

# A CRITICAL ANALYSIS ON ACID ATTACKS IN INDIA

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## ABSTRACT

Acid attack or acid throwing is considered as a heinous crime, where acid is thrown to the body of the victim, with the intension to disfigure him/her and thereby intensify their sufferings. In most cases, attackers throw acid on the body of the person who refused or rejected his/her marriage or love proposal or sexual rejections. The main reason behind these attacks is that the attacker can't bear the fact that he/she was rejected and hence tries to demolish the life of the one who has dared to raise his/her disapproval. The perpetrator wants to disfigure the victims and turn them into monsters. Acid attack is considered more grievous than rape, because in case of rape the victim can live the rest of his/her life in a different identity, but in an acid attack, it is well evident through their body. In most cases, victims are found to be women. Until 2013, acid attack was not considered as a separate offence; but in Criminal Law (Amendment Act) 2013, Section 326A and 326B inserted in Indian Penal Code provide the punishment for acid attacks and attempts to acid attacks. In this paper, the researcher focuses more on the efficiency of Criminal Law with regard to acid attacks in India.

**Keywords:** Acid attack, Criminal offence, Medical services, Compensation, Employment, Regulation of acid.

## INTRODUCTION

**She will never be called as an acid attack victim or survivor, insteadly, she will always be remembered as a hero & true warrior...<sup>1</sup>**, the most remarkable lines from the poem Acid attack by 'Tushar Shrivastava.' Today, it is an established reality that women are more vulnerable to violence than men. Violence against women also has a high degree of official and social tolerance. Because of their lower social, economic and legal status, violence can be more easily carried out against women. Gender-based violence is widespread throughout the world, cutting age, marital status, ethnicity, gender, race, and thus posing violations of human rights and huge health issues. This includes acid attack abuse, child marriage, honour killings, forced abortion, female genital mutilation, forced use of contraception, collection of pre-natal sex, sexual harassment, abduction, stalking, involuntary pregnancy sterilization, trafficking in children, forced prostitution, heterosexual and same-sex domestic violence and women's enslavement. But among these violence acid attack is considered as most heinous crimes.

<sup>1</sup>[www.mirakee.com](http://www.mirakee.com)

Acid attack is defined as act of throwing acid on another person's body with the intention to torture or kill or disfigure his or her. It is also referred as vitriolage, is an act of intimate manslaughter that involves the deliberate throwing of acid on to another with the main intention of disfigurement. According to the United Nations Entity for Gender Equality and the Empowerment of Women, defines acid attack as any act or omission, caused by corrosive substance or acid to be thrown or administered in any form on the victim with the intention that such person is likely to cause to the other person permanent or partial damage or injury or deformity or disfigurement of or causing the death of any part of the body or organ.

Acid attacks are a series of crimes against women that shake the conscience of society as a whole while robbing the victim of their fundamental human right to life completely. According to the survey India is considered as the fourth most dangerous place in the world for women to live in as women belonging to any class, caste or creed and religion can be victims of this barbaric form of violence and defacement, a premeditated crime intended to kill or disable her permanently and act as a lesson for her.

Acid abuse is a premeditated act of violence as the perpetrator carries out the assault by first collecting the acid and bringing it on him and then stalking the victim before executing the act. It considered as the one of the heinous crime in the society which done to any person. The acid attack commonly used acid are Sulphuric acid, Hydrochloric acid and Nitric acid. These acids are mainly used as they are cheaply and readily available makes the perpetrators to use this as an ideal weapon against the women. This offence being bail able in certain situations, the punishment does not act as a sufficient threat on the offenders in most cases. This sadistic, cruel and heinous crime is on rise now-a-days and innocent girls or women are becoming victims of acid attack.

Acid attack in general is not gender specific crime, and both men and women commit this horrendous offence. In many countries, acid attack violence occurs, but predominantly in India, Bangladesh, Cambodia, and Pakistan. In most cases the victims are the women as a revenge for refusing the marriage proposal or love or sexual rejections, etc. The

Attacker can't bear the fact that he was rejected and is trying to destroy the woman's body that has dared to stand up against him. The perpetrator wants to disfigure the victims and turn them into a monster. Among the several forms of violence against women, murders, murder attempts and acid attacks on women alleging the reason as denying a love proposal or leaving a relationship are very prominent. Most of the time news reporting on violence against women of the above nature tends to dramaticise the entire violence into a story of love, passion, failure, betrayal and sudden anger resulting in murder. Such narratives can be a problem, when it is present in the news media, since objective reporting of the violence can be missed in the narration as a story. These results in death, the horror of the attacks is nonetheless striking as within seconds, the acid melts the skin and completely leaves the victim in a debilitated state. Though acid attack is a crime which can be committed against any person, it has a particular gender element in India.

