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A Review of Status and Rights of Acid Attack Victims in India

**Dr. Ankita Jasmine Lall*

*Assistant Professor, Institute of Economics and Finance,
Bundelkhand University*

Abstract: Over the decade the cases of acid attack is one of the most heinous crime against women. States like West Bengal, Uttar Pradesh and Delhi has reported maximum such cases in India in the past few years. Even the Rights of Persons with Disability has identified the Acid attack Victims in the list of 21 types of disability. It is not only the physical assault that they have faced but also the mental harassment that they face during their life time is what that shows their pain. This review paper basically deals with Status of Acid Attacks in India (2011-2021) and the Rights of Acid attack victims in India.

Keywords: Acid Attack Victims, Rights of Acid Attack Victims

Introduction

What is Disability?

The World Health Organisation incorporating three dimensions of disability defines Disability as any type of physical or mental impairment which limits the normal activities and limit their social participation in the society (Disability and Health Promotion, 2020). Disability can either be by birth or may our in any later stage of life due to any disease or any sort of mis-happening.

The persons suffering from any type of disability have faced non acceptance from the society. Their pain is not just facing this impairment but the rejection and negligence from the society which have made their battle to survive more miserable.

To acquaint these people with equal rights in the society, the government have adopted various measures in the name of Acts, schemes and policy measures. The Acts for disabled persons in India was passed in 1995 and was known as **Persons with Disability Act, 1995** which covered 7 types of disabilities that were blindness, low vision, leprosy cured, hearing impairment, locomotor disability, mental retardation and mental illness. Further the Federal Government of India has enacted the **Rights of Persons with Disabilities Act, 2016** for protecting the disabled persons from any sort of discrimination and ensuring equal employment opportunities for them with their societal upliftment. The Act specifies 21 types of specific disabilities including locomotor disability that included acid attack victims.

Acid Attack Victims

Acid attack is one of the most atrocious crimes against young women. Even the 226th law commission report and Justice Verma Committee's report has also specified that this crime has more gender specific dimension showing the maximum concentration towards women (Goswami, ISSN 2455-7706). Criminal cases have revealed that majorly these attacks occur due to hatred for the victims especially due to inclination towards them. These attacks not only cause them physical disfiguration but also lead to a situation in which they have to live a struggling life causing not only physical pain but also mental trauma (Ghila, 2021). This is the most drastic consequence of never ending battle that the victims have to face rest of their life.

It is observed that acid attack cases has been showing a rise since 1990s around the world out of which Bangladesh has reported the maximum number of acid attack cases and not only this the country also reports the highest number of such cases against women too between 1999 and 2013 (Bora & Priyadarshi, 2017). As per the data revealed by National Crime Records Bureau the number of acid attack cases in India had increased between 2014 -2018 which was recorded to be 1483 victims and Uttar Pradesh followed by West Bengal and Delhi has witnessed the maximum number of cases (Roy, 2020). The core data reveals the pathetic condition of this heinous crime against women.

Objective of the Study

This study basically attempts to bring out a clear picture of the acid attack victims in India through a review mechanism. The core objective of the study can be categorised as following:

1. To identify the various cases of acid attacks in India from 2011 – 2021.
2. To study various causes of acid attacks.
3. To identify the rights of acid attack victims in India.

Methodology Used:

The present study is descriptive in nature as it is only based on explaining the facts already existing. The data is usually secondary in nature which is collected from various reports, journals, blogs, articles etc. to bring out the various reviews and efforts in the said field.

Status of Acid Attack Victims in India

The acid attack in India victimizing women is not new. Though the specific law covering acid attack victims came into existence in 2016 but the reporting of cases of acid attacks can be traced back to Year 2000 which reported 174 judicial cases and from 2002 to October 2010 153 such cases has been reported (Vishwakarma, 2017). The cases of acid attacks after 2011 year wise have been shown in Table 1.

Year	No. Of Cases
2011	106
2012	106
2013	116
2014	225
2015	249
2016	307
2017	252
2018	240
2019	250
2020	186
2021	107
Total Cases	2144

Source: Acid Survivors and Women Welfare Foundation (2011-2015);
National Crime Record Bureau (Reports 2016-2021)

The highest cases (307) of acid attacks against women were reported in 2016 followed by 252 cases in 2017 and 250 cases in 2019. The data shows that the total number of reported cases in India in these 11 years has been mounted up to 2144 in number.

The table 2 shows the state wise acid attack victims in the last 6 years in India.

