



**Between mandate and reality:
The implementation gap in acid attack victim compensation in India
after *Laxmi v Union of India***

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Abstract:

In 2014, the Supreme Court of India, in the case of *Laxmi v Union of India*, had instructed all the state governments to provide a minimum compensation of Rs. 3 lakhs to the acid attack survivors. This article examines the requirements and questions its fulfilment. The article highlights the ongoing gap in the implementation of State Victim Compensation (SVC) schemes across four Indian states (Delhi, Maharashtra, Uttar Pradesh, and West Bengal) over the past decade (2014-2025) by systematically analysing 37 reported cases, SVC scheme schedules, and NALSA disbursement data. Based on the socio-legal theories of Pound (1910), Galanter (1974), and Felstiner, Abel and Sarat (1981) and a brief comparative analysis with the United Kingdom and Bangladesh, the paper concludes that the difference is due to a structural deficiency of legal institutionalization. Three proposals for targeted reforms are put forward.

Keywords:

Acid attack, victim compensation, law-in-action, implementation gap, socio-legal studies

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Resumen:

En 2014, el Tribunal Supremo de India, en el caso *Laxmi c Unión de India*, había ordenado a todos los gobiernos de los estados otorgar una indemnización mínima de 3 lakh rupias a las supervivientes de ataques con ácido. Este artículo examina los requisitos y cuestiona el cumplimiento del mandato. El artículo revela la brecha persistente en la aplicación de los planes estatales de indemnización a las víctimas (SVC, por sus siglas en inglés) en cuatro estados indios (Delhi, Maharashtra, Uttar Pradesh y Bengala Occidental) durante la pasada década (2014-2025), y lo hace analizando 37 casos denunciados, los calendarios de los esquemas de SVC y los datos de desembolso de la NALSA. Basándose en las teorías sociojurídicas de Pound (1910), Galanter (1974) y Felstiner, Abel y Sarat (1981) y en un breve análisis comparativo con el Reino Unido y Bangladés, el artículo llega a la conclusión de que la diferencia se debe a una deficiencia estructural de la institucionalización jurídica. Se proponen tres reformas concretas.

Palabras clave:

Ataque con ácido, indemnización a víctimas, derecho en acción, brecha de aplicación, estudios sociojurídicos

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1. INTRODUCTION

The Supreme Court of India gave its verdict in the case of *Laxmi v Union of India* (2014) on 18 July 2014, which directed all state governments to pay Rs. 3 lakh as the minimum amount of aftercare and rehabilitation to each acid attack victim. This verdict marked a significant milestone in India's victim compensation regime. The highest court, for the first time, gave a minimum quantum that became a binding obligation for a specific category of crime victims, rather than a discretionary right. This was followed by instructions regarding the regulation of acid sales and the provision of free medical treatment and was hailed as a landmark decision for the benefit of one of the most vulnerable communities in the Indian criminal justice system (Kalantry and Kestenbaum 2011, p. 18). Over a decade ago, the court made that judgment.

The statutory regime has been further strengthened by the insertion of Section 357B in the Code of Criminal Procedure 1973 (now Section 396(7) of the Bharatiya Nagarik Suraksha Sanhita 2023), promulgation of the NALSA Compensation Scheme 2018, and the framing of State Victim Compensation Schemes. The formal reinforcement of the regime has been accompanied by an actual strengthening of the situation of acid attack survivors seeking compensation, or has it? The question in the article is whether the law-in-books has turned into law-in-action, as Roscoe Pound wrote (1910, p. 35).