The acid attack is considered as the heinous crime because it is irrecoverable and the victim has to live with this disfigurement in rest of her or his life. In case of rape the victim can live with another identity but in acid attack the victim has to live rest of their life with this identity. The main difference between the Rape and Acid attack is that in case of Rape it affects our soul but in case of acid attack it affects both our body and our

soul. The trauma of not being able to recognize oneself in the mirror, the agony of lost beauty exacerbates the extreme physical pain which the victim is experiencing. Since, in most of the cases, the attack leaves the victims handicapped, even after recovery from physical pain, the victims become dependent for everyday activities which act as an additional trauma to both the family members as well as the victim.

Acid attacks perpetuate gender inequality and discrimination. The victim's faces life long discrimination from the society, sometimes even their family will abandon them due to acid attack eventually it will affects their social, economic and psychological life. As a result of acid attack it is very difficult for victims for get a job or nobody will offer them job due to their disfigure ultimately it is difficult for them to survive in the society. Acid violence is a global phenomenon that is not limited to a specific race, religion or geographical location. Majority of attacks are happening in states like Uttar Pradesh and Madhya Pradesh.

Survivors of acid violence face social marginalization after the attack.

In addition, acid violence tends to create fear among women in society, as some women may feel they may be attacked if they fail to comply with traditional subordinate roles of gender. In order to emancipate and empower women in the society, it is this fear which the law is supposed to address. Women in different parts of India have faced acid attacks from men for several reasons, most common among them being refusal of proposal. These women are tracked by men, accosted by them, and attacked by acid, leaving them severely scarred. Although after laborious and multiple operations, the physical injuries can heal, the mental injuries remain for life.

Our legal and medical systems have also proven to be very weak when dealing with such cases, there is no proper law and the medical facilities provided are also inadequate. In India there is no reliable statistics on acid attacks since a large number of cases go unreported, even National Crime Record Bureau (NCRB) does not carry any statistics on acid attack, this lack of data shows that how casually the country treats the phenomenon.

Until 2013 acid attack was not considered separate offence but in Criminal Law (Amendment Act) 2013 Section 326A and 326B inserted in Indian Penal Code providing the punishment for acid attack and attempt to acid attack. In December 2016 Government of India came up with new Act called The Rights of persons with Disabilities Act which recognise acid victims or survivors as physically disabled. Under this Act survivors can access to reservation for employment, education, etc. in order to meet their daily requirements. But the real problem is there are no adequate medical services to the victims and they are not getting sufficient compensation in order to meet their medical expenses. Another problem is insertion of Section 114 B in Indian Evidence Act, presumptions to acid attack which was recommended by law commission.

So in this paper I am doing a critical analysis on acid attack in India. In India, acid attacks are happening to women as a revenge for refusal of marriage or love proposals, divorce, dowry, birth of a girl child, domestic violence, etc. apart from these reasons stated above the other reasons for acid attacks include robbery, land disputes etc.

## HISTORICAL BACKGROUND

Acid attack is a crime that can be committed against any man or woman in India; it has a particular gender dimension. Most of the acid attacks reported were committed against women, especially young women for spurning suitors, refusing marriage proposals, denying dowry, etc. The attacker can't bear the fact that he was rejected and is trying to destroy the woman's body that has dared to stand up to him. Thus acid throwing is an extremely violent crime that seeks to inflict severe physical and mental suffering on his victim by the perpetrator of the crime. Acid attack has long-lasting effects on the victim's life facing perpetual torture, permanent damage, and other issues for the rest of her life. Victims usually feel worthless, scared and modified, and because of their appearance they become social outcasts. This type of violence, as stated above, is often motivated by deep-seated jealousy or revenge against a woman. They may get too traumatized and embarrassed to leave their home and perform simple tasks let alone get married, have kids, get a job, go to school, etc. Even if they are willing to live a normal life, there is no guarantee that society will treat them after an attack as normal human beings.

