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Acid Attack on Women: A Critical Appraisal of the Indian Legal Response

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ABSTRACT

Over the last decade India has been witnessing an alarming growth of acid attack and the women who survive it, is forced to live as an outcast. Acid violence is a heinous crime committed usually against women, with an intention to disfigure or kill her. These gruesome crime footprints the victim miserable living condition or even it results in death. Most of the women restrict themselves to their homes to avoid public appearance. It can also be called as the gender based violence against women. The easy availability of inexpensive acid makes the perpetrators to use it as an ideal weapon against the women. With the passing of the Criminal Law (Amendment) Act, 2013, and the guidelines by the Supreme Court of India, the regulations have become stricter. But the various surveys showed 300% increase in the total number of acid attack cases reported. This paper deals with the horrendous effects that acid attacks have on the victims- physically, psychologically, socially and economically. The author aims to investigate the causes of acid attacks as well as their consequences which have become serious threat of our society. This paper throws light upon the feasibility of legislative, judicial and NGOs actions towards combating the abuses of acid attack and examines the contemporary laws governing acid attacks. This research study also analyzes the international scenario of acid attacks and critically evaluates the implication of the acid attack on the gender status. Accordingly, the topic has been dealt and deliberated on the strength of doctrinal methodology whereby both the primary and secondary data has been used.

Keywords: Acid attack, gender-based violence, victim, heinous crime, legislative and judicial pronouncements etc.

I. INTRODUCTION

Often a crime of honour, acid violence is an inhuman crime which can be viewed to mean the deliberate use of throwing premeditated acid to attack another human being. The National Commission of India defined acid attack as “any act of throwing acid or using acid in any form on the victim with the intention of or with knowledge that such person is likely to cause to the

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other person permanent or partial damage or deformity or disfiguration to any part of the body of such person”².

In a study conducted by UNICEF reveals, “Acid attack is a serious problem all over the world, even children are become victim of acid attack in many cases. In an Acid attack, acid is thrown at the face or body of the victim with deliberate intent to burn and disfigure. Most of the victims are girls, many below the age of 18, who have rejected sexual advances or marriage proposals. The most common types of acid utilized in these assaults include sulphuric, nitric, and hydrochloric acid. Attack through acid rarely kills but it causes severe physical, psychological and social scarring. The victims of acid violence are overwhelmingly women and children, and attackers often target the head and face in order to maim, disfigure and blind a person for life and push her in everlasting life of pain and apathy³.

II. CAUSES OF ACID ATTACKS

Perpetrators of the crime act cruelly and deliberately and are often motivated by deep-seated jealousy or feelings of revenge against a woman. A perpetrator first obtains the acid, carrying it on him and then throws to the victim. It also often occurs as revenge against a woman who rejects a proposal of marriage or a sexual advance. Another cause of acid attack is conflicts related to dowry or domestic violence. Sometimes conflicts regarding inheritance and other property issues are a cause of acid attacks.

The Law Commission of India in its 226th report has asserted that the majority of acid attack victims are women-

“...particularly young women for spurning suitors, for rejecting proposals of marriage, for denying dowry etc. The attacker cannot bear the fact that he has been rejected and seeks to destroy the body of the woman who has dared to stand up to him.”⁴

A renowned academician **Afroza Anwary** in his study emphasized that how acid is used by men on women as a mark of their masculinity and superiority over them and to keep women in their place.⁵ Acid attacks are used as a weapon to silence and control women by destroying what is constructed as the primary constituent of her identity. **Anwary** in his study had further maintained that in patriarchal and conservative societies, overemphasis is laid on marriage of

² Acid violence as on www.acidviolence.org/index.php/acid-violence

³ Ibid.

⁴ 226th Report, Law Commission of India, Proposal for the Inclusion of Acid Attacks as Specific Offences in the Indian Penal Code and a Law for Compensation for Victims of Crime 7 (July 2009).