Year	States	Cases
2016	West Bengal	83
	Uttar Pradesh	61
	Delhi	23
2017	Uttar Pradesh	60
	West Bengal	54
	Delhi	17
2018	West Bengal	53
	Uttar Pradesh	43
	Punjab/Odhisa	13
2019	West Bengal	53
	Uttar Pradesh	47
	Bihar	15
2020	West Bengal	51
	Uttar Pradesh	32
	Madhya Pradesh	13
2021	West Bengal	30
	Uttar Pradesh	21
	Assam	9

Source: National Crime Record Bureau (Reports 2016-2021)

The above table 2 states that in the last 6 years from 2016-21 West Bengal has always reported the highest number of cases except in the year 2017. The highest number of cases was in 2016 in West Bengal with 83 as the frequency. After West Bengal it is Uttar Pradesh reporting the highest cases (61) in 2016. Other states like Delhi, Bihar, Punjab, Odhisa, Madhya Pradesh and Assam has also reported such cases in the given years. Thus the data reveal that the social recognition and respect of women in especially West Bengal and Uttar Pradesh needs to be worked upon to reduce the crime rate of such devastating crimes. But still as per the reported cases this rate is reducing the last few years as compared to the earlier situation.

Causes of Acid Attack

Identifying the crime is one aspect and to know the causes behind the same in the most important aspect to justify it. Similarly in these cases of crime against women the causes of acid attacks has been figured out based on various cases and reviews. These causes are such as:

1. *One sided inclination towards a girl*

Most of the cases of acid attack on women have been seen due to inclination towards women. The one sided admiration of male when a girl refuses him has resulted in these incidents.

2. *Male dominated society*

The cultural and societal notch in India since ages has made it a male dominated society. Any effort by a female to blow down this orthodox regime has led to negative behaviour by their male counterparts.

3. *Easy availability of acid*

The earlier phases of acid attacks were because of the ease to availability of chemicals but after 2013 though it's selling and buying is not so easy but the corruption in the society has made its availability not so difficult for those who require it.

4. *Domestic Violence*

Various cases of acid attack reported in India have also been related to domestic violence. The scuffle between spouses has also resulted in violence against women in the form of their physical disfiguration and tortures out of which one can be the use of chemical.

5. *Influential Attacks because of vengeance*

Sometimes the attacks on women are because of personal vengeances and also in the name of religious atrocities. One of the types of such vengeance can be taken as assaults causing physical disfiguration and defaming the other.

Rights of Acid Attack Victims

The concept of Victimology has though evolved from Criminology but it was familiarised and propagated separately to depict the quandary of victims of crime. The consideration of plight of the victims can be traced back to the Babylonian legal text known as Code of Hammurabi that is related to law and justice. In Indian context too the ancient period do reveal the justice of kings during Hindu and Muslim rule (Bora & Priyadarshi, 2017). Also the UN Convention of Justice and Support of Victims of Crime and Abuse of Power also portrays that victims can be those individual or individuals who have suffered any sort of harm in the form of physical or mental or emotional or economical or any type of violation of fundamental rights.

Considering this aspect the government has not only made additions in the Indian Penal Code but has also brought Acts for assuring the rights of victims with disability. On the basis of not the court sessions but specifically societal and humanitarian basis the following rights can be considered:

1. Financial Compensation

As per the decision of the Bombay High Court in 2021 the Acid attack victims are eligible for additional compensation (Ghokale, 2021). In a case of 2010 the court has given a decision for providing 10 lakh rupees compensation to a 2010 victim by the state government. Even this has been included in section 357 of Code of Criminal Procedure 1973.

2. Free Medical Care

Under Section 357C all the hospitals either public or private in nature that are run by either the Central Government or State Government or any local bodies should provide free of cost medical care to acid attack victims and under different sections it should also report the police of such incident.

3. Rehabilitative Measures

Not only the government but also different NGOs, social activists and people have come together to build a supportive environment and rehabilitative measures for the victims. Initiatives are being taken to make their life easy by providing them physiological as well as mental well being.

4. Government Preventive Measure

In 2013 the Supreme Court has given a direction for selling acids only to those people who have a valid identity card. Also with this the buyers have to clearly mention their purpose for buying the chemical and the sellers too have to report the sale of this chemical to the police.

5. Job Reservation

The RPWD Act 2016 has included the acid attack victims in the 4 % reservation in jobs category for disabled persons and amongst them they will be considered under the category of locomotor disability which gets 1 percent reservation out of 4 percent.

Conclusion

Acid attack cases has not only led to a rise over the past few decades but has also resulted in a situation that has brought a more terror driven crime against women. This atrocious crime is majorly recorded in Bangladesh, Pakistan and India cannot be left unnoticed. The number of reported cases in India was high during the past decade but the government's efforts have still led to changes in its occurrence. The inclusion of acid attack victims in the types of disability has also resulted in a good effort towards making life easy for the victims. Especially the compensation and the reservation provided to the disabled have also led to a step towards societal acceptance for them. But the major task here is not the post crime victim support but to totally stop such types of crimes which can make the life miserable of people. This can only lead to a 'women up lifted society'.

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