Dating back to the 19th century, the heinous act of acid attacks. The researcher would like to start with the case of "developed countries" such as the UK. Acid attacks are still taking place in the history of the United Kingdom after nearly two hundred years. Acid attacks have taken place in the United Kingdom for 200 years. In popular fiction, they're recorded. There were 720 registered attacks in 2016. That was a figure that over a three-year period had doubled nationally. London, Essex, Northumbria are the hot spots for attacks. There also seems to be a fairly high number of attacks on the West Midlands. Politicians seek to review existing laws such as controlling acid sales and preventing cash sales in support of investigations. These attacks are being committed by young perpetrators, thus introducing age restrictions. The home secretary said they'd look at the sentences of life. She said she would not be happy until the acid attacks have stopped. There's a way to go yet. Law has not yet been published. Since 2015, when we released a study examining legislation in the UK, they have been pushing for tighter controls. It revealed legislative weaknesses and loopholes in the issue of sentencing.

Initially, the issue of acid attacks is linked to industry. Acid was produced in vast quantities during the Industrial Revolution for the treatment of metals and cotton. Back then, it became a preference weapon. A newspaper described it in 1832 as a "stain on the national character." In 1833, a 21-year-old man who attacked a fellow worker while he was sleeping was sentenced to the first recorded acid attack. It originated in Europe and was quite widespread in the United Kingdom. There are a lot of men's attacks on women in the UK. But we also see attacks linked to theft, hate crime attacks, and unprovoked attacks. There may be a more tailored response once there is a better understanding. We should try to reach the communities affected.

## REGULATION OF ACID SALE

Agree to comply with the Poisons Act 1972 and promote awareness of what this means for the sale of products containing acid levels and other corrosive substances meaning that they are either regulated or reportable under the Poisons Act 1972. Agree not to sell products that may contain harmful amounts of acid or corrosive substances to under 18s. Where applicable, this will include implementing challenge 21/25 policies when seeking age recognition, and staff assisted by till warnings, monitoring, and product participation in restricted age sales training. Agreement is applied to products sold online with the equivalent age restriction measures. The retailer agrees not to sell the following substances to under 18s:

- Sulphuric acid goods such as drain cleaners / unblockers
- Products containing sodium hydroxide (12% or more) such as drain cleaners / unblockers
- products containing sodium hydroxide (12% or more) such as paint strippers
- products containing hydrochloric acid (10% or more) such as brick and patio cleaners
- products containing hydrochloric acid (10% or more) such as cleaning products including lime removal
- Products containing ammonium hydroxide (10% or more) such as cleaning products
- products containing sodium hypochlorite (10% or more) such as cleaning products <sup>2</sup>

## LAWS REGULATING ACID ATTACK

As part of its drive to tackle acid attacks and violent crime, the government has banned people with strong sulphuric acid without a valid reason. The possession of sulphuric acid above 15 per cent concentration without a license is now a criminal offense for members of the public, with offenders facing a 2-year prison sentence and an unlimited fine. Minister of Crime, Safeguarding and Vulnerability, Victoria Atkins said acid attacks are utterly horrific crimes and we are determined to put an end to them. Sulphuric acid can be a substance that is very dangerous. They take this threat seriously and make it more difficult to own and buy corrosive goods. The changes we have introduced will help to keep sulphuric acid away from those who mean harm. I am sure the new restrictions will be enforced by all retailers. After 1 July 2018, members of the public who wish to manufacture, procure or use sulphuric acid above 15 per cent have required a license from the Home Office under amendments to the Poisons Act. For a license, applicants need a legitimate purpose and must disclose any relevant health issues and previous criminal offences. Retailers who fail to check for a license face an unlimited fine and 2 years in prison. The step has limited public access to products that contain this harmful corrosive material, such as high strength drain cleaners. Professional users were not affected by this. From 1 November, the substance should be disposed of by individuals in possession of sulphuric acid, above a concentration of 15 per cent and without a license, according to the instructions of the manufacturer.

<sup>2</sup> <https://www.gov.uk/>

Professional users do not need a license to use sulphuric acid for commercial or business-related purposes. We may be asked to provide evidence of this and explain the chemical's intended use. However, compliance with these new regulations is their responsibility. Companies are also required to report suspicious transactions, substantial losses or theft<sup>3</sup>.

In the case of developing countries such as India, attacks on acid were first occurred in 1957, criminals favoured the method for the fear psychosis it creates, but ordinary people in family feuds took this method. Over the last five years, there have been at least 150 such serious cases. The incident of Vandana Sharma occurred in August 15, 1987. She was only 14 when this heinous crime occurred. She wailed at a hospital in Jabalpur last fortnight after her face had been disfigured by serious acid burns. She was the latest victim of an acid cult in this city of Madhya Pradesh, along with four schoolgirls and two passers-by. The accused, 30-year-old Premal Dheemar, a rickshaw-puller, told the police in the case of July 16 that he wanted to punish Vandana. He used to take her to school to complain about his misconduct to her parents, which led to his sacking. Three of the girls were later rushed to Bombay for treatment at the expense of government. The police also arrested the owner and an employee of the shop who had sold him the acid after booking Dheemar under the charge of attempted murder, Section 307 IPC, and detained him under the National Security Act (NSA). Several shops have been raided and a huge amount of undeclared stock has been recovered.