⁵ Afroza Anwary, Acid Violence and Medical Care in Bangladesh: Women’s Activism as Carework, 17 Gender and Society 305, 306 (2003).

a girl. Her virginity and fair complexion are the most important factors to be considered for her suitability in the marriage market and therefore, her involvement in a romantic relationship prior to her marriage is an anathema. When vindictive lovers are turned down for marriage by the girl or her family, they resort to acid attack for vengeance.

There is also an economic aspect to acid attacks in view of globalization. The financial independence of women in a society of unemployed men creates antagonism in them. “Deteriorating economic conditions, high unemployment rates among male bread-winners, the increasing number of landless households, and the lack of agricultural work for male labourers”⁶ are the major reasons for their resentment.

Thus, women who are burdened with the onus of earning for the family are often made victim of acid by their husbands when they fail to live up to their expectations as homemakers in their conventional gender roles. Property disputes are another cause for acid attacks on women. The motivation for acid attacks on women can be attributed to various factors and feelings. Some perpetrators use acid to defile and debase the victim’s body as an expression of conscious anger, in an attempt to debase them. Others feed their deep-seated feelings of incapability and insecurity by expressing their superiority and authority by throwing acid on women, in an effort to exhibit their everlasting control over the woman’s fate. Alternatively and in conclusion, it can be said that acid attacks are used by men as a medium to establish their superiority and control over them and to keep them always in a state of fear.⁷

III. CONSEQUENCES OF ACID ATTACK

Acid has a devastating effect on the human body, often permanently blinding the victim. The aftermath being the inability to do many everyday tasks such as working and even mothering are rendered extremely difficult. Consequently the victim is faced with physical challenges, which require long term surgical treatment, as well as psychological challenges, which require in-depth intervention from psychologists and counselors at each stage of physical recovery. The victims are often left with no legal recourse, limited access to medical or psychological assistance, and have no means to support themselves. These are the following consequences:-

(a) **Physical Consequences:** Throwing acid on a person's face, it rapidly eats the eyes, ears, nose and mouth. Acid can quickly destroy the eyesight. The most notable danger for acid victim is breathing problem. The depth of injury depends on the strength of the acid and

⁶ Supra note 2.

⁷ Supra note 2.

duration of contact with the skin. Acid attack dissolve the bones, ears, eyes etc. after the acid attack, it is difficult for the victim to lead a normal life due to their physical deformities.

(b) **Psychological Consequences:** Acid attack victim suffer mental health issues even after recovery. Acid attack victims face higher levels of anxiety, depression due to their appearances.

(c) **Medical Consequences:** Medical effects of acid attack are extensive. As the majority of acid attacks are aimed at the face, several articles thoroughly reviewed the medical implications for these victims.

(d) **Social Consequences:** Most of the acid attack victims are being ignored by the society, relatives and even their family members. They feel isolated and lonely. It is very difficult for them to survive in the society.

IV. LEGISLATION GOVERNING ACID ATTACK IN INDIA

Prior to the Criminal Law Amendment Act, 2013 there was no such specific laws relating to acid attacks. There was not any specific law in India to deal with the cases of acid attack. The Section 326 of the Indian Penal Code which deals with voluntarily Causing Grievous Hurt by Dangerous Weapons or Means was not so effective in dealing with this heinous form of crime because it does not include acid attack. The eighteenth law commission of India which was headed by Justice A.R. Lakshmanan then proposed a new section 326A and 326B in the India Penal Code.

The scope of the definition of section 326 of The Indian Penal Code is very narrow but it does not deal adequately with the issue of acid attack because:

- It does not cover the various kinds of injuries inflicted because of an acid attack
- The section does not cover the act of administering or planning acid attack.
- The section does not punish the intentional act of throwing of acid if no injuries caused.

Further, the 226th Law Commission Report stated that compensation to victims of acid attacks is of vital importance as huge medical costs are often involved. The victims of acid attacks need both short term as well as long term specialized medical treatments and plastic surgeries. The provisions in the Indian law for giving compensation to the victims are very insufficient.