This question is important for the socio-legal scholarship in two ways. Firstly, it examines a wider argument regarding the link between the decisions of the Supreme Court and the lower-level legal institutions. It is well established that the Supreme Court is empowered to instruct the legislature and administration (Sathe 2002, p. 247), but the ability of an instruction issued by the Supreme Court to be followed by the lower level of administration—district authorities, legal services authorities, police, and medical establishments—depends on the capacity, incentives, and institutional cultures of these actors, which can vary significantly from those assumed by the Supreme Court. Second, the acid attack problem is not peculiar to India, as Bangladesh, Pakistan, and Cambodia have similar problems (Mannan *et al.* 2006, p. 95), and the Indian experience may be instructive for comparative policy analysis. Acid attacks have a unique niche in the typology of violent crime. They are distinctively driven by gender-related issues, including rejected marriage proposals, dowry disputes, and perceived dishonor, and have unique, long-lasting, and severe repercussions, such as permanent disfigurement, loss of vision, chronic pain, social stigma, and psychological trauma (Kalantry and Kestenbaum 2011, pp. 14–16).

National Crime Records Bureau (NCRB) data for 2022 shows that 150 such cases have been reported under Section 326A; however, the real figure of such cases is much larger, with many cases going unreported in rural areas, according to civil society groups. (NCRB 2023, Table 3A. 2) The survivors are mainly women and mostly from marginalized socio-economic groups, leading to not only debates on criminal justice but also gender justice, social equality, and an evaluation of the effectiveness of the compensation mechanism. The article is set up in the following way: In Section 2, the methodology is described. The issue is addressed in Section 3, which deals with the legal framework. Four states provide results,

which are presented in Section 4. Section 5 compares and discusses the results theoretically. The recommendations and changes are in Section 6.

This article employs a three-part socio-legal conceptual framework to investigate the systemic differences between the judicial mandate and its realization at the grassroots level. The basic analytical lens will be provided by Pound's (1910, p. 35) distinction between the "law in books" (abstract legal principles established by courts and legislatures) and the "law in action" (the way those principles are applied, modified, or rendered neutral at local, frontline, and service delivery levels). Pound, on the other hand, recognizes the reality of the disconnection, as does Galanter (1974, pp. 64-65). The section discusses the institutional arrangements that maintain this system, which are characterized by the acquisition of 'bureaucratic capital,' 'legal knowledge,' and 'legal endurance' by the 'repeat players' (state legal services authorities and administrative agencies with institutional experience and capital), while the 'one-shotters' (acid attack victims without resources, legal literacy, or stamina to continue with the law) lack such capital. Felstiner *et al.*'s (1981, pp. 631-636) "naming, blaming, claiming" framework outlines the social, economical, and psychological processes that capitalize on the normalization and disappearance of legitimate grievances from formal law. All three frameworks illuminate not only the reasons behind the implementation gap but also the parties responsible for its costs and the structural factors that perpetuate it.

2. METHODOLOGY

The article is doctrinal-empirical in nature and follows a qualitative approach within the socio-legal tradition. The study is planned as a focused comparative study of the implementation of the *Laxmi* directive in four states of India (Delhi, Maharashtra, Uttar Pradesh, and West Bengal). The selection of these states was based on three criteria: a) geographic diversity (two northern states, one western, and one eastern state); b) administrative capacity (variation of administrative capacity across these states); and c) judicial decisions and public data on compensation disbursement (availability of reported judicial decisions and public data on compensation disbursement across these states). Three main sources of data were used. The identified search terms for Supreme Court, four selected high courts, and subordinate courts cases were "acid attack," "Section 326A," "Section 357A," and "Section 357B."

These were used to search the SCC Online and Manupatra legal databases for cases involving acid attack victims' compensation from 2014 to 2025. A total of 37 relevant decisions were found. Second, the State Victim Compensation Scheme schedules of the four states were gathered, and the content of the compensation for acid attacks was analysed. Thirdly, data on the disbursement of aggregates from the NALSA annual reports for 2018-2023 were extracted (NALSA 2023). The methodological approach is inspired by the socio-legal tradition, which sees judicial rulings as information on institutional behaviour (Galligan 2007, p. 21). The quantum of award/direction, time taken from the date of application until disbursement of funds, procedural hurdles faced by the survivor, and the reasoning of the court were analysed for each decision. This is not primary fieldwork with survivors; the article's contribution is to show how systematic analysis of judicial and administrative data can reveal patterns, which can only be detected by a socio-legal reading of such data, and which are not apparent from doctrinal analysis. The choice of a doctrinal-empirical approach is grounded directly in the theoretical framework employed: a purely