A large crowd gathered at the hospital as news of the tragedy spread. It was a moving sight, said Rita Sharma, a 17-year-old survivor. After a student boycott, all schools and colleges were closed on July 17. Schoolgirls also held a rally of protest and handed a memorandum to Bhagirath Prasad, District Magistrate. There was anger at the failure of the administration to act despite several attacks, including one in August last year - it caused an uproar-in which the face of two-year-old Lucky Sharma in a case sparked by political rivalry was grotesquely disfigured. While there had been promises of changes in law and acid exchange control, little has been enforced. Only people with specially issued identity cards should have access to the liquid after the Lucky tragedy. But since then, the cases and the recovery from criminals of large amounts of acid prove that this has not happened. This heinous crime is still taking place even after the regulations.

Until recently, the perpetrators were booked for causing serious harm by dangerous means and not for attempted murder. But the police are now using Section 307 under public pressure-in addition to the NSA-under which bail becomes difficult to secure. In five years, less than half a dozen guilty people have been convicted. The district administration has now introduced a special law in which the convicted will be charged with the burden of proof and which will carry the death sentence. The police also moved the government to introduce a trading licensing system. There has been a considerable waste of time, as dozens of victims testify tragically<sup>4</sup>.

<sup>3</sup> <https://www.gov.uk/>

<sup>4</sup> <https://www.indiatoday.in/>

## REGULATION ON SALE OF ACID

In an attempt to reduce attacks on women, the Indian Supreme Court ordered federal and state governments to regulate the sale of acid. The court said only people showing a valid identity card should be selling acid. Buyers will also have to clarify why they need to report the product and purchases to the police. Further coverage for victims will also be available. An estimated 1,000 acid attacks are taking place in India a year. The victims, who have to live with dreadful disfigures, are mostly women and are often targeted by jealous partners. The Supreme Court ruled that no one under the age of 18 should be supplied with acid. It also ruled that the defendant should not be entitled to bail. However, victims of acid attacks will be entitled to more financial assistance from state governments-the court said that compensation must be paid for at least 300,000 rupees to help rehabilitate them after their ordeal<sup>5</sup>.

In 2013, the Supreme Court order also ordered governments to issue licenses to select retailers for acid sales. Any outlet authorized to sell the volatile liquid has been ordered to ask buyers for proof of address and a photo identity card so that they can be tracked in the event of an unfair incident. Minors were not allowed to buy acid and, within three days, details of the sale were to be provided to the local police station. To acid attack survivors who seek more effective action, the current state of affairs is disconcerting. Laxmi, who in 2005 suffered a horrific acid attack from a man whose advances she had turned down, heads the campaign. Laxmi had appealed to the Supreme Court in 2013 for an order to regulate the sale of acid and rehabilitate victims. The court held that the States should enforce their orders more strictly<sup>6</sup>.

India has the highest incidence of acid attacks in the world, with the number of such cases rising from 83 to 349 between 2011 and 2015. The primary reason for India's failure to prevent such attacks is the easy availability of acid. Four years after the Supreme Court ordered each state and territory of the Union to outlaw the sale of acid over the counter, it is still possible to buy a bottle at various locations across the country without much difficulty<sup>7</sup>.

The 19-year-old woman was assaulted outside her house in the Ghaziabad incident. There is some market where anyone can buy a bottle of the potent liquid. No identification documents have been shown and no questions have been asked either. The reporter became the proud owner of a bottle of acid by simply paying Rs 50. Acid availability is so simple the bicycle-borne vendor shouting for all possible acid attackers to hear. A five-liter hydrochloric acid can be purchased for Rs 100 in Noida. Another pensioner is about 15 km from the Supreme Court and it's very cheap, which means it's only costing Rs 30<sup>8</sup>. Everywhere, acid is still marketed freely. Last year, we shot a lot of videos of shopkeepers giving it away freely during our shoot acid

<sup>5</sup> <https://www.bbc.com/>

<sup>6</sup> <https://www.hindustantimes.com/>

<sup>7</sup> ibid

<sup>8</sup> Supra note

drive. Small factories that use chemicals in their production processes can also procure acid. Raids are not helpful because the local police are always informing the factory owners in advance.

