



ACID ATTACK AND WOMEN : PROBLEM AND SOLUTION

NAME : Dr,Manorama Pandey

Email id :drmanoramapandey612 @gmail.com

Institution : K.G Arts and Science College Raigarh

Designation : Asst . Professor

ABSTRACT :

The women in india and across the world face the various problems some by the society and some by the family it self ,The male domination not only try to suppress the women , but also women need to face various problem in order to fight back the fitly condition in the society, Although the condition of women in india is worsened day to day . The women across the nation not only need to face the financial problems but also the emotional and mental issues . the Indian women also face the problem of acid attack now a days which not only destroy their life but the society reject to accept them . With the time The Indian legal system changed and also amended the laws regarding the acid attack .

KEY WORDS :

Indian law regarding acid attack, Acid attack victim condition ,condition of women in india .

INTRODUCTION :

Women constitute an important part in the society. They are responsible for giving birth to a life but unfortunately, they are made to lose their lives in name of different brutalities committed against them. Whenever a woman decides to raise her voice against her substandard position in the patriarchal society, she is shunned by different means; either by acid, physical abuse or by burning her to death. Over the last decade India has been witnessing an alarming growth of acid attack especially on women. Acid violence is a heinous crime committed usually against women, with an intention to disfigure or kill her. It can also be called as the gender based violence against women. According to the National Commission of India acid attack is “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 other person permanent or partial damage or deformity or disfiguration to any part of the body of such person”. A study revealed that 78% of the reported acid attack case is for refusal to marriage or a rejection of romance. “Acid attack on young women” is some of the headlines that are appearing in the daily newspaper. Acid attack on women is increasing day by day. The easy availability of inexpensive acid makes the perpetrators to use it as

an ideal weapon against the women. 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. 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 survey of 2014 showed 300% increase in the total number of acid attack cases reported. Our legal and medical systems have also proved very weak while dealing with such cases.

REASON OF ACID ATTACK IN INDIA :

In the above stats, it was found that most of the cases of violence against women are perpetrated by their male partners which is also the same for cases of acid violence against women. Most of the reasons why acid attacks are still prevalent in the world are because-

- The internalization of the 'fact' that women are lower to men and the 'property' of men has led to the degradation of women when it comes to respecting their right to personal choices and opinions. 18% of the acid violence survivors admitted that they were punished for voicing out their opinions regarding property disputes and division by their husbands or in-laws because women are 'supposed' to make it through whatever is given to them or pre-decided for them.
- The Deepika Padukone movie '*Chhapak*' made headlines because it brought to light how most of the acid attacks are results of 'rejections' men faced. 6 out of 10 cases of acid attacks are a result of a woman rebuffing romantic and sexual advances made by a man whom she knows as either a relative or acquaintance. Younger women are more likely to fall victim to such attacks, ages ranging from as young as 10 to 19 years.
- Even after the [Supreme Court passed an order](#) regarding the regulation of the sale of acid, it can still be bought over-the-counter because most of the acids which are used to disfigure the victims are used for the household purpose of cleaning. Most of the retailers who sell acids slack off from their duty to register the names and address of the buyer after checking for a valid photo identity if they see that the one purchasing is a regular buyer from their shop. A social experiment by Deepika Padukone after the release of her movie '*Chhapak*' proved that unregulated and over-the-counter sale of acids continues even after legal regulations.
- The sick mindset of society is also one of the reasons why such attacks continue to occur. Recently, a TikTok artist with the name Faizal Siddique was suspended from the platform after his video was shown to be 'glorifying' acid attack. More sad is the fact that there are women who collaborate on such videos for the sole reason to get more likes and fame.
- Another reason for such forms of violence to exist is the lack of education of both men and women regarding mutual respect and human rights, exposure of men to violence since their childhood, exposure to seeing the females in their household getting such treatments from the elder men of the house and unequal gender social norms making it acceptable for men to harm and violate women and that men have entitlement over women.

Acid attacks are mostly 'crimes of passion' out of jealousy of a man. It is a crime greatly associated with marriage and relationships, most of them being about a man's 'honour' being demeaned by a woman who refused to marry or settle with him.

- **Male-domineering Society**
Our society is a male-domineering society where men have always been told to domineer and women have been told to be subjugated. Women have always been considered to be devoid of personality. In ancient times, women were considered to be the property of the father, later she became the property of the husband who received her as a gift from the father, and when she became a widow it was the son who protected and controlled her. In such a society where women have always been controlled

and regulated by men, men are not used to hear 'no'. Various factors which have until date come to the light for throwing acid has been refusal of women to enter into conjugal relation, denial of woman to enter into relationship, withdrawal of woman from the ongoing relation, etc. The disavowal by a woman on some of the cases aforementioned has a great ineffaceable and adverse bearing on the minds of the men who have always been told to dominate in this male-dominated society and forces them to react in this most harrowing manner and results in acid attack cases.

