

Domestic Violence Against **WOMEN IN INDIA**

With Special Reference to pwdv act, 2005

Editor: Prof. (Dr.) Manu Singh



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For information contact:

Ayah Media & Publishing Pvt Ltd

CIN: U74999DL2018PTC341647

A-42, Plot No-1, Vrindavan Apartment, Sector-6, Dwarka, South Delhi-110015

<http://www.ayahpublications.com>

ISBN: 978-93-94787-11-7

Edition: I

Price: 750

About the Book

Violence against Women is gradually increasing Worldwide with change of time and increasing space for Women in Economy, Family, Society and Politics. India is no exception of it. Most crimes against women go unreported for many reasons. Institutional indifference makes matters worse. Violence against Women has roots in the patriarchal socio-economic, legal and political order. Assaults on Women are often visibly associated with their social status, Communal, Ethnic and Caste identities. Women are the most vulnerable section in the society for exploitation and their voices are always ignored. Domestic violence against Women is a widespread problem; however, its actual extent is difficult to measure. It may be very much higher than that the reports indicate because many incidences of domestic violence against Women are not reported. The research studies and surveys conducted by individuals generally produce higher estimates of violence than official records. However, they are also assumed to underestimate the actual extent of domestic violence against Women. For a variety of regions, Women may fail to report violence that takes place in family.

Present volume consists of well written 11 papers, highlights the nature and extent of the violence against Women in India. The book also focuses on policy and legal framework, various dimensions, aspects, issues and way forward. The book will be helpful to Planners, Administrators, Policy Makers, development activists and those who are interested in this subject in understanding the nature, extent, and magnitude of violence against Women in India besides evolving the action plan for prevention of Women from Violence.

ABOUT THE EDITORS

Prof (Dr.) MANU SINGH

Prof. (Dr.) Manu Singh, is a Director of School of Law and Legal Affairs, Noida International University, Greater Noida. She is also a Visiting Professor at Indian Law Institute, New Delhi. Dr. Singh has been Dean, Faculty of Law, SGT University. She was Associate Professor in Law Department at Gitarattan International Business School, New Delhi. She has been Faculty in Amity University Law Department, Lucknow, Uttar Pradesh. She has been the Faculty of Law, at Swami Vivekanand Subharti University, Meerut. She has contributed immensely in imparting quality Legal Education. Dr. Singh has also looked after the Legal Aid Clinics and Camps organised under the Guidance and Supervision of Uttar Pradesh State Legal Services Authority for spreading Socio-Legal Awareness. She has conducted many workshops to spread awareness about the Fundamental Rights in oppressed and downtrodden Sections of the Society.

Prof. (Dr.) Manu Singh has authored Several Books, few are as follows: Edited Books on "*New Dimensions of Women and Child Development*", published in 2021. "*Macaulay to Verma: Changing Nature and Dimensions of Indian Penal Code*" published in 2023. Text Books on "*Lectures Notes on Constitutional Law*", published in 2019. "*The Code of Criminal Procedure, 1973*", published in 2020.

She has published several research papers in National and International Reputed Journals. Prof. Singh commands Exceptional Research Skills and has been a Great Orator. She continuously inspires students to expand their horizons and has been very successful in enabling Young Minds to utilise their full potential.

Dr. RAZIA CHAUHAN

Dr. Razia Chauhan is an Assistant Professor in School of Law and Legal Affairs, Noida International University, Greater Noida. She is a Professional Educator who is Dedicated, Resourceful, Self-Motivated and Goal-Oriented, with a strong dedication to the academic growth and development of every student in the class. Dr. Razia has completed her B.A.LL.B from Aligarh

Muslim University, Aligarh, Post-Graduation (LL.M) in Human Rights from Amity University, Noida and Completed her Ph.D. in International Law from Aligarh Muslim University, Aligarh. Dr. Razia has published several book chapters in National and International reputed books and also published Research Articles in various reputed Law Journals. She has published her Edited Book “Macaulay to Verma: Changing Nature and Dimensions of Indian Penal Code” published in 2023. She is also having administrative post as BBA.LL.B, LL.B and LL.M Course Coordinator. She is a Team Leader and have appreciable Management Skills.

DR. YASHFEEN ALI

Dr. Yashfeen Ali is serving as an Assistant Professor in School of Law and Legal Affairs at Noida International University, Greater Noida, India. She has been Assistant Professor in Faculty of Law, Integral University, Lucknow, India. She has worked as a Retainer Lawyer in Orbit Law Firm, Mumbai. She has completed her Graduation (B.A.LL.B) from Aligarh Muslim University, Aligarh, Post-Graduation (LL.M.) from Amity University, Noida and has been awarded Ph.D in Commercial Law from Aligarh Muslim University, Aligarh. Her specialization is in Corporate Laws and Media Laws. She is a Prolific Writer and her numerous Research Papers have been published in various Reputed National and International Journals. She has also presented Papers in Several Conferences Within and Outside India. She is Editor of Two Edited Books namely: “*Law, Public Health, and Pandemic: Changing Dimension of Right to Health*” and “*Emerging Trends in Technology & its Impact on Law*”, published in 2022. Currently She is working on other Multidisciplinary Books. Apart from Teaching Skills she has also been associated with Administrative Work as NAAC Criteria III Coordinator, LL.M Course Coordinator and Sports Coordinator.