## LAWS RELATING TO ACID ATTACK

There was no specific law in India to deal with acid attack cases until recently. Section 326 of the Indian Penal Code dealing voluntarily with Dangerous Weapons or Means Causing Grievous Hurt was not as effective in dealing with this heinous form of crime as it does not include an acid attack. India's eighteenth law commission, headed by Justice A.R. Lakshmanan, then proposed a new section 326A and 326B in the Penal Code of India and section 114B in the Indian Evidence Act.

The scope of the definition of section 326 is very narrow, but it does not address the issue of acid attack adequately because it does not cover the different types of injuries inflicted by an acid attack. The section does not cover the action of administering acid attack, i.e. planning it. The section also does not specify to whom the fine should be awarded; if no injuries occur, the section does not punish the intentional act of throwing acid. In the case of an acid attack, the Indian Evidence Act incorporates a presumption as Section 114B. The proposed Section 114B of the Indian Evidence Act shall read as presumed to be an acid attack—If a person has thrown acid on or administered acid to another person, the court shall presume that such an act was done with the intention of causing or knowing that such an act is likely to cause such harm or injury as referred to in Section 326A of the Indian Penal Code. This section was added to give the acid attack a broad perspective. Recently, the Indian Penal Code introduced Acid Attack as a separate offense through the Criminal (Amendment) Act, 2013.

According to Indian Penal Code Section 326A, Acid includes any substance that has acidic or corrosive character or burning nature capable of causing bodily injury resulting in scars or disfigurement or temporary or permanent impairment. The long-term effects of these attacks may include blindness, as well as permanent face and body scarring, as well as far-reaching social, psychological, and economic problems. Section 326A and Section 326B of the Indian Penal Code includes a penalty given to an accused who reads as Section 326A lays down the acid throwing penalty. The minimum penalty is imprisonment for 10 years. With fine, it can extend to life imprisonment. Section 326 B sets the penalty for attempted throwing of acid. The minimum penalty is imprisonment for 5 years. With fine, it can extend up to seven years in prison.

This amendment included punishment for those people who practice this heinous form of crime, but it was useless because people use it to practice afterwards as well. So the best punishment will be tit for tat, i.e. those people who practice this crime should do the same thing. They should accomplish this by throwing acid on their face and on members of their family. These are going to be the best punishment they can receive.



## LITERATURE REVIEW

### 1. Ms. Nargis Yeasmeen, Acid Attack in the Back Drop of India and Criminal Amendment Act, 2013 , Volume 4. International Journal of Humanities and Social Science Invention. 06-13(2015)

In this article author states that acid attack appears to have huge intention for attacker in order to perform such heinous crime to another person and it should give severer punishment to person who commits the crime. The author believes that crucial way to implement the justice is by providing sound compensation to the victim of acid attack. The author suggest that more employment opportunity, training should give to the victims so that it will help them to meet their day to day livelihood needs which will in turn help to control acid attack. The author believes that acid attack has to give severer punishment as it is more dangerous than rape and murder.

### 2. Mr. Alok Rawat, Dr. Saadiya, Anatomy of acid attacks in India: recommendations for deterrence, Vol. 3 .manupatra(2018).

In this article the author believes that the risk of acid attack is still continue even after the Criminal Law Amendment Act 2013 and he argues that the existing legal provisions lack sufficient deterrent value to address this heinous crime and she suggests that amendments should root out the evil of acid attack. The author believes that the absence of the efficient investigation and trial which result in the quantum of punishment which can be of deterrence. The author believed that attempt to throw acid on a person is same crime as throwing acid on a victim. So there is no need to have two separate sections which talks about penalizing the offence and attempt, instead we can incorporate both the sections into one section and give similar punishments minimum of fourteen years which can be extended to life imprisonment. The author believed that till sufficient deterrent value is created in the society against this crime the risk of acid attack will continue to exist in the society

### 3. AJAY SHARMA, Acid attack sentencing and legislation in India, ipleaders(2017)

In this article the author believes that acid attack is more heinous crime than the Rape. In case of Rape the victim can survive without disclosing her identity but in case of acid attack, the victim has to live with their bodies. He also states that the Supreme Court has been passed the guidelines related to regulation of the acid but the main problem is the implementation of such guidelines. He also believed that in India there are no stringent laws in order to deal with acid attack. He also believed that the compensation is an important part of the crime but in India there is no Criminal Injury Compensation Board, even if the Central Government had notify all states to form compensation board but there is no single which worked regarding this issue. The author suggests making legislation which covers acid attack and problem faced by the acid victims. He also suggested to make law which will regulate the sale of acid, insert section 114B in the Indian Evidence Act which includes presumption as to acid attack, State and Central government has to come up with the

separate funds which includes compensation payable to the acid victims and pensions has to provide to the victims who cannot work.