doctrinal method would capture only Pound's (1910) "law in books," while the empirical examination of judicial decisions and administrative data reveals the "law in action." The qualitative reading of this data is further necessary to expose the power dynamics that Galanter (1974) identifies—state bodies acting as repeat players against survivor one-shotters—and to trace the bureaucratic and social attrition that Felstiner *et al.* (1981) describe at each stage of the naming, blaming, and claiming process.

Four states were chosen instead of a national survey because of a methodological decision. A national survey would have demanded data that is not consistently available in all the states and UTs. The four-state comparison allows for a depth of analysis that provides a deeper understanding of the institutional patterns but at the same time is sufficiently varied to assess whether the implementation gap is localized or systemic. The gap is found in all four states, although in different dimensions, as the findings show, and is thus not a contingent one.

3. THE LEGAL FRAMEWORK: FROM DISCRETION TO DIRECTIVE

3.1. THE PRE-*LAXMI* REGIME

Before the *Laxmi* judgment, multiple provisions regulated the compensation for acid attack survivors. Section 357 of the Code of Criminal Procedure 1973 empowered the trial court to award compensation from the fine recovered if the court finds that the accused is guilty. This power was discretionary and dependent on conviction, and the amount was capped at what the offender could afford. The 2008 amendment added Section 357A, which required each state government to make a victim compensation scheme (Code of Criminal Procedure 1973, s. 357A).

In 2013, the Indian Penal Code 1860 was amended by adding Section 326A, which sets a minimum ten-year prison sentence for those who commit acid attacks resulting in grievous hurt and will also impose a fine "just and reasonable to meet the medical expenses of the treatment of the victim" (326A). There were three structural weaknesses in this regime. First, there was no minimum quantum, so there was a wide range of compensation. Second, the process was lengthy: a victim of an acid attack who suffered severe mutilation would have to go through the criminal justice system, the legal services authority, and, possibly, civil proceedings, with little institutional support. Third, the requirement for conviction to receive Section 357 compensation effectively excluded those whose attackers were found not guilty, had gone missing, or were never identified (Grover 2019).

3.2. *LAXMI V UNION OF INDIA* (2014) AND ITS AFTERMATH

Laxmi, who is also an acid attack victim, filed the petition in 2006. The Supreme Court, in its order on 18 July 2014, told state governments to make sure that acid sales are regulated, that victims get free medical treatment, and that each acid attack victim receives at least three lakh rupees for aftercare and rehabilitation, with the State Legal Services Authority helping to manage this process (*Laxmi v Union of India* 2014, paras. 11–14). What was significant was its specificity, that is, the Court's prescription of a minimum sum, the identification of the institutional channel, and the formulation of the obligation as a state responsibility that is separate from criminal proceedings.