After the leading case of *Laxmi v Union of India*⁸ the Supreme Court passed an order to put ban on selling of acid in shops. For preventing acid attacks, the Supreme Court has completely

⁸ (2014) 4 SCC 427

prohibited the counter sale of the chemical unless the seller maintains a recording of the address and other details of the buyer, and the quantum. Dealers can now only sell the chemical after the buyer showed a government issued photo identity card and after specifying the purpose of purchase. The seller should submit the details of sale to the local police within three days of the transaction. Acid should not be sold to any person under 18 and all stocks must be declared with the local sub-divisional magistrate (SDM) within 15 days. Undeclared stocks could be confiscated and the defaulter fined up to Rs.50, 000. Acid attack is now a non-bailable and cognizable offence.

The CRIMINAL Law (Amendment) Act, 2013 resulted in insertion of sections **326A** and **326B** in the Indian Penal Code for specifically dealing with acid violence. The new Sections 326A and 326B read as follows:

326A. Whoever causes permanent or partial damage or deformity to, or 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 by administering acid to that person, or by using any other means with the intention of causing or with the knowledge that he is likely to cause such injury or hurt, shall be punished with imprisonment of either description for a term which shall not be less than ten years but which may extend to imprisonment for life, and with fine: Provided that such fine shall be just and reasonable to meet the medical expenses of the treatment of the victim: Provided further that any fine imposed under this section shall be paid to the victim.

326B. Whoever throws or attempts to throw acid on any person or attempts to administer acid to any person, or attempts to use any other means, with the intention of causing permanent or partial damage or deformity or burns or maiming or disfigurement or disability or grievous hurt to that person, shall be punished with imprisonment of either description for a term which shall not be less than five years but which may extend to seven years, and shall also be liable to fine.

Compensation for acid attack

Section 357B has been newly inserted in Criminal Procedure Code, 1973 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.

Free Medical Treatment

357C has been newly inserted whereby all hospitals, public or private are required to provide first aid or medical treatment free of cost. The section reads as: “All hospitals, public or private, whether run by the Central Government, the State Government, local bodies or any other person, shall immediately, provide the first-aid or medical treatment, free of cost, to the victims

of any offence covered under section 326A, 376, 376A, 376B, 376C, 376D or section 376E of the Indian Penal Code and shall immediately inform the police of such incident.”

Preventive Measures by the Government

The Supreme Court said that “acid should be sold only to people who show a valid identity card. Buyers will also have explain why they need the chemical and sales will have to be reported to the police.” On 6.2.2013, a direction was given to the Home Secretary, Ministry of Home Affairs associating the Secretary, Ministry of Chemical & Fertilizers to convene a meeting of the Chief Secretaries/concerned Secretaries of the State Governments and the Administrators of the Union Territories, inter alia, to discuss the following aspects:

- i) Enactment of appropriate provision for effective regulation of sale of acid in the States/Union Territories.
- ii) Measures for the proper treatment, after care and rehabilitation of the victims of acid attack and needs of acid attack victims.
- iii) Compensation payable to acid victims by the State/or creation of some separate fund for payment of compensation to the acid attack victims.

The Supreme Court also directed private hospitals to provide free treatment, including specialized surgeries, to acid attack victims and government authorities to take action against private hospitals if they fail to comply with its order. Again the Supreme Court enhanced compensation payable by state governments to acid attack victims to a uniform Rs 3 lakh from the earlier Rs 50,000. The court also directed states to implement stringent norms for retail sale of acid, treating it as poison under the Poisons Act, 1919, within three months.

Prevention of Offences (By Acids) Act, 2008

The Supreme Court suggested possible changes and the inclusion in the Indian Penal Code that was drafted by the National Commission of Women, by taking cue from the Declaration on the Elimination of Violence against Women, 1993, which provides for stricter legislation for the elimination of violence against women.

The opening statement of objectives and reasons for this act clearly states, that a victim of acid attack suffers in every stage of their life, starting from the permanently disfigurement of the body parts, eventual destruction of the victim physically and psychologically to slow and painful deaths, and even if, victims stay alive, they are confined to their homes for rest of their life. The victim’s family needs to bear the cost of wide-ranging surgeries to reconstruct the damaged face of the victim by short term and long term medical facilities in the form of

specialized plastic surgery which costs the victim a minimum of two lacs. In addition the victims do not have any scope for rehabilitation left.