**4. Dr. Ambika R Nair, Acid attack -violence against women ‘need of the hour’, Volume1, Journal of Innovative Research and Solution. (2014)**

In this article author states that attack occur due to various factors such as social weakness of women in the male dominating society, lack of support, neglects of law makers in this field. Another important factor of these heinous crimes is due to easily availability of the acid, so in this case author suggests that legislation have to make regulation with respect to availability of acid that it should restrict to commercial and scientific purpose. She also believes the existing law is not effective enough to prevent or control the acid attack in India because in certain situations the offenders will get bail and it does not act as a sufficient threat on the offenders in most cases. There is no proper legislation and medical facilities available to the acid attack victims. She also believes that there is urgent need to legislate distinct sections in the IPC to deal with this offence and it is necessary to Criminal Justice Compensation Board in India in order to help the victims for medical expenses and rehabilitation.

**5. Siddharth Baskar, A summary of the report on acid attacks in India, The World Journal on Juristic Polity(2018)**

In this article author believed that acid attacks are caused due to social, political but sometimes even due to the religious motivation. He also states that it is very difficult for victims to get job because of their appearance and sometimes they has to live along due to society’s attitude towards them. The author suggest that in order to avoid such consequences the government has to pay more attention on implementation of strict laws and also should check on offenders in order to avoid such heinous crime. He believed that in order to prevent this heinous crime both government and society has to work together.

**6. Aishwarya deb and Prithwish Roy chowdhury A fate worse than death: a critical exploration of acid attack violence in India, Law Mantra, vol. 2..**

In this article author believes that there are hundreds of acid attack take place across the country every year but only some are reported. This happen due to the fear of victims that any further violence or being socially stigmatized again in many reported cases the accused is never detained and also in cases where the accused is bought the law often show leniency while giving punishment to the accused. The author also believed that the beneficial legislation cannot solve this problem unless there is social

acceptance and promotion of the true spirit behind the enactment. In this article author suggest that the society has to change their attitude toward the victims which will help them to solve their half of the problems.

**7. Ashok Kumar Makkar, Acid attacks on women: Legal response, International Journal of Law Volume 3. 62-66(2017)**

In this article author believes that acid attack is most brutal and horrible crime. He also believes that apart from matrimonial home women also victim of acid attack on refusal of proposals. In this article the author states that after the Luxmi's case certain amendments has made in Indian Penal Code 1860, Code of Criminal Procedure 1973 and Indian Evidence Act 1872 and administrative directions are also given to administrators with regard to the sale of acid and also directions given to hospitals to care of victims of acid attack. Author believes that framing of laws are not the solutions for the prevention of acid attack. He also believed that media play a Vitol role in the society, so they should make awareness of consequences of acid attack and implementation of the laws has to be stricter. He also states that NGOs should conduct awareness among people and also should organize awareness camps in girls' institutions.

**8. Mamta Patel, A Desire to Disfigure: Acid Attack in India, International Journal of Criminology and Sociological Theory, Vol. 7-11(2014)**

In this author believes that girls have lost their life while others are struggling with the wounds which cause due to acid attack in revenge of love proposal, dowry or by jealous colleagues. In this article the author mainly discussed about reasons, effect of acid attack on the victims.

**9. Chandrashekar, S.V& Eldo Johny Animosity towards Acid Attacks -Critical Study on Acid Victimization, International Journal of Trend in Scientific Research and Development, 847-852(2017)**

In this article the author believes that acid attack is increasing each year and main problem with regard to rural areas are in most cases this crime will go unreported due to various reasons. The author also suggests that the legislature has to put strict control on the acid sale and also he believes that the strategy of highest punishments would impact population to not do such offenses.

**10. Singh M, Kumar V, Rupani R, Kumari S, Shiuli, Yadav PK, Singh R, Verma AK. Acid attack on women: A new face of gender-based violence in India. Indian J Burns, Volume. 26.83-86(2018)**

In this article the author believes that in India are many laws which talks about this crime but what we need to do is to strengthening of the implementation of the rules and regulations.