The direction was backed up by Section 357B (inserted by the Criminal Law (Amendment) Act 2013), which stated that the state compensation would be in addition to any fine imposed under Section 326A. As per the National Legal Services Authority (NALSA) Compensation Scheme 2018, the compensation for acid attacks with disfigurement is prescribed to be a minimum of seven lakh rupees and a maximum of eight lakh rupees, and interim compensation shall be paid not less than twenty-five percent of the compensation prescribed within fifteen days of the recommendation (NALSA 2018, Schedule I, cl. 5). Bharatiya Nagarik Suraksha Sanhita 2023 is a continuation of the regime in Sections 395–397, which has been based on the substance of the previous Section 357B. The formal entitlement is thus compounded: the *Laxmi* minimum of three lakh rupees, the NALSA schedule minimum of seven lakh rupees for disfigurement, and the State Scheme schedule—plus any fine under Section 326A or its successor. Whether this multi-layered formal entitlement will be realized in disbursal remains to be seen. The constitutional foundation for this obligation is reinforced by the Supreme Court’s broader jurisprudence under Article 21. In *Murli S. Deora v Union of India* (2001), the Court expanded the meaning of the fundamental right to life guaranteed by Article 21 of the Constitution to include “a meaningful and dignified life.” The broad interpretation has an immediate impact on acid attack survivors, inasmuch as the loss of life that accompanies an acid attack is a massive denial of the right to a dignified life in the form of permanent disfigurement, blindness, chronic pain, and social marginalization. Therefore, the state is not only bound by the *Laxmi* directive to provide adequate financial, medical, and rehabilitative support to such survivors; it is also obligated under Article 21 of the Constitution to do so. The material presented in this article will illustrate how this constitutional mandate, as with the statutory mandate, is very underutilized in practice.

4. FINDINGS: THE IMPLEMENTATION GAP ACROSS FOUR STATES

4.1. QUANTUM DISPARITIES

A comparison of the schedules for victim compensation schemes in four states reveals significant interstate variation (Table 1).

TABLE 1

State	State Scheme Maximum	NALSA Minimum	<i>Laxmi</i> Minimum
Delhi	10.00	7.00	3.00
Uttar Pradesh	4.00	7.00	3.00
Maharashtra	3.00	7.00	3.00
West Bengal	3.00	7.00	3.00

Table 1. Prescribed Maximum Compensation for Acid Attack with Disfigurement (in INR lakh).
(Sources: State Victim Compensation Scheme schedules; NALSA 2018, Schedule I.)

The compensation of ten lakh rupees for a survivor of an identical acid attack in Delhi and three lakh rupees in Maharashtra or West Bengal is not because of any principle difference in the severity of the injury but because of the casual budgetary decisions taken by the respective states. Notably, the maximums set by Uttar Pradesh and Maharashtra are lower than the minimum set by the NALSA, indicating that the state schemes have not been brought up to date with the NALSA minimum. This disparity continues even after the Supreme Court gave instructions in *Tekan alias Tekram v State of Madhya Pradesh* (2016, para. 12) for states to synchronize their schedules with NALSA.

4.2. PROCEDURAL DELAY

Analysis of the thirty-seven reported judicial decisions reveals a consistent pattern of delayed disbursal (Table 2).

TABLE 2

Category	Number	% of total	N = 37
Decisions involving delay/inadequacy challenge	23	62%	
Of those, delay exceeding 12 months	15	65%	of 23
Partial payment only at time of judicial intervention	7	30%	of 23
Police informed survivor of compensation rights	0	0%	of 37

Table 2. Summary of Judicial Decisions on Acid Attack Compensation (2014–2025).

(Source: Author's analysis of reported decisions (SCC Online, Manupatra).)

In *Parivartan Kendra v Union of India* (2015), the Delhi High Court observed that survivors had to wait 6–18 months for compensation that had already been sanctioned by the District Legal Services Authority. In *Chanchal v State of Uttar Pradesh* (2017), a victim with no vision in both eyes waited for 14 months after filing. *Reshma Waseem Shaikh v State of Maharashtra* (2019) is a case where a survivor with a disfigurement in 2016 had been awarded three lakh rupees in 2017 but received only one lakh by 2019, due to “administrative delays” and “funding constraints” as cited by the District Legal Services Authority. In the case of *Sonali Mukherjee v State of West Bengal* (2018), the Calcutta High Court ruled that the survivor of the accident had to be paid the balance of the compensation amount after having undergone 22 surgeries and had been waiting for the payment for three years. The court has become a commonplace way of obtaining compensation. The pattern shows that the administration's process of providing speedy relief has also become an obstacle, which only litigation can remove.