- **Inexpensive and Effortless Obtainability of Acids**

One of the primary causes of acid attack cases is the easily availability of acids in the market. People can easily procure it without much effort on their part from pharmacies, open-air markets, goldsmith shops, automobile repair shops, etc. Many people also use it as a common cleaning agent in their homes. Thus, it is easily obtainable. Apart from this, it is inexpensive also within the reach of common men.

- **Domestic Violence**

Violence within home is one of the leading causes that has attributed to the throwing of acid by family members on vulnerable and browbeaten women. In this male-domineering society, denial by women on anything or her vocal nature has been taken as a defiance and rebelliousness by the husband or his family members and has resulted in such tormenting and traumatic incidents. It could be related to bringing of less dowry, inability to bear a child, refusal to obey, refusal to have sex, suspicion, property disputes, family disagreements, etc. In *Ram Chahtar v. State of U.P.*, the matter was pertaining to property dispute. An acid was thrown on the wife and daughters of brother which resulted in their death.

- **Peer Jealousy**

Jealousy is another pivotal factor that has resulted in such awful incidents. In this competitive world, everyone wants to excel another person and be ahead. It could be in business, service sector or education sector. A person cannot see another person moving and going ahead at a very rapid pace. It is a matter of shame and ignominy that there are such incidents that have occurred on account of sheer jealousy, and just to bring a jolt and halt to the bright and prosper career of another person, these means have been employed. The *Ankur Panwar's* case is a clear-cut example of it.

- **Vengeance by Rejected and Rebuffed So-called Lovers**

This is one of the major causes for throwing acid on the victim. When a person is rejected of his marriage proposal or advances of a person are rebuffed by a woman, it is taken as a spite and out of vengeance, acid is used on the woman to teach her a lesson. For the committer, it hardly takes few moments to throw the acid on the victim and satisfy a grisly sense of retaliation against the seeming denunciation. These people fail to comprehend that the lesson that they are teaching is not temporary, but is permanent which spoils not only the looks of the woman but also has a devastating effect on her life throughout.

- **Safeguarding the Honour of the Family**

In order to shield the honour of the family, people have resorted to such barbaric acts and have used acid as a means to forbid women to retaliate against the accepted norms and ethnicities of the family.

IMPACT OF ACID ATTACK ON WOMEN:

Acid attack is the most horrendous, unbearable and the pits thing committed on women. Acid attack is possibly one of the nastiest infliction committed on human beings which results in complete debilitation, loss of prospects and income, and even social requisitioning.²² The effects of this are not temporary, but are permanent lasting throughout a person's life. She not only suffers physically and psychologically but also fiscally and emotionally, not to talk of isolation from the society. The society is unable to accept the looks and consider that some blotch and blemish is connected with the woman. Some people might show empathy and compassion, but there are also people who pass rude, offensive and boorish comments on these already disturbed and dejected women.

Some of the very prominent impacts are mentioned in the following.

Physical Impact

Physical impact is horrifying, dismaying and too awful for words. In the beginning, when the acid is thrown, it feels like water is thrown and the person is unable to make out what actually has happened, but within fraction of seconds it causes lot of burning sensation and it intensifies and strengthens. If not washed immediately, acid causes skin to melt, sometimes leading to dissolution of bones because acid is the corrosive liquid that has the potential to ooze deep and profound into the skin and impair muscles, blood vessels and bones. It causes disfigurement injuring eyes, ears, nose, etc. The skull is partly destroyed/distorted, hair missing is there, ear cartilage is usually partway or absolutely destroyed, deafness is there, eyelids may be charred off or malformed, it could result in blindness, the nose can become shrivelled and distorted and the nostrils of the person are likely to be closed off totally due to devastated cartilage. The mouth becomes withered and slender, and it may lose its motion. Sometimes, it may lead to the lips being partially or completely smashed, revealing the teeth. It becomes very difficult to eat and speak even.

Financial Impact

Apart from physical and psychological impact on the victim of acid attack, this heinous crime also puts a person in a financial crunch. The treatment of acid attack victim involves assorted number of surgeries, skin grafting, medication, etc. Since single surgery does not suffice, leading to multiple surgeries, it makes a person out-of-pocket fiscally. Apart from this, acid attack leads to a number of physical disabilities, and those people who are already employed, they face a number of challenges in their employment and are unable to cope up with their job.

Social Impact

The appearance of the person becomes so dreadful and frightful that victims become socially outcast, either by the society or by self. Greater number of acid attack victims are forced to give up their education, occupation and carry out normal activities of life due to their physical

appearance or physical disabilities. The most appalling part is that for no blemish on their part, they are made to hide their faces and the effected parts of their body; they have to bear the brunt of the society, etc. There is always a sense of trepidation, scorning and scoffing of the people around them, not to forget the disgusting looks of the society at large. All these things build so much of inferiority complex in the victims that they themselves shun away from the society. Conversely, the society is also hesitant to accept such people and evades their company and shun them, sometimes due to strange and nauseated feelings and sometimes due to blotch and disgrace attached to such people.