## DATA ANALYSIS OF NCRB

National Crime Records Bureau established in 1986 to act as a repository of crime and criminal information in order to assist authorities in connecting crime to the perpetrators. It was formed by combining the Directorate of Coordination and Police Computer (DCPC), the Inter State Criminals Data Branch of CBI and the Central Finger Print Bureau of CBI on the recommendation of the Task Force, 1985 and the National Police Commission, 1977. The earlier Statistical Branch of the Police Research and Development Bureau (BPR&D) was also merged with the NCRB, but was subsequently dismantled.<sup>9</sup> Police's priorities have changed to enforcing law and order, monitoring Militant and Organized Criminal Gangs, maintaining VIP Security and Handling Dharna, and Trade Union and Political Party Rallies. Crime rates have increased and Criminal's behaviours have grown as a result of better communication and transportation systems. There is no manual workforce or time to maintain Crime Records. It has become almost impossible to harness and exchange information on criminal activity in neighbouring police stations, districts and the state. It was felt the need to do away with this manual record-keeping and manual information sharing on the nature of Inter-District and Inter-State Crime & Criminal. Only viable alternative was considered to the computerization and computer network of Crime Criminal records and the Police Computer Network<sup>10</sup>.

Crime records play a vital role in the police system that works to prevent and detect crime. Over the years, the Indian Police have sought to improve the efficiency of criminal record systems to fulfil their responsibilities more effectively and effectively. Although police are a State subject under the Indian Constitution, the Central Government, through the Ministry of Home Affairs, has assisted and assisted the States with financial assistance in modernizing the State Police Forces and by setting up study groups, committees and the formation of central organizations to help States more effectively combat the threat of crime<sup>11</sup>.

### OBJECTIVES OF NCRB

- Function as a crime and criminal information clearing house, including those operating at the national and international level, to assist investigators and others in linking crimes with their perpetrators.
- To store, coordinate and disseminate information about inter-state and international criminals from and to the respective states, national investigative agencies, courts and prosecutors in India without having to refer to the records of the police station.
- Collecting and processing national crime statistics.
- To receive and provide data for criminal rehabilitation, remand, parole, premature release, etc., from and to penal and correctional agencies.

<sup>9</sup> <http://ncrb.gov.in/> last accessed on 08-01-20, 9:15pm

<sup>10</sup> ibid

<sup>11</sup> ibid

- To coordinate, guide and assist the functioning of State Crime Records Bureaux
- To provide training facilities for Crime Records office staff and to evaluate, develop and upgrade crime records<sup>12</sup>.

### STATICTS<sup>13</sup>

As per the information given to me the Crime Rate is from 2014-2018. Since there is no separate category for acid attack, so acid attack will come under Grievous hurt under Section 320 of IPC<sup>14</sup>

YEAR	INCIDENCE	CRIME RATE
2018	84075	6.4
2017	93316	7.2
2016	89039	7.0
2015	92996	7.4
2014	105201	8.5

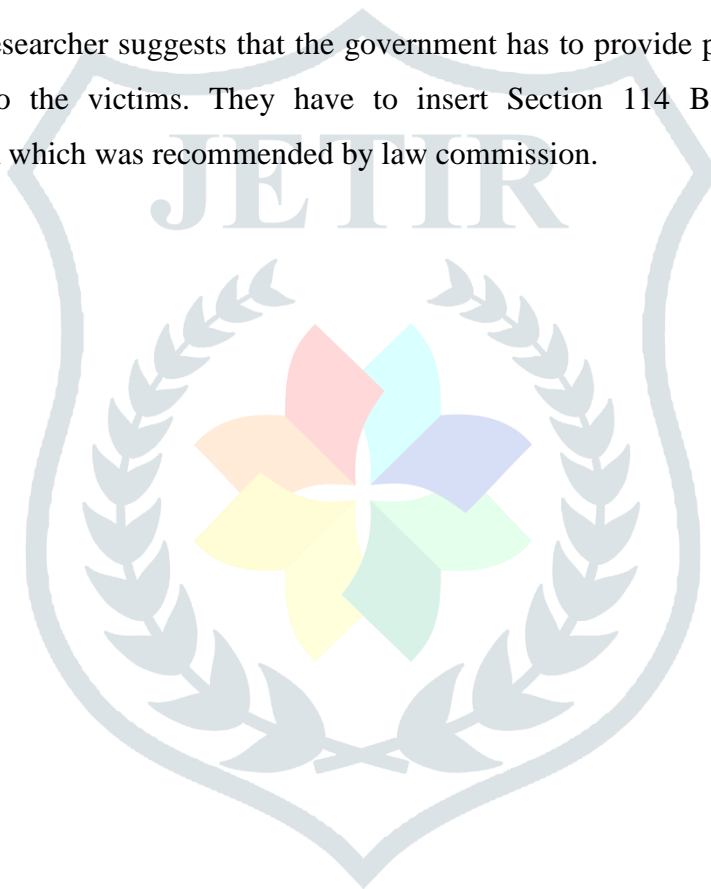
<sup>12</sup> Supra note

<sup>13</sup> Supra note

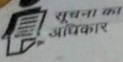
<sup>14</sup> Annexure 1, 2, 3.

