ACID ATTACKS AND VICTIM COMPENSATION: LEGAL REFORMS ACROSS NATIONS

Ananya Pandey*

ABSTRACT

Since acid is really available to criminals and because of existing patriarchal beliefs, acid attacks can also be considered an alternative type of gender-based violence. Acid attacks may be committed by men who have experienced romantic rejection and those who anticipate receiving dowry payments from their future spouses. There are between 228 and 1000 acid attacks annually worldwide, with India experiencing the highest number. Other nations with high rates of acid attacks include Bangladesh, Pakistan, Colombia and the United Kingdom. This article examines how the new specific provisions authorised by both the Indian Penal Code (IPC) sections 326A and 326B (revisions now made to BNSS section 124) and the Criminal Procedure Code (CrPC) Sub-section 100 (revisions now made to BNSS section 103) will impact the rate of acid attacks. The Laxmi vs. Union of India case established an independent clause mandating a minimum compensation of 3 lakh. Additionally, the PMNRF currently stipulates that victims of acid attacks must receive a minimum of 1 lakh within 15 days and the remaining 2 lakh within two months. Many positive legislative changes have been made in India, but there are still many enforcement gaps throughout all areas of the country.

INTRODUCTION

In a recent incident on November 15 in the Mandi district of Himachal Pradesh, a woman suffered severe burns due to an acid attack allegedly caused by her husband, once again highlighting the need to re- evaluate the legal structure against acid attacks in India. India stands second in the statistics of acid attacks after the United Kingdom, with 228- 1000 acid attacks annually according to a 2018 report, and it's estimated to be 614 in India, and the United

*BA LLB, FOURTH YEAR, GITAM UNIVERSITY, SCHOOL OF LAW.

Kingdom is at the first position with 710 attacks annually in 2025.[1] India's sociocultural environment fosters the deeply rooted patriarchal standards that often presume women to be inferior, and this frequently results in violence as a means of control and retaliation. Women are positioned lower in social hierarchies due to the evil of gender inequality, and whenever they disregard the advances or break family norms, they may face retaliation, which increases the likelihood of the crime. This is made worse by the low cost and easy accessibility of acid, which, despite laws, turns common chemicals into weapons of lasting disfigurement.[2]

Acid attacks in India, often referred to as acid violence, are one of the most horrific forms of gender-biased violence and have been appearing for years. While scorching acid attacks are rooted in a variety of historical and cultural circumstances, the complex relationship of sociocultural, economic and legal structures in modern-day India explains why these attacks continue to persist. Historically, most acid attacks in India have been perpetrated against women and girls; these attacks are often based on disputes related to marriage, rejection of a proposal or a relationship, dowry issues, or threats and revenge. Acid is used by criminals as a means to cause maximum pain and suffering to the victims they target.[3]

If we compare the situation of India with other countries, it will be quite visible that the situation all over the world needs improvement for the sake of gender equality and humanity. The countries that face high acid attack incidents include India, Pakistan, Bangladesh, and Colombia. *India*, unfortunately, is one of the countries that reports higher rates of acid attacks compared to other nations. According to the 2013 Report of the Justice Verma Committee, "In a way, the aggressor is aware that a woman's self-worth and self-esteem frequently lie in her face, which is part of her personality."[4] The victim will suffer irreversible psychological harm as a result of the dismemberment of the face or body, which is more than just a crime against the human body. Certain legislative measures taken by India include the infamous Criminal Law Amendment Act of 2013, which incorporated sections 326A and 326B in the Indian Penal Code, 1860[5]. (It is currently mentioned in Section 124 of Bhartiya Sakshya Adhiniyam, 2023[6]).

