

## **Domestic Violence Against Women In India**

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### **ABSTRACT:**

*Domestic violence comprises any sort of violence and harassment faced by women of a family by the members of her family especially male family members and relatives. Domestic violence includes all form of abuses such as mental, physical, sexual and emotional. Either family members use harsh words and abusive languages against women of the family, control the lifestyle of women to maintain dominance over her, forceful sexual activity with her by the husband or other male member of the family whereas physical abuses include hitting, kicking, slapping, pulling hair and threatening with weapons.*

*There are many more ways by which women are being tortured and harassed. Even after such advancement in every field in our country, most of the woman has to go through domestic violence whether they are working or unemployed. Governments of India have worked on it but still is unable to impact much on the recent prevailing rate of domestic violence.*

**KEYWORDS:** *Empowerment, Development, Dowery, Prevention, Violence,*

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### **I. INTRODUCTION:**

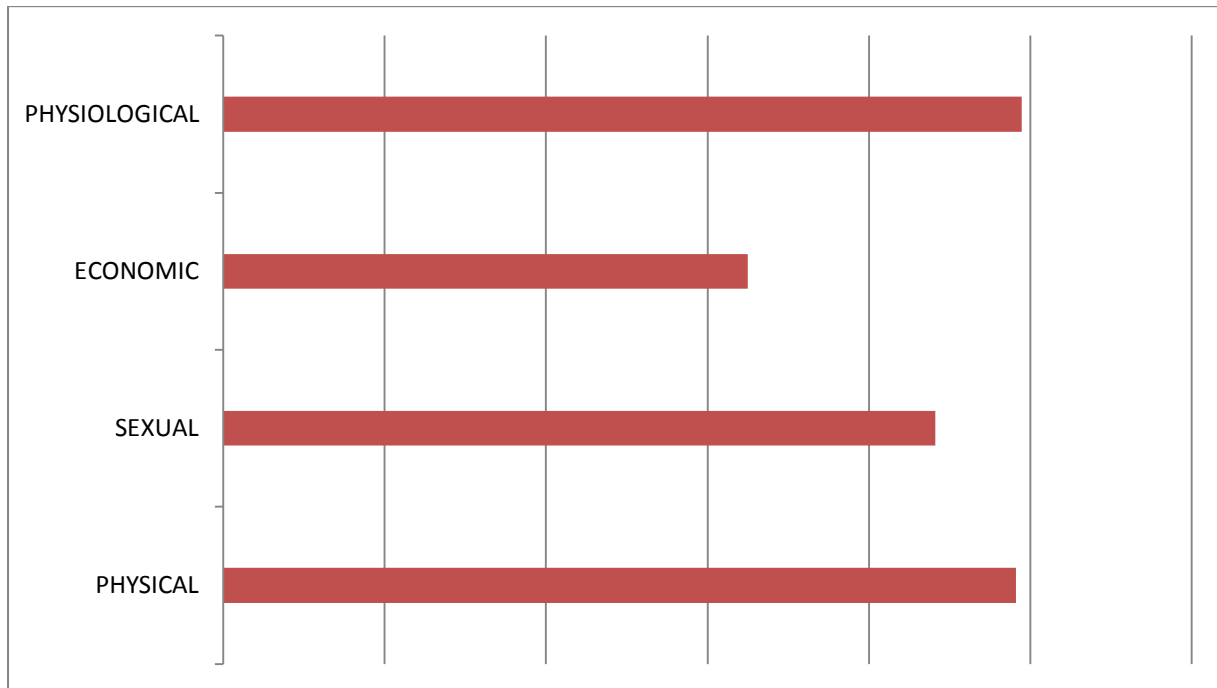
Domestic violence is also popularly known as spousal abuse or intimate partner abuse. Domestic violence is considered to be any kind of abuse or maltreatment toward women of the family by other members or relatives. This violence may lead to homelessness, injuries and in severe cases even death of the victim is possible. This type of violence leads to serious health-related consequences. AARDVARK that is an abuse, rape, domestic violence aid and resources collection has put forward a list of probable warning sign which help to recognise the victim. These warning signs include:-

1. Asking for whether they feel controlled in their home.
2. Asking for the incidents of verbal or physical abuses.
3. Girls and women who are very often absent from school, college or workplaces.
4. To have bruises, black-eye, cuts or any kind of marks in the body.
5. Women with low self-esteem and low confidence.
6. Change in behaviour, change in personality and aggressive nature.
7. Prefer to remain isolated.
8. Fear for any kind of conflicts.
9. Stress-related symptoms such as headache, stomach upset, insomnia loss of weight, loss of appetite etc.

