



## Law on Acid Attacks in India

**For Prelims:** National Crime Records Bureau, Indian Penal Code (IPC), The Poisons Act, 1919.

**For Mains:** Acid Attacks in India, Law on Acid Attacks, Law on the Regulation of Acid Sales, Compensation and Care for the Acid-attack Victims.

### Why in News?

Recently, a girl was attacked with an acid-like substance in Delhi by three assailants. The incident has brought back to focus the heinous crime of acid attacks and the easy availability of corrosive substances.

### Acid Attacks in India: What's the Scenario?

- According to the data of the [National Crime Records Bureau \(NCRB\)](#), there were 150 such cases recorded in 2019, 105 in 2020 and 102 in 2021.
- **West Bengal and Uttar Pradesh consistently record the highest number of such cases** generally accounting for nearly 50% of all cases in the country year on year.
- The **charge sheeting rate of acid attacks stood at 83%** and the conviction rate at 54% in 2019.
  - In 2020, the figures stood at 86% and 72% respectively. **In 2021, the figures were recorded to be 89% and 20% respectively.**
- In 2015, the [Ministry of Home Affairs \(MHA\)](#) issued an advisory to all states to ensure speedy justice in cases of acid attacks by expediting prosecution.

### What is the Law on Acid Attacks in India?

- **Indian Penal Code:** Until 2013, acid attacks were not treated as separate crimes. However, following amendments carried out in the [Indian Penal Code \(IPC\)](#), acid attacks were put under a separate section (326A) of the IPC and made punishable with a **minimum imprisonment of 10 years** which is extendable to life along with a fine.
- **Denial of Treatment:** The law also has provisions for punishment for denial of treatment to victims or **police officers refusing to register an FIR or record any piece of evidence.**
  - Denial of treatment (by both public and private hospitals) can lead to imprisonment of up to one year and dereliction of duty by a police officer is **punishable by imprisonment of up to two years.**

### What is the Law on the Regulation of Acid Sales?

- **The Poisons Act, 1919:** In 2013, the Supreme Court took cognizance of acid attacks and **passed an order on the regulation of sales of corrosive substances.**
  - Based on the order, the MHA issued an advisory to all states on how to regulate acid sales and **framed the Model Poisons Possession and Sale Rules, 2013 under The Poisons Act, 1919.**

- As a result, **states were asked to frame their own rules based on model rules**, as the matter fell under the purview of states.
- **Maintenance of the Data:** Over-the-counter sale (without a valid prescription) of acid **was not allowed unless the seller maintains a logbook/register** recording the sale of acid.
  - This logbook was to also **contain the details of the person to whom acid is sold**, the quantity sold, the address of the person, and also specify the reason for procuring acid.
- **Age Restriction & Documentation:** The sale is also to be **made only upon presentation of a photo ID containing his address** issued by the government. The buyer must also prove he/she is **above 18 years of age**.
- **Confiscation of Acid Stocks:** Sellers are also required to **declare all stocks of acid with the concerned Sub-Divisional Magistrate (SDM) within 15 days** and in case of undeclared stock of acid. The SDM **can confiscate the stock and suitably impose a fine of up to Rs 50,000** for a breach of any of the directions.
- **A Record-Keeping Requirement:** As per the rules, educational institutions, research laboratories, hospitals, government departments and the departments of Public Sector Undertakings, **which are required to keep and store acid, to maintain a register of usage of acid** and file the same with the concerned SDM.
- **Accountability:** As per the rules, a **person shall be made accountable for the possession and safe keeping of acid in their premises**. The acid shall be stored under the supervision of this person and there shall be **compulsory checking** of the students/ personnel leaving the laboratories/place of storage where acid is used.

### What is the Compensation and Care for the Acid-attack Victims?

- **Compensation:** Acid attack **victims are paid compensation of at least Rs. 3 lakhs** by the concerned State Government/Union Territory as the aftercare and rehabilitation cost.
- **Free of Cost Treatment:** States are supposed to ensure that treatment provided to acid attack victims in any hospital, public or private, is free of cost. The **cost incurred on treatment is not to be included in the Rs 1 lakh compensation** given to the victim.
- **Reservation of Beds:** Acid attack victims need to undergo a series of plastic surgeries and hence **1-2 beds at private hospitals could be reserved** for the treatment of acid attack victims.
- **Social Integration Programs:** States should also extend social integration programs to the victims for which **Non-Governmental Organisations (NGOs) could be funded** to exclusively look after their rehabilitative requirements.

### What can be the Way Forward?

- **A Promise to Leave No One Behind:** Violence against women continues to be an obstacle to achieving equality, development, peace as well as to the fulfillment of women and girls' human rights.
  - All in all, the promise of the **Sustainable Development Goals (SDGs)** - to leave no one behind - **cannot be fulfilled without putting an end to violence against women and girls**.
- **Holistic Approach:** Crime against women cannot be resolved in a court of law alone. A holistic approach & **changing the entire ecosystem is what is required**.
- **Participation:** All the stakeholders **need to get their act together**, including Law makers, police officers, forensic dept, prosecutors, judiciary, medical & health dept, NGOs, rehabilitation centers.

## UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. What are the continued challenges for Women in India against time and space? (2019)

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