4.3. THE PARADOX OF JUDICIAL INTERVENTION

One of the most intriguing aspects of the results is that judicial involvement is a key factor in obtaining compensation. In most decisions reported, the survivor only received compensation when he or she went to a high court or the Supreme Court, which are also costly in time, legal fees, and emotional effort. This creates a disturbing paradox: an administrative compensation system that is supposed to avoid the time and expense of litigation has, in fact, created a second layer of litigation related to the shortcomings of the administrative process. By necessity, those who can approach the high courts are the survivors who are able to obtain legal aid, media attention, or civil society support.

The case of Sonali Mukherjee is illustrative in that her case was picked up by the national media and her petition was backed by civil society organizations. However, the ones who don't have these resources, such as those in rural areas, those who don't have legal aid, and those whose families are involved in the attack, are not accounted for by the appellate system and are likely to receive the longest delay and the smallest compensation. The regime thus exhibits a paradox: the more vulnerable the survivor, the less likely she is to access the judicial mechanisms that are essential for obtaining compensation from a regime that is supposed to protect her.

4.4. AWARENESS DEFICIT

According to NCRB data (Table 3A.2, 2023), 150 cases of acid attack were reported in 2022, of which 50 cases were reported in Uttar Pradesh alone. However, the number of compensation applications was significantly less than the number of FIRs, indicating a gap at the initial stage—that many survivors do not apply for compensation at all. Awareness is the lowest among rural, illiterate, and socioeconomically marginalized survivors, according to civil society organizations (Kalantry and Kestenbaum 2011, pp. 32–34).

There was no mention of the investigating officer informing the survivor of his/her compensation entitlement while registering the FIR in any of the 37 reported cases. The police's role in these cases should be looked at. The NALSA Scheme assumes the investigating officer must notify the victim of his/her rights to compensation and make the process of applying for compensation as straightforward as possible. Judicial history indicates that this duty is often fulfilled rather than carried out. An important, but under-researched, gap between the scheme's expectations and the practice of the police is pointed out in this article. The lack of awareness is exacerbated by the psychological impact of the attack. Acid violence survivors often suffer from intense PTSD, depression and social isolation, limiting their ability to access the bureaucracy even if they know that they have rights to which they are entitled (Kalantry and Kestenbaum 2011, pp. 32–34). Social stigma around acid attacks, especially when the attack is seen as linked to the rejection of a marriage proposal, or when the attack leaves the victim with a disfigured face is another disincentive to report and claim. Families may not want to pursue formal legal action, for fear of social judgment, and some survivors may be subjected to instances of secondary victimisation when going to a police station or legal services office. This emotional and social erosion is a powerful obstacle that takes place at an early stage of the compensation process, one that is not visible to the legal process, which sees awareness as simply a piece of information, a matter of administration. In *Hasina Bi v State of Madhya Pradesh* (2020), the survivor had to make four journeys of over one hundred kilometres to attend the

DLSA, that was disfigured. In *Ritu Saini v GNCTD* (2018), the Delhi High Court also noted that, in the event that the injured was discovered with injuries, and the FIR and medical records also showed the same, then the survivor had to produce a “disability certificate”.

In practice, however, the DLSAs in the four states will need to be documented more, whereas this is not mandated under the NALSA Scheme (NALSA 2018, cl. 7). All of the above are reasonable but collectively an imposing burden to the physically impaired, the psychologically traumatized and the socioeconomically disadvantaged. This is a procedural culture, in which the survivor becomes a suppliant and not a rights holder with a claim to legal rights. The quantum is too small when compared with what the costs are in reality even if he/she is compensated fully for the damages suffered. Multiple corrective surgeries and years of physiotherapy are usually needed for acid attack injuries; the cost of reconstructive surgery varies from two to fifteen lakh rupees per surgery, and survivors often need five to ten surgeries over a period of years (Kalantry and Kestenbaum 2011, p. 43). Most of the first one or two procedures can be covered by a compensation of Rs. 3 lakh.