Thus, the main objectives of this bill are to classify the crime of acid attack as a separate and most heinous form of hurt towards women, to assist the victim by providing medical treatment services, social and psychological and legal support, to arrange and provide rehabilitation mechanisms.

Chapter 1 of the proposed Act provides the applicability and definitions. Chapter 2 deals with the Implementing Authorities under the Act. Chapter 3 provides for the Procedure for Assistance to victims of acid attack. Chapter 4 deals with “National Acid Attack Victim Assistance Fund” and Chapter 5 deals with the provisions for the duty of government and medical facility towards the victims.

Acid Violence is Gender-Based Violence Prohibited by International Law

Acid violence constitutes gender-based violence, a form of discrimination under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Committee on the Elimination of all forms of Discrimination against Women (CEDAW Committee), which monitors State compliance with the treaty, describes gender-based violence as “violence that is directed against a woman because she is a woman or that affects women disproportionately.” The CEDAW Committee has further noted that gender-based violence both results from and perpetuates traditional discriminatory attitudes that confine women to stereotypical, subordinate roles and positions. Bangladesh, India, and Cambodia have ratified CEDAW and are thus obligated to combat all forms of discrimination against women, including acid violence.

V. IMPORTANT JUDGMENTS

1. Maqbool v. State of UP & Others⁹- In cases of acid attacks, if the injury inflicted on the victim is simple, whether Section 326A, 66 IPC, will be applicable on him. The court observed that section 326A carries title of ‘voluntarily causing grievous hurt by use of acid’ whereas section 326B does not carry any such indication in the title regarding the nature of injury as grievous. But on close analysis it can be seen that both the section provides for eight consideration types of injury—(i) permanent damage, (ii) partial damage (iii) deformity (iv) burns (v) maiming (vi) disfigurement (vii) disability (viii) grievous hurt. The first seven injuries classified based on the normal after effect of the acid whereas the eighth one is on the

⁹ Criminal Appeal No. 1143 of 2018. Judgement by Supreme Court on 7 September 2018 SCC/online/SC/1930

gravity of effect. Under Sections 326A and 326B, grievous hurt is only one of the eight injuries. If the injury referred to under Section 326A or 326B is one among the specified eight injuries, whether the seven of them be simple or grievous, special provisions are attracted.

The accused was held liable under Section 326A of IPC and was awarded 7 years imprisonment.

2. Laxmi Vs Union of India¹⁰

Laxmi, 26 year old woman from Delhi is an acid attack survivor. Two men poured acid on her while she was waiting for a bus near Tughlaq road in 2005. She had refused to marry one of her attackers aggrieved by which he left her disfigured for life. Acid had severely burnt her whole face. She had undergone seven surgeries and still needs four more surgeries to make her physical appearance resemble of what it was. She belongs to a poor family and would have never been able to treat herself had she been not helped by a benefactor who bore her medical expenses of approximately Rs. 2.5 lakhs. Laxmi can never look the way she used to but she is still an inspiration to all such women who have been victim of acid like her. She didn't lose courage and had advocated against acid violence by gathering 27,000 signatures for a petition in Supreme Court of India to curb acid sales. Her PIL sought framing of a new law, or amendment to the existing criminal laws like IPC, Indian Evidence Act and Code of Criminal Procedure for dealing with the offence, besides asking for compensation. She had also pleaded for a total ban on sale of acid, citing increasing number of incidents of such attacks on women across the country. It was her petition which led Supreme Court to give a historic decision regarding regulations on sale of acid.

3. Devanand vs. The State¹¹,

A man threw acid on his estranged wife because she refused to cohabit with him. The wife suffered permanent disfigurement and loss of one eye. The court awarded him the punishment of 7 years rigorous imprisonment and observed that the parties were having strained relations and about 15 days back, the accused brought Prem Lata to the house of her father and thereafter, never care for her. On the fateful night, he came to his wife at midnight but was sent away. Though at that time he may have felt hurt but he had sufficient time at his disposal to think over the consequences of his act which he had planned. The circumstances showed that he had already purchased the sulphuric acid and had all the intentions to teach a lesson to his wife. The throwing of sulphuric acid caused such a disfigurement of Prem Lata that it became

¹⁰ (2014) 4 SCC 427

¹¹ 1987 (1) Crimes 314, 31

impossible for her to move out in the society. She lost one eye and was in process of losing eye sight from the other. Prem lata has still to go a long way and will always be cursing herself for having been married to the accused. She has suffered much agony due to the dastardly act of the accused for which he cannot be pardoned.

