
**PERSISTENT ACCESS TO ACID IN INDIA: A LEGAL AND SOCIAL
EXMINATION AMID RISING ACID ATTACKS**

By- - Anushca Banerjee¹

ABSTRACT

This article explores the ongoing availability of acid in India despite a concerning increase in acid attacks, focusing on legal and social aspects. In spite of current regulations to control the sale and distribution of corrosive substances, acid is still widely available in various grocery shops in the name of toilet cleaner, leading to a concerning rise in violence, especially towards women. By examining legal frameworks and societal attitudes, this research looks into how well laws like the Acid Attack Prevention and Rehabilitation of Victims Bill are working on a local level. Moreover, it delves into how society views acid attacks, such as victim-blaming and stigmatization, which make the recovery and justice journey even more challenging for survivors. Conversations with legal professionals, advocates, and those who have experienced abuse shed light on the shortcomings and deficiencies in the system, as well as on community-based initiatives aimed at making a difference. The results highlight the importance of implementing broad policy changes that not only limit acid availability but also promote a change in societal attitudes toward gender-based violence. This study seeks to add to current conversations on how law, public health, and social justice intersect to tackle the increasing number of acid attacks in India, promoting a comprehensive strategy for prevention and aiding victims.

INTRODUCTION

Acid attacks [1] are a forbidding type of violence that mainly affect women, resulting in lasting physical deformities, disabilities, and emotional trauma. In India, acid remains readily available

¹ Student, Law College Dehradun, Uttaranchal University.

despite public outrage and legal changes after multiple well-known incidents. This document examines the reasons for acid's ongoing availability, assesses the efficiency of legal actions, and pinpoints opportunities for policy enhancement.

Background

•Nature of acid attack in India

Acid attacks occur when individuals intentionally throw corrosive materials, such as sulfuric or hydrochloric acid, in order to cause harm. These assaults lead to serious burns, blindness, and lasting harm. Most of the targets are females, and the reasons for these assaults usually involve unreciprocated romantic gestures, relationship conflicts, or envy.

•High-profile cases and public response

Laxmi Agarwal's case in 2005[2] drew national focus to acid attacks, sparking widespread protests and demands for stricter laws. As a result, there was a demand for stricter laws and better assistance for victims, leading to changes in legislation, such as the Supreme Court's recommendations in 2013.

LEGAL FRAMEWORK REGULATING ACID SALE IN INDIA

•Criminal Law Amendment Act, 2013

The Act [3] included specific provisions to address acid attacks, such as amending the Indian Penal Code (IPC) to include Section 326A and Section 326B, now Section 118 of the Bharatiya Nyaya Sanhita (BNS). These provisions imposed severe penalties, including imprisonment and fines.

•Supreme Court Guidelines, 2013

In 2013, the Supreme Court of India introduced guidelines to control the selling of acid in order to address the increasing incidents of acid attacks [4]. The court ordered states to enforce stringent regulations on the sale of corrosive substances, obligating sellers to keep records and confirm the identity of purchasers. It also required the creation of rules for the selling and delivering of acid, highlighting the importance of avoiding its improper use. Moreover, the court emphasized the significance of safeguarding and helping acid attack survivors recover, calling on the government

to establish thorough policies for their assistance. These guidelines represented a major advancement in tackling the increasing issue of acid attacks in India.

Factors Contributing to Continued Acid Availability

- Weak Regulatory Enforcement

The main difficulty is the irregular implementation of the Supreme Court's orders [5]. A number of states do not have sufficient monitoring systems in place, leading to ongoing illegal sales. Acid can be bought in nearby markets with no necessary paperwork, particularly in mofussil and rural regions with little regulation.

- Availability of Acid for Industrial Use

Acid is commonly utilized in multiple sectors such as agriculture, production, and sanitation. Due to its valid use in industry, it is challenging to fully control access, resulting in cases where industrial-strength acid is redirected for unlawful activities.

- Lack of Public Awareness and Education

Many vendors and members of the general public lack a thorough understanding of the legal limitations or the seriousness of the repercussions of selling acid without permission, even unknowingly violate the order of Hon'ble Apex Court. There is a lack of sufficient public awareness campaigns on acid misuse risks and legal consequences, especially in rural areas [6].

- Corruption and Administrative Lapses

Corruption within regulatory agencies and ineffective administration enable vendors to circumvent regulations, resulting in the illegal sale of acid. The lack of consistent inspections and harsh penalties for non-adherence undermine the regulatory systems.

THE IMPACT OF ACID ATTACKS ON VICTIMS

Acid attacks are a harmful type of violence that have severe and enduring effects on victims, impacting their physical, psychological, and social health. Frequently directed at females, these attacks are usually driven by a desire for payback, denial, or the need to maintain dominance. The immediate results of these attacks are terrible, causing victims to endure serious burns that can deform their faces and bodies, resulting in lasting medical problems [7]. The destructive effects of

acid can result in damage to skin, muscle, and bone, requiring numerous surgeries, skin grafts, and extensive rehabilitation. The lengthy recovery and expensive process, which may require ongoing medical care for infections or complications, adds to the physical pain that one experiences and can last for several years.

