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# SC's Acid Attack Ruling — Expanding the RPwD Definition, Retrospective Rights, and Justice Gaps

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# SC's Acid Attack Ruling — Expanding the RPwD Definition, Retrospective Rights, and Justice Gaps

The Indian Express 7 May 2026 GS2

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### INTERVIEW ANGLE

*"The Supreme Court expanded the definition of acid attack survivors under the RPwD Act. What does this ruling say about the gaps in India's disability rights framework? What reforms are still needed to deliver justice to acid attack survivors?"*

## WHY IN NEWS

The **Supreme Court** ruled on May 6–7, 2026 that **acid attack victims under the RPwD Act 2016** include those who were **forcibly made to consume acid**, suffering internal injuries — even without visible external disfigurement. The ruling has **retrospective effect from October 19, 2016** (the RPwD Act's commencement date). This was a critical gap: survivors with internal injuries were systematically excluded from disability certificates, government jobs reservation (4%), and rehabilitation benefits.

## THE LEGAL GAP THE RULING FILLS

### What the RPwD Act 2016 Previously Covered (in practice)

FEATURE	PRE-RULING INTERPRETATION
Acid attack victim definition	External attack victims with visible disfigurement
Internal ingestion survivors	<b>Excluded</b> — could not get disability certificates
Common cases of internal ingestion	Domestic violence (forced drinking), honour-based attacks
Justice gap	Survivor bore lifelong digestive, oesophageal damage but no legal remedy

## What the SC Ruling Establishes

RULING ELEMENT	IMPACT
<b>Expanded definition</b>	Ingestion victims = acid attack victims under Schedule I, RPwD Act
<b>Retrospective effect</b>	From <b>October 19, 2016</b> (RPwD Act commencement)
<b>Benefits unlocked</b>	Disability certificate → 4% reservation in govt jobs, rehabilitation, compensation
<b>Legal basis</b>	Purposive interpretation of RPwD Act aligned with <b>UNCPRD</b> Article 5 (equality)

## THE RPWD ACT 2016 — FRAMEWORK OVERVIEW

FEATURE	DETAIL
<b>Full name</b>	Rights of Persons with Disabilities Act, 2016
<b>Replaces</b>	Persons with Disabilities Act, <b>1995</b>
<b>Specified disabilities</b>	<b>21</b> (up from 7 in 1995 Act)
<b>Acid attack victims</b>	Listed in <b>Schedule I</b>
<b>Reservation (govt jobs)</b>	<b>4%</b> for persons with disabilities (1% each for 4 subcategories)
<b>Disability certificate</b>	Issued by CMO-level authority; required for all benefits
<b>Chief Commissioner</b>	Central authority; State Commissioners at state level
<b>UN Convention</b>	Implements <b>UNCPRD</b> (2006); India ratified <b>2007</b>
<b>Commences</b>	October 19, 2016

## ACID ATTACKS IN INDIA — STATISTICAL CONTEXT

### NCRB Data

YEAR	REPORTED ACID ATTACKS	CONVICTION RATE
2019	248	~40%
2020	209	~35%
2021	237	~40%
2022	200+	~38%

**Note:** Severe underreporting — internal injury cases rarely registered as “acid attacks.”

### Legal Provisions

LAW	PROVISION
<b>IPC Section 326A</b>	Acid attack — minimum 10 years, maximum life + fine (min ₹10 lakh to survivor)
<b>IPC Section 326B</b>	Attempt to throw acid — 5–7 years
<b>BNS Section 124</b> (2023)	Replaces IPC 326A
<b>BNS Section 125</b> (2023)	Replaces IPC 326B
<b>Regulation of sale</b>	SC directed state govts to regulate acid sale (2013, <i>Laxmi v. Union of India</i> ) — compliance remains weak

### Compensation Framework

- **SC (2013, *Laxmi v. Union of India*):** Directed ₹3 lakh minimum interim compensation
- **Many states:** Pay ₹2–5 lakh; actual payment often delayed
- **Insurance/CCRIF:** No systematic national compensation scheme for survivors

## WHAT REMAINS UNADDRESSED

### 1. Prosecution and Conviction Gaps

- Conviction rate ~35–40% — needs improvement
- Cases often reclassified as simple hurt, reducing sentences
- Survivors face hostile witnesses, delayed trials

### 2. Acid Availability

- SC's 2013 directive to restrict OTC acid sale poorly implemented
- States like UP, Bihar have weak enforcement
- Industrial acids (98% sulphuric acid) easily available

### 3. Rehabilitation

- Few dedicated acid attack rehabilitation centres
- Sheroes Hangout (Agra, Lucknow) — civil society model; no govt equivalent at scale
- Skin grafts, reconstructive surgery: not universally covered by Ayushman Bharat

### 4. Internal Injury Medical Recognition

- No standardised protocol to clinically certify internal acid injury damage
- This ruling will now require CMOs to develop assessment standards

## UPSC RELEVANCE

PAPER	ANGLE
GS2 — Polity	RPwD Act 2016, SC ruling, UNCRPD, disability rights, purposive interpretation
GS2 — Social Justice	Acid attack laws, women's safety, survivor rehabilitation, BNS provisions
GS4 — Ethics	State responsibility, access to justice, dignity, inclusion

**Mains Keywords:** RPwD Act 2016, acid attack victims, Schedule I disabilities, UNCRPD, retrospective effect, IPC 326A/326B, BNS 124/125, *Laxmi v. Union of India*, disability certificate, 4% reservation, Chief Commissioner for Persons with Disabilities, purposive interpretation, Sheroes Hangout

### Prelims Facts Corner

ITEM	FACT
RPwD Act year	<b>2016</b> (replaces 1995 Act)
Disabilities in RPwD 2016	<b>21 specified disabilities</b>
Acid attack victims in	<b>Schedule I</b> , RPwD Act
SC retrospective effect from	<b>October 19, 2016</b>
UNCRRPD ratified by India	<b>2007</b>
Reservation for PwD in govt jobs	<b>4%</b>
IPC 326A (acid attack)	Minimum <b>10 years</b> , max <b>life</b> + fine min <b>₹10 lakh</b>
BNS equivalent	<b>Section 124</b> (attack), <b>Section 125</b> (attempt)
<i>Laxmi v. Union of India</i>	<b>2013</b> SC ruling — regulated acid sale, ₹3 lakh interim compensation
Annual reported acid attacks (India)	~ <b>200–250</b> (NCRB) — significant underreporting

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