4. Parivartan Kendra Vs Union of India Or Chanchal Paswan Case¹²

In this case, a petition for the plight of victims of acid attacks such as free medical care, rehabilitation or adequate compensation under Survivor Compensation Schemes- Highlighted the plight of two Dalit girls – victims of acid attacks. In this case, the court also considered that despite the same court's orders and directions in the Laxmi case, acid is still readily available to most of India's population. In this landmark judgment, the Supreme Court ruled that the State Governments / UT should discuss and take the matter seriously with all private hospitals in their respective State / UT to the effect that private hospitals should not refuse treatment to victims of acid attack and that full treatment should be given to such victims, including medicines, food, bedding, etc. The Apex Court said there was no need to set up a separate Criminal Injuries Compensation Board, and the Court also clarified that more compensation than Rs. 3 Lakh could be given by the government / UT concerned.

5. Vinodhini Acid Attack Case¹³ 23 years old Vinodhini, a software engineer employed in Chennai suffered severe burn injuries when Suresh Kumar, 32, a construction worker, threw acid on her in Karaikal at around 10.30 pm on November 14, 2012. The attacker, who was known to Vinodhini's father Jayabalan, had been stalking her, insisting that she marry him. She sustained 40% burns and lost her vision. She died three months later in a hospital. On 20th August 2014 Additional district sessions judge sentenced the accused Suresh to life imprisonment and an additional two-year jail terms for causing injuries using dangerous weapons. He was also fined Rs 1 lakh, half of which was directed to be given to Vinodhini's family as compensation. The court directed that failure to pay the penalty will cause him to spend another three years in prison. The case was fast tracked and decided in 4 months which is a huge achievement for the Indian Courts traditionally predisposed to take years to arrive at conclusions and pass judgments.

6. Morepally Venkatasree Nagesh v. State of Andhra Pradesh¹⁴

In this case, the accused was suspicious about the character of his wife. Out of spite, he poured

¹² 2015 (13) SCALE 325.

¹³ <http://timesofindia.indiatimes.com/city/chennai/Stalker-gets-life-term-in-Vinodhini-acid-attack-case/articleshow/21947489>.

¹⁴ 2002 (1) ALD Cri 905

mercuric chloride inside her vagina. The wife later died due to renal failure. The accused was then charged and convicted under Section 302 and Section 307 of the Indian Penal Code, 1860.

7. Ramesh Dey and Others v. State of West Bengal¹⁵

In this case, the accused had previously attempted to throw acid at the victim and succeeded in the second attempt. Revenge was the motive for the crime, as the victim rejected the main accused Ramesh's openings. Together with two others, the accused went to the house of the victim and threw a bottle of acid outside her house on the victim where she, her mother, her aunt and her little son were sitting. The victim, Padma, died on the neck, chest, breasts, legs, knees, and scalp due to extensive acid burns. The additional sessions Judge granted life imprisonment and a fine under IPC Section 302 and 34 for Rs. 5,000. The appellants were also convicted in accordance with Section 324/34 of the IPC and sentenced to one year's rigorous imprisonment and a fine of Rs 1,000 each in default to simple imprisonment of 2 months.

8. State of Maharashtra v. Ankur Panwar¹⁶

In this case, the accused was convicted of throwing acid at Bandra Station's Preeti Rathi in 2013 after choosing to pursue her nursing career, declining her marriage proposal. Special Judge Anju S. Shende said "According to the mitigating and aggravating circumstances, the facts of the case and the recent acid attack judgments by the Supreme Court, the accused to death". This is one of the cases where the accused was granted capital punishment.

