, this country needs to help out the people who go through the pain of acid attack and are not able to report it because of fear and shame. Acid attack does a lot to a person than what it seems on the outside.

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