There are various types of domestic violence that exist in our society. These are listed below:

1. Verbal abuse, 2. Psychological abuse, 3. Emotional abuse, 4. Financial abuse, 5. Physical abuse, 6. Sexual abuse, 7. Harassment and stalking, 8. Spiritual or religious abuse, 9. Reproductive abuse, 10. Image-based abuse.

The graph below shows the percentage of occurrence of different types of domestic violence using data from the World Bank Group, women, business and law.



Source: World Bank group (women, business and law), a survey in 2018

**OBJECTIVES:**

1. To understand domestic violence and what are its various forms in which they exist in society.
2. To correlate domestic violence with women empowerment and its effect on the occurrence of this crime in India.
3. To list our various laws being framed by the government to eradicate them.
4. To understand the working of various NGOs for the survivor of domestic violence.
5. To suggest various measure which can lower the rate of domestic crimes in our country.

**II. METHODOLOGY:**

The methodology was involved in the study comprises both a quantitative and qualitative approach. First of all, various police stations and courts of the districts of different states have been examined and data's are collected regarding the number of cases of domestic violence registered and various legal proceeding undertaken by them have been noted.

Secondly, various NGOs and SHGs regarding domestic violence victims and women development have been researched to understand their role and impact they are creating to eliminate this crime from society. Various ways have been examined by which they assist the survivors. Methods have been concluded to improve their working status and providing more fund to them by the government to work effectively.

Various interviews are conducted with the victims and survivors rescued by the different trust to understand what they go through and how they came out of that dark phase. Interviews have been conducted with various volunteers of SHGs and NGOs and also those who are working and contributing a lot to encourage women to work for their betterment.

Various case studies and articles have been examined both offline and online to have an in-depth picture of how various policies presented by the government, various programmes organized by SHGs and NGOs, and laws amendment made in constitutions had created an impact on lowering the rate of domestic violence against women in our country.

**WOMEN EMPOWERMENT AND DOMESTIC VIOLENCE:**

Women empowerment refers to all over the development of women that is socially, mentally, emotionally and physically. Women empowerment ensure equal access of women in education, economic activities, health care facilities, mobility and many more. Empowering women will give them the voice to raise for their betterment. Empowering women will make them aware of every escape route from any harassment they were facing either in or out of the home.

It is evident through the various survey in a different part of India that the places where there is a growing number of empowered women, there is a lesser number of victims. A well-educated woman is well

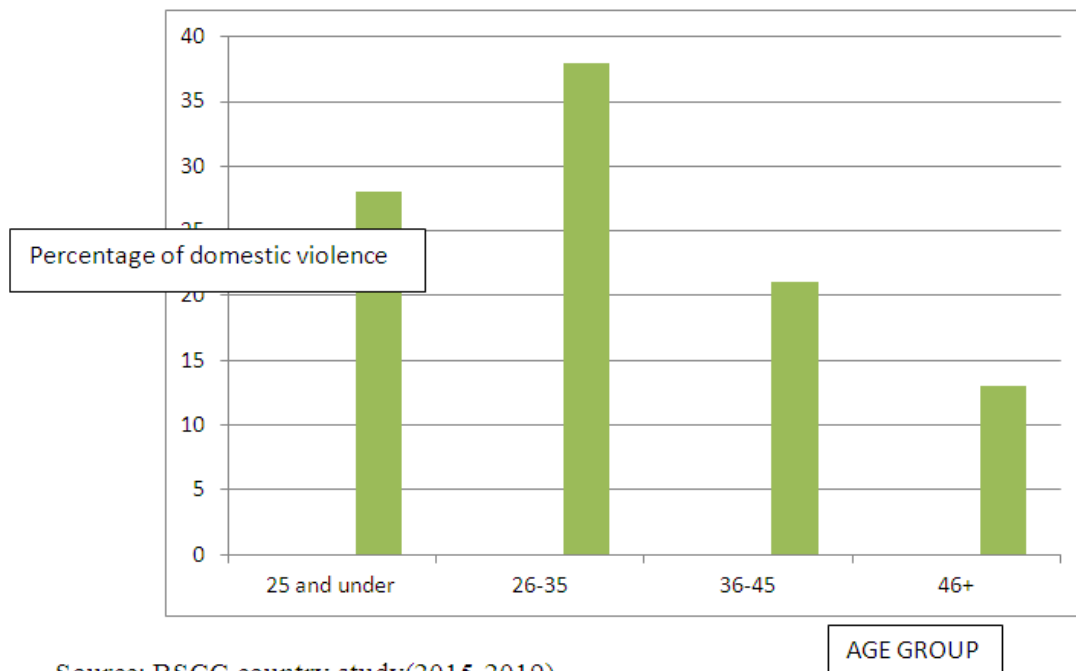
aware of the maltreatments she is facing and the way she can bring herself out of that suffering. Women who are well aware of laws against domestic violence can fight for themselves legally.