[1] Acid Survivors Trust International, *'A Worldwide Problem'* (ASTI) https://asti.org.uk/a-worldwide-problem/ (visited Apr. 20, 2026).
[2] *Government Introduces Tough New Measure to Prevent Acid Attacks*, GOV.UK (2018) https://www.gov.uk/government/news/government-introduces-tough-new-measure-to-prevent-acid-attacks (visited Apr. 20, 2026).
[3] Simran Sharma, *'Acid Attacks in India: Unveiling Layers of Injustice and the Path to Rehabilitation'* IV(II) Indian J. Integrated Research L. 1 (2025).
[4] Justice Verma Committee, *Report of the Committee on Amendments to Criminal Law* 147 (Jan. 2013).
[5] Indian Penal Code, No. 45 of 1860, ss 326A–326B (India).
[6] Bharatiya Nyaya Sanhita 2023, s 124(1) (India).

Specifically, Section 326B attempts to conduct the crime illegally, whereas Section 326A adds the specific charge of attack with acid. Furthermore, a particular right of self- defence is included by the revision to Section 100 of the Criminal Procedure Code[7] (Section 103 of Bhartiya Nagarik Suraksha Sanhita), which covers the murder of the perpetrator in circumstances of completed or attempted acid attacks.

In the case of "Laxmi v Union of India & others"[8], it was stated by the court that, "We are informed that pursuant to this provision, 17 States and 7 Union Territories have prepared 'Victim Compensation Scheme' (for short "Scheme"). As regards the victims of acid attacks, the compensation mentioned in the Scheme framed by these States and Union Territories is non-uniform. While the State of Bihar has provided for compensation of ' 25,000/- in such a scheme, the State of Rajasthan has provided for '2 lakhs of compensation. In our view, the compensation provided in the Scheme by most of the States/Union Territories is inadequate. It cannot be overlooked that acid attack victims need to undergo a series of plastic surgeries and other corrective treatments. Having regard to this problem, the learned Solicitor General suggested to us that the compensation by the States/Union Territories for acid attack victims must be enhanced to at least ' 3 lakhs as the after-care and rehabilitation cost. The suggestion of the learned Solicitor General is very fair." The court clearly said that there is a need for increment of victim compensation and Rs. 25,000 is very low, since acid attack survivors often need repeated plastic surgeries and other long-term treatments. Due to this judgement, the present victim compensation in India for acid attack survivors is a minimum of Rs. 3 lakhs from States/ UTs, distributed as Rs. 1 lakh within 15 days of the attack, and Rs. 2 lakhs within 2 months from then. An extra Rs. 1 lakh (on top of VCS amount) from *Prime Minister's National Relief Fund (PMNRF)* for temporary support.[9]

In *Bangladesh*, on the other hand, before 2002, acid attacks were most common. According to reports from the Acid Survivors Foundation, there were over 3,000 casualties before 1999;[10] however, following the implementation of the new legislation, the number decreased to about 260 after 2002. But according to a New York Times article, acid attacks on Bangladeshi women

[7] Code of Criminal Procedure, No. 2 of 1973, s 100 (India).
[8] Laxmi v Union of India, (2013) 7 SCC 655.
[9] *'Compensation to Acid Attack Victims',* Ministry of Home Affairs, Government of India, https://www.mha.gov.in/en/commoncontent/compensation-acid-attack-victims (visited Apr. 21, 2026).
[10] Acid Survivors Foundation (Bangladesh) https://acidsurvivors.org/

appear to be increasing once more[11]. The equality of rights for men and women is mentioned in the Bangladeshi Constitution. Article 28(I) of their Constitution states that "*there shall be no discrimination on grounds only of religion, race, caste, sex or place of birth,"* and *Article 28(2*) guarantees women and men equal opportunities in all areas of public and state life. The Bangladeshi government passed the Cruelty to Women (Deterrent Punishment) Ordinance in 1983, making several serious crimes against women, including kidnapping, abduction, and acid attacks, punishable by death or life in prison. The Cruelty to Women (Deterrent Punishment) (Amendment) Act (No. 37 of 1988)[12] later modified this ordinance. The Women and Children Repression (Special Provisions) Act of 1995 and the Nari-o-Shishu Nirjatan Daman Ain, 2000 (Law on the Suppression of Violence against Women and Children, 2000) were two other laws that were adhered to.[13] The exact amount of victim compensation provided to the victims is Rs. 3 lakhs minimum, similar to India, but the breakdown is different.