Thus, after the Criminal Law Amendment Act, 2013, the Courts are focusing on the compensation and rehabilitation of the victims and gave stricter punishments to the accused or the convicts of such an offence.

9. Jahalli Police Station v. Joseph Rodrigues¹⁷

In this case, a girl named Hasina was earlier working at the accused officers. Soon she left the office and started working in another firm. The accused first threatened her that if she does not accept his new offer, he might do something. Even then, when she did not accept the offer, the accused threw acid on her. Because of the acid attack, her face's colour and appearance changed, leaving her blind. The accused was convicted in accordance with IPC Section 307 and sentenced to life imprisonment. Compensation of Rs 2,00,000 was to be paid by the accused to Hasina's parents in addition to Trial Court fine of Rs 3,00,000.

¹⁵ 2007(3) CHN 775.

¹⁶ State of Maharashtra v. Ankur Panwar Decided on September 2016

¹⁷ Jahalli Police Station v. Josheph Rodrigues, decided on 22/08/2006.

VI. ACID VIOLENCE IS GENDER-BASED VIOLENCE PROHIBITED BY INTERNATIONAL LAW

Acid violence constitutes gender-based violence, a form of discrimination under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Committee on the Elimination of all forms of Discrimination against Women (CEDAW Committee), which monitors State compliance with the treaty, describes gender-based violence as “violence that is directed against a woman because she is a woman or that affects women disproportionately.” The CEDAW Committee has further noted that gender-based violence both results from and perpetuates traditional discriminatory attitudes that confine women to stereotypical, subordinate roles and positions. Bangladesh, India, and Cambodia have ratified CEDAW and are thus obligated to combat all forms of discrimination against women, including acid violence.

VII. LEGISLATION ON ACID VIOLENCE AROUND THE WORLD

No country in the world is untouched by the acid attacks. From developed nations like United States of America, United Kingdom to the developing nations like India, Bangladesh etc, acid attacks are ubiquitous. As the acid attacks cases rose in number over the years, the countries over the world felt the need to frame stringent laws to curb such type of violence. The legislations on acid violence in the countries where the most number of such attacks occur are—

BANGLADESH

Bangladesh reports the highest number of acid attacks in the world. There was a sudden increase in number of acid attack cases in Bangladesh in the mid-1990s. In 2001, 340 cases were reported which got to 336 cases in 2002. The government passed The Acid Offences Prevention Act and The Acid Control Act in 2002 to check the increasing acid violence in the country. The Act punishes the culprit with a death sentence or rigorous punishment for life with the fine of one lakh in case of death or complete or partial mutilation of face or sexual organ of the victim. On damage to any part of the body of the victim, rigorous imprisonment of 7-14 years is awarded to the perpetrator. In addition to this, anyone who throws or attempts to throw acid on any person is rigorously imprisoned for 3-7 years along with a fine of 50,000 even if no physical or mental harm is caused. The Act also addresses the problem of delay of prosecution of cases by allotting fixed time for investigations. It provides a maximum of 60 days for investigation, failing which legal action is taken against the investigating officer. It also states that the trial of the case should be completed within a maximum of 90 days. The Acid Control Act deals with restricting and controlling the sale and supply of acid in

Bangladesh. A 15- member National Acid Control Councils have been established around the country to take action to enforce the laws regarding acid sales and to assist in proper treatment, reporting and rehabilitation of victims.

CAMBODIA

Earlier, there was no criminal law to punish the perpetrators of acid violence. They were charged with battery with injury, carrying a sentence of up to ten years imprisonment. In January 2012, Acid Law came into force which criminalized the acid violence. It prosecutes the perpetrator with 15-30 years of imprisonment in case of death of the victim and 15-25 years in case of permanent disability of the victim. It also lays down that the government should provide the acid victims medical care, legal support and protection.

UGANDA

Acid violence in Uganda affects all the social strata of society from the poorest to the most rich and influential. Section 216(g) of Ugandan Penal Code penalizes the perpetrator with life imprisonment. If the attack is made with malice and it leads to the death of the victim, then it is considered as murder under Section 188 and the culprit is awarded with a death sentence under Section 204 of the Ugandan Penal Code. An offence as grave as acid attack is non-bailable in nature but the culprits are still released on bail. Though there are effective laws present in the country against such violence but they are not implemented in an apt manner which is the reason why such attacks still occur in large number in the country.