An empowered woman can be recognized as one who participates in the important decision-making process of the family, share domestic activities with her spouse, have control over financial issues of the family, have a decision on deciding the family size, have the freedom to work and utilize her wages in whatever she wants to, are self-confident, one who knows what is right and what is wrong and one who can prevent violence.

We can interrelate these two terms that are women empowerment and domestic violence. An empowered woman can safe herself from the violence she might face in the house, hence empowerment lowers the chances of domestic violence. In the same way, places where a major section of women is under-developed, are more vulnerable to the violence they might face.

A women's lower literacy, limited working opportunity, limited mobility and no income force them to continue a violent relationship. They found themselves helpless and bound to be in that relation to survive. They feel dependent on their spouse for their livelihood and hence prevent them to raise voice against violence, fight for it or drag herself out of that relationship. Such women are not allowed to go out, have access to education or do any job and hence it poses a more serious threat to their empowerment. Even working women also face domestic violence but to safeguard her and her family' respect she keeps on continuing the relationship and ultimately due to physical and mental wellbeing, they discontinue work or may isolate themselves or in the extreme case they take may decide to end their life to end the sufferings.

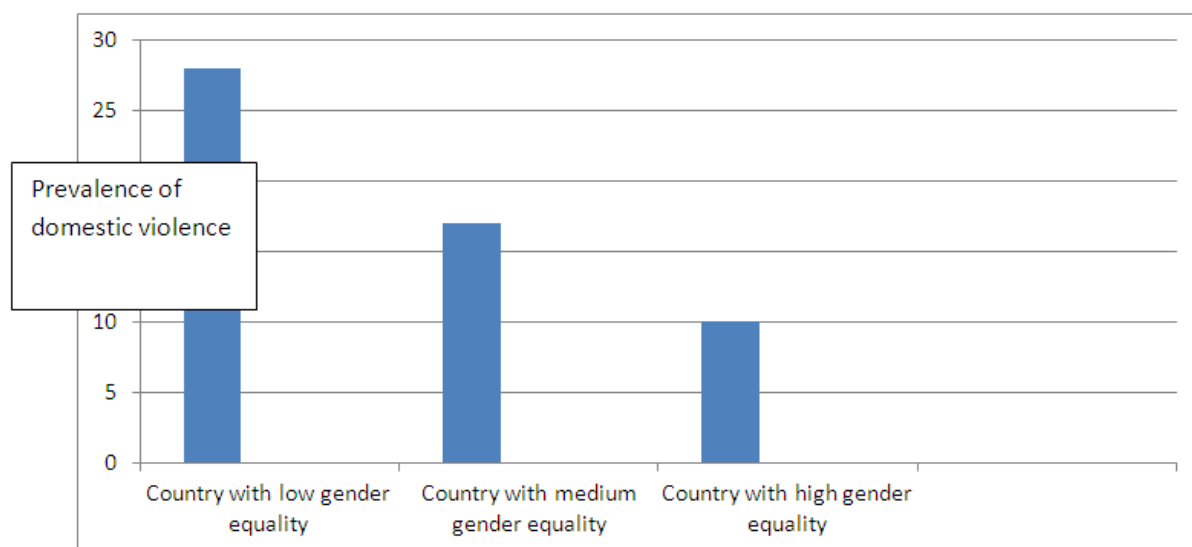
It is not necessary that only after marriage, women have to face domestic violence. Domestic violence is the crime faced by every age group as shown by the graph below after a country-wide survey organized by a public policy institute.