In *Pakistan*, there are no official statistics on the prevalence of Vitriolise, just like in the nations that were previously studied. The statistics that are available come from non-governmental groups that are working in the region; the Acid Survivors Foundation Pakistan (ASF Pakistan) is one of the most significant of them. The Pakistani Criminal Code and Criminal Procedure Code were amended in December 2011 when the Acid Control and Acid Crime Prevention Act was unanimously approved by the Pakistani Senate, making acid assaults crimes. Specifically, the Penal Code now has Sections 336A and 336B, which define the crime of injuries caused by caustic substances. The law also makes it illegal for people to sell acidic substances without permission.[14] The victim compensation in Pakistan is approx. Rs. 3 lakhs, similar to India, but the breakdown is completely different.

If we take a look at *Colombia*, it is thought to have experienced over 1000 acid assaults in the ten years between 2004 and 2014, making it the South American nation with the worst record for the phenomenon's proliferation. Article 116A of the Colombian Penal Code was added in 2016 by the Ley Natalia Ponce de León, which established an independent crime category for

[11] Howard W French, *'Bangladesh Confronts Epidemic of Acid Attacks'* N.Y Times (24 June 2000) https://archive.nytimes.com/www.nytimes.com/library/world/asia/062400bangladesh-acid.html (visited Apr. 21, 2026)
[12] Cruelty to Women (Deterrent Punishment) (Amendment) Act 1988 (No 37 of 1988), (India).
[13] Baby, *'The Crisis of Acid Violence and the Need for Legal and Social Change'* 2(7) Int'l J. for Legal Res. and Analysis 6, 6-7 (2025)
[14] Gaia Calcini, *'Acid Attacks: An Overview of Legal Measures and Motivation Trends in India, Pakistan, Bangladesh, Colombia, and Cambodia'* 7(4) *Dignity: J. Analysis of Exploitation and Violence*, art 3 (2022) https://doi.org/10.23860/dignity.2022.07.04.03

acid attacks: '*lesiones con agentes Químicos, ácido y/o sustancias similares*.' This substantially enhanced the punishment for acid assault. The possession, manufacture, and commerce of acidic compounds are governed by the law. In addition to providing victims with additional medical, legal, and psychological support, it asked the Ministry of Health and the Government to put these services into action (articles 5 and 7). Finally, it seems helpful to mention Ley Rosa Elvira Cely on feminicide, which acknowledged the autonomy of this crime. Article 119 of the Colombian Penal Code has been revised by the law to double the penalty in cases when the behaviour outlined in the earlier articles is directed towards women or minors. The victim compensation given is same as the same as that of the South Asian countries, i.e., Rs. 3 lakhs, on free medical/psychological care, perpetrator fines and general victim reparations.

In conclusion, the presence of corrosive substances available for purchase has contributed to making acid attacks much easier to commit, and these types of attacks are a particularly horrific example of violence based on gender, linked to patriarchal norms. Solutions for this form of violence need to be widespread, offering a solution beyond punishment. To address this issue, a positive step was taken with the introduction of the Bharatiya Nyaya Sanhita Act 2023 (s.124), which included a new compensation amount of ₹3 lakh. However, the lack of enforcement is similar to Bangladesh (the decrease in acid attacks after 2002 as a result of more cases being tried), Pakistan (court fines paid to victims via Beckley and the Acid Act of 2011), and Colombia (Ley Natalia Ponce in 2016 focuses on victims receiving free medical care). A comprehensive approach to preventing acid attacks involves legislation to control the sale of acid, fast-tracking tribunals for prosecution, providing universal support for victims and launching awareness and education campaigns to improve safety. These are proven tactics that have worked in Bangladesh and can be adopted by South Asian countries to focus on a survivor's rehabilitation rather than only on punishment. The only way to eliminate acid attacks is by eliminating gender inequalities, holding perpetrators accountable, and empowering women to break the cycle of retribution and disfigurement.