The Rs 7-7.80 lakh prescribed by Nalsa for rehabilitation of acid attack victims, who have been disfigured, is a more realistic amount, but the actual rehabilitation cost is much higher. The attack is thus only partly economically transferred to the State and the reparative potential of the compensation system is only partly materialized. In comparison, the UK’s Criminal Injuries Compensation Scheme (CICS) provides compensation of about twenty to thirty lakh rupees for severe facial disfigurement (CICS 2012, Tariff Band 16-20). The cost of living and health care varies in the UK, but in existing systems, the serious disfigurement is well rewarded.

4.5. PROCEDURAL BURDEN

In *Hasina Bi v State of Madhya Pradesh* (2020), the survivor had to make four journeys of over one hundred kilometres to attend the DLSA, which was disfigured. In *Ritu Saini v GNCTD* (2018), the Delhi High Court also noted that if the injured person was found to have injuries, and both the FIR and medical records confirmed this, the survivor was required to produce a “disability certificate.”

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4.6. QUANTUM INADEQUACY RELATIVE TO ACTUAL COSTS

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5. DISCUSSION

5.1. THE IMPLEMENTATION GAP AS INSTITUTIONAL FAILURE

The results reveal a pervasive gap that exists across four aspects: quantum, time, procedure, and awareness. A useful vocabulary for analysing the gap between law-in-books and law-in-action is found in the socio-legal literature. The findings across all four states confirm Pound's (1910, p. 35) thesis that the gap between formal rules and institutional practice is, at its core, an administrative and cultural failure to translate judicial intent into the working habits of front-line officials. The Supreme Court's mandate in *Laxmi v Union of India* (2014) is the "law in books" in its most authoritative form: a minimum quantum, a designated institutional channel, and a binding obligation addressed to every state government. The systematic opposite of the "law in action" of this article is the delay in disbursement for years by DLAs, police officers who don't inform the survivors of their rights, and state schemes that remain below the minimum for DLAs one decade after the directive. This difference is not a mere accident but is due to the structural inability of formal legal rules to enforce themselves at different levels of administration with conflicting incentive structures, as Pound (1910, p. 35) pointed out. Galligan's (2007, pp. 240-245) analysis of procedural justice supports this: If someone lacks an easy and inexpensive way to assert legal rights, then for all intents and purposes, the person lacks any rights.

Felstiner et al.'s mental and organizational hurdles between a grievance and a claim are known as 'naming, blaming, and claiming' (Felstiner *et al.* 1981, pp. 631-636). In this sense the survivor's formal entitlement occurs at the level of 'law in books.' But the institutional route is costly in terms of time, travel, paperwork, and emotional labor, and it degrades the entitlement of those who are not able to afford it.

The distance is worst for rural survivors, those without legal help, those in lower socio-economic statuses, and those with unknown or missing perpetrators or fleeing ones. Acid is designed to shield women from these structural disadvantages. Women experience these structural disadvantages, which acid is supposed to protect them from. According to this pattern, Galanter (1974, pp. 97-104) analyzed legal reforms that are undermined by institutional processes that work in favor of "repeat players." The state legal services authorities, who are repeat litigants in compensation proceedings in the High Court, have a wealth of institutional experience and legal representation and have limited incentive to change the practices of first-instance courts. The acid attack survivors, on the other hand,

are one-shot survivors of the system and do not have the institutional knowledge of the system; they are physically disabled, psychologically harmed, and exhausted and defeated by the administrative complexity that the system creates and absorbs. The phenomenon is also amenable to study through the “regulatory chain,” that is, the set of legal actors a legal norm has to pass through to reach its target (Halliday and Scott 2010, p. 3). The norm can be deflected, watered down, or even disregarded at every link in the chain, from the Supreme Court to the state legislature, the Legal Services Authority, the District Legal Services Authority, the police, and the medical profession. The implementation of the norm, exemplified by the “acid attack compensation regime,” is a clear case: while the norm is very specific regarding the minimum compensation amount, the institutional channels, and the time limits, it is systematically thwarted in practice.