Source: BSCC country study(2015-2019)

Hence we can conclude that domestic violence is a serious threat to women empowerment or we can say women empowerment is an approachable way to lower the cases of domestic violence in our country.

Below is a graph that clearly shows that higher gender equality and empowerment of women lowers the incidences of domestic violence visibly :



Source: ICS multi-country survey in the year 2018-2019

## LAWS ON DOMESTIC VIOLENCE:

### 1. PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005:

Parliament of India framed an act, PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT in 2005. This act was to protect women against any sort of domestic violence. This act was framed on 13 September 2005 but implemented by the government of India from 26 October 2006.

Under this act, not only physical violence but also other forms of violence are included such as emotional, verbal and sexual abuses.

This act states that any action which causes physical harm or injury in any part of the body or action which endanger the health status of the women, any communication which disturbs her mentally or threatens her in any way, to pose any unlawful demand to her and her family or force her to say or do something undesirable by her should be considered as domestic violence and strict action will be taken against the culprit.

This act protects the wife or female live-in partner from domestic violence from husband or male live-in partner or any other relative. This act is not limited to wife or partner but also extend to sister, mother or any other female figure of the family. Under this act, an application should be provided to the magistrate directly by the victim or anyone on the behalf of the victim.

### 2. SECTION 498 A OF THE IPC:

Under this act, the husband or relative of the husband of a woman who acts with cruelty with the woman shall be punished under section 498 A of the IPC. The culprit should be punished with imprisonment for a term of about 3 years along with a fine and a year of imprisonment can be increased according to the severity of the violence.

This section includes all form of violence including physical, emotional and verbal abuses. This section was introduced in the year 1983 and concerned about protecting the married woman.

A survey under this section showed that about 19 out of 20 cases were related to dowry in which a woman was continuously tortured and threatened to fulfill the demand posed by the husband and his family.

But this law is misused very often by the urban and educated woman to torture her husband and his family. Many false cases are also registered under this section. Hence this demands certain amendments to be made to stop the misuse of this law. The national crime record bureau released All India crime Data from the year 2016 to 2019.

S. No.	YEAR	TOTAL IPC CASES	CRIME AGAINST WOMEN	PERCENTAGE OF TOTAL IPC CRIME
1	2016	2487788	233280	11.2%
2	2017	2647322	296896	13.1%
3	2018	2862673	326356	13.4%
4	2019	2945400	319875	12.8%

### 3. DOWRY PROHIBITION ACT:

Dowry is the transfer of money, property or any sort of expensive gift from the bride's family to the groom's family. The Dowry system is an ancient custom in India which is one of the main reason for the

violence being posed on women. The family of the bride are being pressurized to gift expensive items and a large amount of money to let her daughter marry the groom. This is one of the basic reason due to which poor family found their girl child a burden and thus enhance the rate of female infanticides and feticides. Even in some cases if the family of the groom is not satisfied with the gifts and money, then after marriage they start torturing the bride to force her and her family to offer more to them. This incident demanded a strict rule against dowry.

This Indian law came into force on 1 May 1961. This law was intended to prevent giving or receiving of dowry and hence posed a great threat to dowry culture in our country. Dowry includes money, property or any expensive gift item. This act is applied to the person of all caste and religion of our country.

However even after the introduction of this act, violence, to forcefully receive a dowry, was continued which demands a stronger amendment. In the year 1984, many changes were made which made this law more approachable to the victims. In the year 2005, another amendment came into existence which focused basically on the punishment being given to the culprit and his family. This law is successful to curb down the crimes of dowry-related cruelty, dowry death and suicides.

## **NGO FOR THE VICTIMS OF DOMESTIC VIOLENCE IN INDIA**

### **1. SAKHYA WOMEN'S GUIDANCE CELL:**

This cell was focused to assist the victim. Under this women are provided shelter to live, legal help and guidance regarding how to come out of the situation and protect themselves from the violence at home. Members of this cell are in contact with lawyers to provide proper legal information to the victim and make here aware regarding various rights being provided to them by the constitution of India. It has been successful in spreading awareness among women so that they can recognize the maltreatment with them and give them confidence enough to fight for themselves.