## SUGGESTIONS AND CONCLUSIONS

The researcher has established the gravity of acid attack in this paper focusing more on the efficiency of the criminal law with regard to acid attack. The preceding chapters illustrate the rising trend of acid attacks in India. Moreover, the events are not even recorded separately as no special section in the Indian Penal Code deals with acid attacks. I.P.C section 326, which deals with causing serious harm by throwing a corrosive material, etc. is insufficient/ inadequate to deal with the issue. First, the definition of grievous hurt is not broad enough to cover the different types of injuries inflicted in acid attacks. Second, the section does not cover the use of acid. Third, the section gives the courts a wide discretion with regard to punishment. The cases of acid attacks in India indicate that in these cases there is usually insufficient punishment. Fourth, if there are no casualties, the clause in the I.P.C will not prosecute the intentional act of throwing acid. Last but not the least, the section does not specify who should receive the fine. There is no sufficient statics to determine the rates of acid attack in India. The researcher suggests that the government has to provide proper medical services and sufficient compensation to the victims. They have to insert Section 114 B in Indian Evidence Act, presumptions to acid attack which was recommended by law commission.



## ANNEXURE 1


 Government of India  
 Ministry of Home Affairs  
 (WS Division)

2<sup>nd</sup> Floor, Major Dhyan Chand  
 National Stadium, India Gate,  
 New Delhi-110002.

Dated: 30<sup>th</sup> September, 2019.

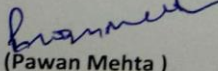
**To**  
 ✓ Ms. Shalini Maria Binoy  
 Sannidhana(S.A.B.S) Dharamaram College, P.O. Bengaluru,  
 Karnataka-560029.  
 (email: bashalinimaria10@radiffmail.com )

**Subject: Subject: Information sought under RTI Act-2005**

Madam,  
 I am to refer to your RTI application bearing registration No.MHOME/R/2019/82066 dated 20/9/2019, received in SC/ST-W Section, WS Division, MHA on 23/9/2019 seeking acid attack rates in India from 2010 to 2019.

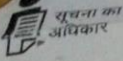
2. It is to inform you that information sought by you is not being maintained in SC/ST-W Section, WS Division, MHA. However, your application is being transferred to NCRB under Section 6(3) of RTI Act, for providing the available information directly to you.

3. As per the provisions of Section 19 of RTI Act, 2005, the Appellate Authority is the Joint Secretary(Women Safety), Ministry of Home Affairs, Phone No.23092785, (email [jsws-mha@gov.in](mailto:jsws-mha@gov.in)) , North Block, New Delhi-110001.

Yours faithfully,  
  
 (Pawan Mehta )  
 Dy. Secretary (WS-II) & CPIO  
 Tel: 23075293

**Copy to: (with a copy of RTI application).**  
 CPIO/Assistant Director, National Crime Records Bureau, NH-8 Mahipalpur, New Delhi-110037, with the request to provide information directly to RTI applicant.

## ANNEXURE 2


 Government of India  
 Ministry of Home Affairs  
 (WS Division)

2<sup>nd</sup> Floor, Major Dhyan Chand  
 National Stadium, India Gate,  
 New Delhi-110002.

Dated: 30<sup>th</sup> September, 2019.

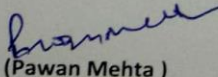
**To**  
 ✓ Ms. Shalini Maria Binoy  
 Sannidhana(S.A.B.S) Dharamaram College, P.O. Bengaluru,  
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Yours faithfully,  
  
 (Pawan Mehta )  
 Dy. Secretary (WS-II) & CPIO  
 Tel: 23075293

**Copy to: (with a copy of RTI application).**  
 CPIO/Assistant Director, National Crime Records Bureau, NH-8 Mahipalpur, New Delhi-110037, with the request to provide information directly to RTI applicant.



## ANNEXURE 3