LEGAL PROVISION FOR ACID ATTACK :

Acid attacks committed on women are one of the most reprehensible crimes committed. In spite of the fact that Article 15 of the constitution talks about giving protection to everyone and deals with prohibition of discrimination irrespective of religion, race, caste, sex, place of birth, the reality is that it has been the failure on the part of the State to protect its citizens, especially the women as most of such heinous crimes are committed against the women. Before 2013, the Indian Penal Code (IPC) did not talk anything about acid attacks and the approach of the judiciary was also very callous and nonchalant. If incidents of acid attack happened, they were dealt under Sections 320, 322, 325 and 326, IPC. Section 320, IPC, talks about grievous hurt, Section 322 deals with voluntarily causing grievous hurt, Section 325 talks about punishment for voluntarily causing grievous hurt and Section 326 deals with voluntarily causing grievous hurt by dangerous weapons and means.

Also there were no special provisions dealing with the compensation and rehabilitation provided to the victims of acid attack before the said amendment and Laxmi's case Justice Verma Committee which was set up by the central government after the horrendous case of Nirbhayato recommend reforms in the criminal justice system, itself understood the severity of acid attacks on innocent victims and stated,

we understand that the most heinous form of attack on a woman, which is commonplace in several Asian and African countries is the throwing of acid on the women for a multitude of reasons, including alleged adultery, turning down advances from men and also as a form of domestic violence. Acids and other corrosive substances are thrown on women or administered to them, thereby causing death or physical and psychological damage with unfathomable consequences.

The Justice J.S. Verma Committee Report instituted by the Government of India in 2013 while suggesting reforms in the criminal justice system considered the issue of acid attack and observed as under. The committee recommended that acid attack to be included as an offence under IPC. It observed,

the gender specificity and discriminatory nature of this offence does not allow us to ignore this offence as yet another crime against women. We recommend that acid attacks be specifically defined as an offence in the IPC, and that the victim be compensated by the accused. However in relation to crimes against women, the Central and State governments must contribute substantial

corpus to frame compensation fund. We note that the existing Criminal Law (Amendment) Bill, 2012, does not include a definition of acid attack. It was only after Criminal Law (Amendment) Act, 2013, that acid attacks which had by then mounted and swelled that various sections were inserted in the IPC, the Code of Criminal Procedure and Indian Evidence Act. Various sections such as Sections 326A, 326B, 100 clause seventhly in IPC, Sections 357 B, 357C in CrPC were inserted with the said Amendment. Section 326A basically talks about deformity caused to a person by throwing acid or administering acid to that person. The damage could result in disfigurement, disability of any part of the body and this could be partial or permanent. If such things happen, the punishment that is provided to such a person is minimum of 10 years imprisonment and is also extendable to life imprisonment. Such person is also liable to pay fine. The fine that is imposed is just and reasonable to bear the medical expenses which are being undergone for the treatment of the victim. Also the fine needs to be paid to the victim. Section 326B, IPC, talks about the person who throws or makes an attempt to throw or attempts to administer acid on any person or even makes an attempt by other means, and the intention of such person is to cause permanent or partial damage or even deformity of such person or even burns, maims, disfigurement of any part of the body or disability of any kind or even grievous hurt to such person, he shall be liable for a minimum punishment of 5 years extendable to 7 years and shall also be liable to pay fine.

CONCLUSION :

So how can we fight this crime? We can learn from Bangladesh, which had an extremely high number of cases and has been able to combat the problem to a great extent. First, an acid attack case in the country has to be tried speedily. Investigations must be completed within 30 days. If the investigating officer needs more time, she or he has to inform the court and only two extensions of 15 days are given. If the officer fails to complete the investigations, or is found to be corrupt, she or he is liable for punishment. The case has to be decided within 90 days. Second, Bangladesh has severe punishments for the crime – upto capital punishment. Third, unlicensed production, import, transportation, storage, sale and use of acid can attract a jail term from three to ten years. The stringent laws and their implementation have seen the number of attacks fall from 500 during 2002 to 71 in 2012. The Supreme Court has directed all public and private hospitals to provide first aid treatment free of cost to the survivor. As Alok Dixit of the Stop Acid Attacks campaign pointed out, it is difficult for a person in a village or a town to access a hospital with a burns ward. Such hospitals are only in big cities. The survivor, therefore, rarely gets immediate medical attention which can reduce disfigurement, pain and suffering greatly. While some hospitals are providing the initial treatment free, the woman may need to stay on for weeks or months, and hospitals are reluctant to keep her

that long. Survivors are supposed to get about Rs 3 lakh as compensation from the state. But this amount is not enough as the cost of reconstructive surgeries often runs over Rs 30 lakh. A woman who has had acid thrown on her face may need 40 to 50 reconstructive surgeries if not more. States need to set up mechanisms and funds to provide for these surgeries as well as cover the victim's travel costs to hospitals that provide them. Then there is the issue of education and employment. Girls are forced to drop out of school and women are unable to carry on with their jobs because of disfigurement and loss of sight. They need to be trained for suitable jobs through which they can support themselves. No importance has been given to this and the victim is left to fend for herself.

India has acknowledged the cancer of acid attacks by framing suitable laws. But clearly these laws need better implementation, as do efforts to put survivors on the road to rehabilitation.

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