5.2. COMPARATIVE REFLECTIONS

5.2.1. The United Kingdom

The Criminal Injuries Compensation Scheme is a single, centralized scheme in the UK that operates under the Criminal Injuries Compensation Act 1995 and includes a comprehensive tariff for assessing the severity and permanence of the injury. The compensation for severe facial disfigurement is about twenty to thirty lakh rupees (CICS 2012, Tariff Band 16-20). The structural benefit of centralization is that there is no quantum disparity between regions and a consistent level of procedural treatment. The UK model has its critics—tariffs are said to be low and the process of establishing loss of earnings to be burdensome (Miers 2014, pp. 102–106). However, the idea of a ‘binding national minimum’ provides a useful template for Indian reform. The federal system of criminal justice may make complete centralization unfeasible for India. The principle of a binding national floor, which was already laid down in the Supreme Court’s case of *Laxmi*, could be introduced in the NALSA Schedule by law to render it a floor effect and bring some harmonization within the federal framework.

5.2.2. Bangladesh

Bangladesh is an excellent comparator, as it also has a critical acid attack problem like India. The Acid Control Act 2002 and the Acid Crime Control Act 2002 have established a separate Acid Survivors Foundation (ASF) and a National Acid Control Council, thus establishing an integrated pathway of criminal prosecution, victim support, and compensation delivery (Mannan *et al.* 2006, pp. 96–98). The Bangladeshi model is also quite unique because it did not take the standard trajectory of addressing the needs of the victims of acid violence in a victim compensation bureaucracy but instead created a specialized institutional response that was designed to meet the medical, psychological, and social needs of this particular group of victims. The ASF’s holistic approach of medical treatment, legal support, and psychosocial assistance has been commended for being a best practice internationally, and the incidence of acid attacks in Bangladesh has dramatically dropped since 2002 (Acid Survivors Trust International 2017, p. 12). The treatment of survivors of acid attacks, on the other hand, is in the context of victim compensation, where a system was developed for all victims of crime but was not customized for survivors of acid attacks. The distinction between the two methods helps illuminate an important finding of this article—that institutional specificity is crucial, as well as formal entitlement. This is because a right to compensation, to be exercised through a general-purpose bureaucracy,

is less likely to get to those who are the intended beneficiaries of the right than a right administered by a specialized institution with a specific mandate, expertise, and accountability structure for a population.

5.3. INTER-STATE ASYMMETRY AND ARTICLE 14

The varying amounts of compensation reported in Section 4.1 raise a question that causes doubt in the minds of the readers of this book: What is the constitutional justification for giving compensation of ten lakh rupees in Delhi and three lakh rupees in Maharashtra and West Bengal, just because of the survivor's location? To appreciate the situation being constitutionally problematic, one needs to explain what Article 14 of the Constitution demands. The first of the two principles in Article 14 is equality before the law; the second is equal protection of the laws. In other words, the state must have rational and principled reasons for treating people in the same situation differently. Compensation amounts vary from state to state without any principled basis; they merely reflect the policies of individual states and administrative inertia, rather than any deliberate policy decision. If an acid attack survivor in Uttar Pradesh is a similar kind of victim with the same disfigurement as the one in Delhi, it doesn't mean that he or she has to suffer the same medical bills—the state scheme just provides fewer. This disparity is difficult to explain in the light of the equality guaranteed by the Constitution. While acknowledging this concern, the Supreme Court in *Tekan* alias *Tekram* (2016) did not go so far as to set a national deadline for the states to revise their schemes. Over the past ten years since that ruling, when multiple state schemes have been below the standards set by the NALSA, there has been a clear need for more than just judicial admonition. A binding minimum on the legislative floor—to make the NALSA minimum 'statutory'—is the most direct solution to this constitutional anomaly (Sarangi 2019, p. 181). Ojal and Kaur (2025) have also contended that to attain equality, compensation for all the survivors should be uniform across states, and this goal can be best achieved via a centrally funded scheme.