JAMAICA

There is no explicit law in Jamaica to deal with acid violence in spite of the fact that it has the largest number of absolute acid attack victims. The only piece of legislation which punishes such violence is Offences against the Person Act which awards life imprisonment to the convict in case of causing grievous injury to the victim.

NEPAL

Under Nepal's legal system, there is no precise punitive provision for acid violence. Under the present laws, perpetrator is penalised under provision of hurt and culpable homicide of Muluki Ain. Number 14 of the chapter Hurt endows with punishment for causing hurt to the body by burning substance like acid. When no grave injury is caused to the person, perpetrator is awarded with two months of imprisonment and a fine of Rs 500. A fine of a meager sum of Rs 2,000 is imposed on burning nose or eyes of a person. In addition to this, no medical and economic assistance is provided to the victims by the government. The present law on acid

violence fails to provide any severe punishment to the culprits and is thus, ineffective to curb such attacks.

PAKISTAN

Pakistan passed the Acid Control and Acid Crime Prevention (Amendment) Act, 2010 which amended the penal code of the country to add section 326A and 326B which provides for life imprisonment or a minimum of fourteen years of imprisonment with a huge fine of one million rupees to anyone who causes grievous hurt to any person via acid. The Acid Throwing and Burn Crime Bill, 2012 expands upon the Acid Control and Acid Crime Prevention (Amendment) Act, 2010. It provided a proper and specific definition for acid attack and also provided for investigation, protection of witnesses as well as the recognition of medical, legal and financial support for victims and their dependents. The Act also criminalizes an attempt to commit acid violence and imposes an obligation on officers for proper investigation of the attack. To promote effective implementation of law, the act provides the provision for establishment of Acid and Burn Crime Monitoring Board and described its role and responsibilities.

VIII. CONCLUSION

An acid attack has the long lasting durability of spoiling the victim who faces perpetual torture, permanent damage and other problems in their life. Although they are ready to pursue a normal life, there is no faith that society itself will treat them as normal human beings given their appearance and disabilities after an attack. They may not be able to work. As a result of which they prefer a darkened life to live and to hide themselves from the world.

Therefore, to check attacks on women harsh and stringent punishment should be given to offenders. The women should learn physical defensive measure in order to protect themselves from the perpetrators. Again the government should take appropriate action in order to combat this heinous crime. One important way to combat acid violence is to limit the easy availability of acid. To combat acid violence, governments must end the widespread impunity perpetrators enjoy by effectively implementing laws that provide for perpetrators' prosecution and punishment. Thus, when acid attacks do occur, governments should provide compensation to victims for healthcare and other essential needs.

IX. RECOMMENDATIONS

Nevertheless, the judiciary is playing a very active role in combating the crime against women but still following points is suggested by the researcher:

- (i) Acid attack victims should be given free legal aid to ensure they do not struggle to get justice.
- (ii) The criminal justice system needs to be stricter in its handling of acid attacks cases.
- (iii) The victims should be treated with Courtesy and dignity while appearing in the Court. The atmosphere of the Courts should be made comfortable for the victim.
- (iv) Speedy trials should be done in the cases of acid attacks. The Courts should initiate the cases as earliest as possible and give decision quickly so that the victim should get justice.
- (v) To eradicate acid violence, governments must address its root causes: gender inequality and discrimination, the availability of acid, and the impunity of perpetrators. Below we provide concrete recommendations that governments and corporations can immediately undertake in an effort to combat acid violence.

“We do not believe in capital punishment.

We do not ask for acid attacks in retaliation.

All that we are asking for is a change in the mentality of the society. ”

- **Laxmi, Acid Attack Survivor**¹⁸

¹⁸ Available at: <https://www.vagabomb.com/10-Quotes-by-Acid-Attack-SurvivorLaxmi-Agarwal-That-Show-the-Power-of-Her-Undefeatable-Spirit>.