### **2. THE PRAJNYA TRUST:**

This trust came into existence in 2008 in India. This trust has conducted various discussions and workshop to spread awareness regarding domestic violence, how to identify that a person is suffering from this crime, how to take steps at the initial stage against it and also how to make it legal.

This NGO work on the basic level and covers the backward area especially where women are not able to seek help from local SHGs as well may be due to lack of awareness or lack of mobility. This trust has contributed a lot to help more and more number of women to come out of their shelf, fight against their fear and raise voice for themselves.

### **3. PRERANA:**

This NGO work toward the rescue of the victim from their home and to provide them shelter and further protection. They work along with various state government and run on the funds being allotted to them by the state. This trust provides psychological counselling to the victim to restore their mental health and help to make them realize their worth.

They work on making them independents that they don't feel bound to remain dependent on their spouse and continue with the violent relationship. They stand along with the victim in their legal proceedings against the culprit and provide them with lawyers who can make them aware of the laws and rights of women of our country.

### **4. INTERNATIONAL FOUNDATION FOR CRIME PREVENTION AND VICTIM CARE:**

International foundation for crime prevention and victim care was organized to assist the victim physically, mentally and financially as well. They provide necessary help like legal advocacy, shelter, mental rehabilitation centres, medical facilities and many more.

In critical cases, they provide complete financial help for the medical treatment of the injured victim. They also help them legally if the survivor wants to file a case against her family. They provide the survivor with employment opportunity so that they can regain their self-esteem and feel independent.

Every year they run a state wise and district wise survey to go through the increasing cases of domestic violence and the reason behind it. And along with the government and other SHGs, they work to eradicate the basic reasons behind the prevalence of this crime in society.

Other famous NGO working to eradicating domestic violence from society are Sayodhya home for women in need, Majlis Manch, Action Aid India, Guria India, Shikshan ane samajk kalia Kendra etc.

## **PERSPECTIVE AND SUGGESTION:**

**1.** Indian government has realized the urgency of amendments in the constitution to help women of India and hence has framed many laws against domestic violence in past few years. But still, it is unable to eradicate this

crime from the society as most of the law don't put forward any strict punishment or compensation toward culprit which make the culprit and his family come out easily from the cases after manipulating the scenario being put forward in the court.

2. Female literacy rate and the employment rate is increasing year by year in our country but the rate is very slow. The major section of women is successful in uplifting them by educating themselves and involving themselves in various economical activities which have helped them to lower the occurrence of crime against them in and out of the house.

But still, a considerable section of women is uneducated to understand the laws and rights being provided to them by the government and still large number of women are financially dependent on the male figure of the family which do not allow them to leave the toxic relationship and they continue to suffer. Hence the government should try to frame more such laws, plans and programmes to enhance the female literacy rate and female employment ratio.

3. There are several NGO and SHG who are working appreciably to assist women in every possible way whether financially, legally or mentally. They have brought the graph of occurrence of crime to a very low level. But most of such trust lack proper funding and facilities so that they can assist a large number of the victim. Hence the government and a richer section of the society should look toward providing them with better funding and help them work more efficiently. Also, such NGO is should be made easy to reach for women from backward areas.

### III. CONCLUSION:

In today's era where women in progressing in every field, it is shameful to witness that a major section of women is suffering from cruelty in their home. Even after Indian women being empowered in various ways, domestic violence persists in our society.

The Indian government has been working since the past decades to achieve full-term women empowerment but domestic violence act as a main manacle which prevents them to uplift themselves and empower enough to lead their life on their term. Lack of education, lack of financial independence and lack of awareness act as accelerators toward increasing rate of domestic violence. Majority of women are unaware of the laws which will help them to come out of the suffering, they are not educated enough to seek help legally and also not financially strong enough to come out of the toxicity and lead their life by their own.

More number of approachable NGO and SHG is required especially in backward areas to help victims to feel supported enough to raise voice and fight for themselves. Stronger laws without loopholes should be framed by the government to terminate this heinous crime from society.

And we all being a responsible citizen of our country should come forward together to work along with the government and NGO to help women to untie themselves from this crime and help them to empower themselves.

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