In addition to the physical wounds, the emotional effects of acid attacks run deep. Those who have lived through a traumatic event often suffer from PTSD, anxiety, and depression as they struggle to cope with the attack and its effects. The sense of insecurity that results from such violence can cause victims to feel afraid and vulnerable in both public spaces and their own homes. The presence of their wounds can also trigger strong emotions of embarrassment, causing numerous individuals to grapple with their self-perception and sense of self. In cultures where beauty is commonly seen as valuable, survivors of acid attacks may experience stigma and discrimination, adding to their psychological distress. Numerous victims express experiencing dehumanization, as they move through a society that evaluates them by their looks rather than their qualities or skills [8].

The societal impacts of acid attacks go beyond the individual; those who are targeted are frequently shunned by their communities, leading to a loss of important social connections and systems of assistance. This sense of isolation can be especially intense for women, who might be seen as defective or undeserving of welcome because of their injuries. The cultural perception of beauty can make it very difficult to fit back into society, causing loneliness and hopelessness.

EFFORTS TO ADDRESS ACID ATTACKS: POLICY AND SOCIAL INITIATIVES

•Support for Acid Attack Survivors

Many NGOs and social advocates have advocated for the rights of survivors of acid attacks, pushing for free medical care, rehabilitation, and financial support [9]. Although victim compensation schemes are offered in certain states, the execution of these programs varies.

•Public Awareness Campaigns

Organizations have taken steps to raise public awareness about the risks of acid and promote increased enforcement of current laws [10]. Nonetheless, the impact of these initiatives is constrained, especially in isolated regions.

•Role of Civil Society and Media

The media's reporting on acid attack cases has played a key role in influencing public perception and pushing authorities to make legal changes. Non-governmental organizations have been essential in offering legal aid and support to survivors.

RECOMMENDATIONS FOR BETTER REGULATION AND PREVENTION

In order to improve control and curb the accessibility of acid, various important suggestions need to be taken into account. Initially, it is crucial to enforce more stringent sales rules, which involve mandating that stores keep thorough records of sales, recording buyer identification and the purpose of the purchase [11]. Moreover, implementing a licensing system for vendors of corrosive substances will guarantee that only approved sellers can sell acids, being subject to frequent inspections to maintain adherence to regulations. Public awareness initiatives are essential too, intending to educate the public about the risks of acid abuse, as well as fostering empathy and understanding towards victims of acid attacks. Moreover, it is crucial to enhance support networks for individuals affected, guaranteeing their ability to obtain medical treatment, mental health recovery, and legal options. Getting local communities involved in monitoring acid sales and reporting anything suspicious can help create a culture of vigilance and shared responsibility. Investing in research to gain a deeper understanding of the reasons behind acid attacks and the impact of regulatory measures will allow for evidence-based policy decisions. By putting into practice these thorough suggestions, governments can greatly lower the likelihood of acid attacks and improve the safety and welfare of vulnerable individuals [12].

CONCLUSION

Even with important changes in the law, the ongoing presence of acid in India is still a major issue, mainly because of ineffective enforcement, its use in industry, and lack of awareness among the

public. In order to effectively tackle these challenges, it is crucial to adopt a varied approach. This includes improving regulatory measures to enforce strict restrictions on acid sales, as well as implementing thorough public education initiatives to increase understanding of the risks associated with acid misuse. Furthermore, it is essential to offer strong support systems for victims of acid attacks, which should include medical treatment and psychological therapy, in order to help them heal and successfully reintegrate into society. By strengthening current regulations and guaranteeing uniform implementation, we can greatly decrease acid assaults and support victims in reconstructing their livelihoods.

REFERENCES:

1. What is acid attack: <https://www.actionaid.org.uk/our-work/vawg/acid-attacks>
2. Laxmi Agarwal - The Acid Attack Survivor: <https://www.gicj.org/lest-we-forget/2874-laxmi-agarwal-the-acid-attack-survivor>
3. The Criminal Law (Amendment) Act 2013: [https://www.law.cornell.edu/women-and-justice/resource/the_criminal_law_\(amendment\)_act_2013](https://www.law.cornell.edu/women-and-justice/resource/the_criminal_law_(amendment)_act_2013)
4. Supreme Court Guidelines, 2013: <https://www.alec.co.in/judgement-page/a-landmark-judgment-on-guidelines-laid-down-by-sc-for-acid-attack-survivors-and-for-regulation-of-rules-regarding-availability-of-acid-for-sale>
5. Weak Regulatory Enforcement: <https://www.livemint.com/Politics/XOaeIxBzUffZ0IY7INzIPJ/Acid-sales-in-Delhis-retail-market-continue.html>
6. Reshma Qureshi: A Sister's Tragedy <https://theprobe.in/podumentary/behind-the-scars-acid-attack-survivors-battle-for-justice/>
7. Life Perspective and Social Health after Acid Burn <https://pmc.ncbi.nlm.nih.gov/articles/PMC7470663/>
8. Exploring the trauma of acid attack victims: <https://www.sciencedirect.com/science/article/pii/S0277539521000716>

-
9. Acid attack on Shabnam Rani : <https://www.indiatoday.in/india/story/acid-attack-on-shabnam-rani-the-girl-who-took-the-fight-against-halala-to-supreme-court-1339223-2018-09-13>
10. Meer Foundation: <https://www.meerfoundation.org/>
11. Chhanv Foundation: <https://www.chhanv.org/>
- Law on Acid Attacks in India: <https://www.drishtias.com/daily-updates/daily-news-analysis/law-on-acid-attacks-in-india>