5.4. LIMITATIONS

Cases reported to the high courts have a selection bias because they're the worst and most creative instances of the crime. NALSA's disbursal data is aggregated and not categorized by offense type. Primary fieldwork, which is not possible in this instance, would greatly enhance the analysis, as direct interviews with the acid attack survivors, the DLSA staff, and the victim assistance officers would allow for the inclusion of their lived experience and would add to the narrative of what it is like to go to the trouble of navigating the compensation process. In particular, these case studies would enable researchers to capture the entire psychological, social, and practical impact that survivors face when seeking compensation through the multi-level administrative system, which the findings of the present article are able to capture but not quantify. Including survivor testimony would also resolve a true methodological gap in the current research and would be a logical extension of empirical socio-legal research that takes the doctrinal and administrative framework that is set forth here. Nevertheless, the uniformity of the patterns across states and across the two data sources (judicial and administrative) suggests that the reported implementation gap here is not attributable to the data source but rather reflects the characteristics of how the regime is operating.

6. CONCLUSIONS AND REFORM PROPOSALS

The article has examined the implementation of the compensation order, issued by the UOI to the state of Laxmi, in four Indian states. The results indicate that there remains a significant disconnect between the formal rights and reality of survivors. The gap exists across four dimensions—quantum disparities, procedural delay, documentation burden and awareness deficit—and is informed by the same social disadvantages that inform vulnerability to acid violence. Three proposals for reform are put forward. First, the quantum of acid attacks with disfigurement (seven lakh rupees) in the NALSA Schedule should be made a legally binding minimum quantum in Section 396 of the Bharatiya Nagarik Suraksha Sanhita 2023 with no state scheme providing a lower quantum. This would take care of the Article 14 issue and prevent any variation of the right based on the state of residence. The Bangladeshi approach of institutional specificity—designing a new response for the victims of acid attack—provides another horizon for reform, but for institutional transplantation to be possible, it would have to be tailored to the federal system of India. Second, the process of interim compensation should be tightened so that the registration of an FIR under Section 124(1) of the Bharatiya Nyaya Sanhita, 2023, along with a medical certificate of the acid burns, shall be sufficient to justify the immediate disbursement of at least twenty-five percent of the applicable minimum. The current practice of asking for additional documents is inconsistent with the model of the NALSA Scheme, which is a summary-inquiry model. Thirdly, there should be a separate reporting system in NALSA that can monitor the compensation disbursement process to acid attack survivors, disaggregated by state, quantum, and time of application to disbursement. Accountability is dependent on transparency. There is a model for data collection in the UK, where the Criminal Injuries Compensation Authority does it centrally.

The results have a more general implication than these specific proposals. The gap described here doesn't stem from the law itself—the law is fine—but from the legal institutionalization: the process whereby formal norms become part of the working practices of administrative bodies. India has created a well-detailed doctrinal structure for victim compensation. It has not yet created an institutional culture in which compensation disbursal is made a top priority like, say, revenue collection or regulatory enforcement. Without such a change in culture, the disparity between mandate and reality will remain not just for those who are victims of acid attacks but for all crime victims. The acid attack survivor that comes to a District Legal Services Authority to claim compensation represents the question that this article has been trying to answer. Does the law's promise live up to its claim? The evidence indicates that for far too many survivors, the answer is still, "not yet." The *Laxmi* decision and the regime of law it ushered in are a true attempt by the Indian law to restore acid attack survivors. However, if the commitment is not followed, it is a promise that the legal system makes to itself, not to the people it is supposed to serve, as Galanter (1974, p. 97) has put it. It takes institutional will, resources, and a systematic approach to closing the implementation gap to make the law's promise real in the lives of those it was meant to protect, and that is what has been long overdue for the survivors of acid violence.

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