Domestic Violence: Theoretical Perspectives

**Wasim Ahmad*

Research Scholar, Aligarh Muslim University, Aligarh

Email Id: ahmadwas08@gmail.com

Mob No.: 9871044584

Abstract

Domestic violence is most common form of gender-based violence globally. It is asserted that all forms of domestic violence, may be psychological, economic, emotional or physical germinate from desire for power and control from the abuser. Domestic violence against women is a widespread problem; however, its actual extent is difficult to measure. It may be very much higher than that the reports indicate because many incidences of domestic violence against women are not reported.

Keywords: *Domestic Violence, Gender, Psychological, Economic and Emotional.*

Introduction

Violence against women is gradually increasing worldwide with change of time and increasing space for women in economy, family, society and politics. India is no exception of it. The violence against women and girls is rooted to unequal power relations between men and women due to patriarchal setup of the society. The theoretical perspectives on domestic violence are as follows:

(I) Frustration Aggression Theory

Propounded by Dollard (1939), this theory is based on Freudian Theory. The main features of this theory are as follows:

1. Individual's activities are goal directed.

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2. Experiences of individual regarding blockage or obstacle in accomplishing goals generate frustration.
3. Frustration leads aggression towards source of frustration.
4. As per theory, aggression is an innate drive which could be cumulative and active for long period.
5. External control norms could inhibit actual display of aggression.
6. Frustration, which is perceived as arbitrary or unreasonable, is most likely to trigger aggression.

Criticism

1. Overemphasis on aggression as the only response to frustration.
2. Frustration may invoke differential responses as person in stress does not become violent.
3. No innate relationship between frustration and aggression.
4. No examination of causes of men's violent behavior in the context of the family

(II) Social Learning Theory

Given by Bandura (1973), the main features of this theory are as follows:-

1. Aggression and Violence are learnt.
2. They are learnt either by direct experiences or through observations of others.
3. Identification of individual with a model from whom behavior pattern is imbibed and imitated.

DOMESTIC VIOLENCE- WHERE LIES THE SOLUTION?

**Ashraf Azmi*

Research Scholar, Lucknow University

Email id: asfali37@gmail.com

Abstract

Newly married women tortured to death for dowry, mother killed over property dispute by sons, Harassment of father in Delhi, Boy got badly beaten by father for failing exams, drunken husband killed wife. All these and what not, switch on to any news channel or newspaper at random and you would find the reports of such kind of violence all over the country. These are the most frequent incidents we hear about. There are more such cases which go unreported every day. In fact, include the cases which we our self-indulge in, or the ones which we witness in the neighborhood but are hesitant in taking even a single step to reduce their occurrences. The right to be safe and live free from violence is a fundamental human right. But all the people are not lucky enough to enjoy this right. Home is considered as the safest place to dwell but not always. There are situations where violence creeps into homes making life miserable.

Keywords: *Domestic Violence, Human Rights.*

Introduction:

Generally every one speaks of domestic violence with reference to mostly wife beating. Here is a focus on domestic violence with respect to every member in the family- children, wife, in laws and some rare cases, husband too! Yes, domestic violence is different in different homes! Wife being beaten, child battering, physical abuse of in law etc. The term used to describe this exploding problem of violence within our homes is Domestic Violence. This violence is towards someone who we are in a relationship with, be it a wife, husband, son, daughter, mother, father, grandparent or any other family member. It can be a male's or a female's atrocities towards another male or a

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female. Anyone can be a victim and a victimizer. This violence has a tendency to explode in various forms such as physical, sexual or emotional.

The UN Declaration on the Elimination of Violence against Women (1993) recognized that- Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men. Domestic violence, so defined, has many forms, including physical aggression or assault (hitting, kicking, biting, shoving, restraining, slapping, throwing objects), or threats thereof; sexual abuse emotional abuse; controlling or domineering; intimidation; stalking; passive/covert abuse (e.g., neglect); and economic deprivation Alcohol consumption and mental illness can be co-morbid with abuse, and present additional challenges in eliminating domestic violence. Awareness, perception, definition and documentation of domestic violence differ widely from country to country, and from era to era. Domestic violence is one of the most complex issues in India. Domestic violence concerns so many elements. Incompatibility between couples, Alcoholic husband, Inferiority complex due to differences in professional success of spouses, Poor performance in school by children, Maladjustment between in laws. The reasons may be many more it can even be endless.

Some statistical Facts:

National Crime Records Bureau Report of 1991 reveals that in every 33 minutes one Indian woman is being abused by her husband. It also reveals that in 1989 one dowry death occurred in every 125th minute. The National Crime Records Bureau has recorded an increase of 40% in the case of social harassment, and 15.2% in cases of dowry deaths. The NCRB statistics reveal altogether different picture of prevalence among Indian states. West Bengal now tops in the recorded domestic violence, followed by Andhra Pradesh and Rajasthan. The rate of incidence of the domestic violence too is very high in West Bengal with figure of 21.6 among all cognizable crime India's national Family Health Survey-III, carried out in 29 states during 2005-06, has found that a substantial proportion of married women have been physically or sexually abused by their husbands at some time in their lives. The survey indicated that nationwide 37.2% of women experienced violence after marriage. Bihar was found to be the most violent, with the abuse rate against