

## “DOMESTIC VIOLENCE IN INDIA: A HUMAN RIGHTS PERSPECTIVE”

### Abstract :

**Introduction:** Domestic abuse is the origin of a misdemeanor and one of the primary reasons for the nation's misdemeanor index to grow. Domestic violence is destructive behaviour in a personal connection in which one person attempts to exert control and influence over others in a dating, marriage, or conjugal relationship, which can lead to physical, psychological, or sexual harm to those involved. In this work, I attempt to explain the underlying reasons of domestic violence, which include several aspects such as separate, correlation, and group, communal, legalised, and governmental elements. These governmental components are responsible for domestic abuse and its effects on the victim's emotional and physical well-being in everyday life. The report also culminated the varied configurations of domestic violence, such as bodily, emotional, mental, sensual, teasing abuse, or economic.

**Objective:** To assess the domestic violence and human rights

**Methods:** The study was conducted in selected areas at Noida, Uttarpradesh by two data collectors. 60 women's were selected and convenience sampling technique used to select samples. The questionnaire were checked for completeness, cleaned manually and entered in to SPSS version 25.0 for further analysis. Descriptive statistics were carried out. Finally checked association between dependent and independent variables.

**Result:** showed that majority of women's 10 (16.7%) women's had mild domestic violence, 16 (26.6%) had severe domestic violence, and 34 (56.6%) had moderate domestic violence. Education status of women's significant with p value less than 0.05 level of significant.

## **Conclusion**

Urgent action is required to strengthen the reduction of violence and the range of information accessible on domestic abuse cases in order to use these statistics to effectively combat domestic violence against women in India.

**Keywords: Domestic Violence, Human, Rights**

## **Introduction:**

Domestic violence in India primarily refers to abuse suffered by an individual at the hands of their biological relations, but it also includes violence suffered by women at the hands of male family members. Domestic abuse is a global issue that cuts beyond socioeconomic, cultural, racial, and class lines. This issue is not simply widespread. Although geographically dispersed, its prevalence is widespread, making it a common and accepted behaviour. Domestic abuse is widespread, deeply ingrained, and has major consequences for women's health and well-being. Its prolonged existence lacks moral justification. The cost to individuals, health institutions, and society is significant.<sup>1</sup>

Domestic violence, as previously stated, is an abuse in our society that manifests itself in a variety of ways, regardless of socioeconomic status. Though the concept of domestic violence and abuse is extremely modest in terms of words, its scope is broad, and its impact on its victims is devastating. The victim is invariably a woman who is unable to defend herself against the

atrocities committed against her because she is helpless, as these atrocities are committed by her family and carried out behind closed doors in her home.<sup>2</sup>

In 2023, of the 28,811 complaints, 6,304 were related to domestic violence. In 2021, domestic violence complaints accounted for 6,633 out of 30,864 cases. In 2022, the number of complaints rose to 30,957, including 6,970 domestic violence cases. Uttar Pradesh recorded the highest number of complaints at 16,109 followed by Delhi 2,411, Maharashtra at 1,343, according to the data. Bihar recorded 1,312 complaints, Madhya Pradesh 1,165, Haryana 1,115, Rajasthan 1,011, Tamil Nadu 608, West Bengal 569 and Karnataka 501. The number of complaints have seen a drop since 2022 when 30,864 complaints were received, the highest since 2014.<sup>3</sup>

The prevalence of DV in India ranges between 6% and 60%, with significant variation across states and situations. However, the breadth, scope, and burden of the problem in the country have not been adequately accounted for, as reporting on the problem remains insufficient. In India, there are few community-based micro level studies that focus on physical violence, but there is no evidence of psychological or sexual violence. There is also relatively little empirical evidence of its numerous drivers, outcomes, and relationships.<sup>4</sup>

Several research on DV in South Asian nations have found a variety of related individual and household level risk variables, indicating that specific demographic parameters like as age, number of live male offspring, and living in an extended family are associated with DV. Among the protective characteristics observed in emerging nations include better socioeconomic status, women's economic independence, quality of marital relationship, and higher levels of education among women. Spousal violence against women is known to be more common among women

who are younger, have a lower household income, are less educated, belong to a lower caste, do not work, have a partner who drinks/bets, and so on. However, the issue of DV and its underlying societal causes in developing nations remain limited, particularly in the context of India.<sup>5</sup>

Many countries have solved similar socioeconomic difficulties, but others, such as India, continue to face them. There is an urgent need to eliminate all sources of violence that stem from a male-dominated mentality. As a result, it is necessary to analyze all of the causes. Though society is evolving and parents are now teaching their children about gender equality, the scenario is less likely to be the same for both genders. The majority of casualties at home are the result of drunkenness. When the casualty is affected by such substances, it leaves a lot of bad marks on the mind of the sufferer in antagonistic circumstances. Beside the physical harm, residential maltreatment causes passionate and mental illness.<sup>6</sup>

## **Methodology**

### **Research approach**

Qualitative research approach

### **Study area and period**

Study was conducted at Noida Uttarpradesh and study period one month.

### **Study design**

A cross sectional study was conducted to attain the objectives of the study.

## **Population**

**Source and study population:** All women's living at Noida area.

## **Inclusion criteria and Exclusion criteria**

### **Inclusion criteria:**

- Women's are living in the study area.
- Women's are willing to participate in study

### **Exclusion criteria:**

- Those Women's who are absent during data collection period

**Sample size:** Convenience sampling technique selected 60 Women's

## **Variables**

**Dependent variable:** Domestic violence level

### **Independent variables:**

Age, Religion, educational status, residence, Husband's educational status, occupational status.

## **Data quality control**

The data collection questionnaires were pretested on 5% of the sample size one week before the actual data collection date and will be reviewed in areas other than the study area. Following the pretest, the tools will be edited and changed to meet the study's objectives. The consistency of the data was monitored during the collection process by closely monitoring the data collectors and the collection method, as well as reviewing the collected data on a regular basis. Any items

missing from the questionnaire that the data collectors misunderstood were immediately checked by the supervisors and corrected for the next day of data collection with the principal investigators.

### **Data processing and analysis**

The collected data was washed, coded, and entered into the SPSS program before the actual study began. The data will be entered and analyzed using the statistical kit for social sciences (SPSS) version 25; the findings will be presented in a detailed description using frequencies, proportions, and cross tabs. Association between dependent and independent variables with a P-value less than 0.05 were considered statistically significant.

## Result

**Table:1: Socio-Demographic Characteristics of respondents**

Characteristics		Frequency	Percentage (%)
Age	20-30 Years	31	51.7
	31-40 Years	29	48.3
Religion	Hindu	37	61.7
	Muslim	16	26.7
	Christian	7	11.7
	Others	0	0
Education status of women	No formal education	18	30.0
	Primary	17	28.3
	secondary	9	15.0
	Higher secondary	5	8.3
	Bachelor	6	10.0
	master and above	5	8.3
Education status of husband	No formal education	13	21.7
	Primary	16	26.7
	secondary	15	25.0
	Higher secondary	6	10.0
	Bachelor	6	10.0
	master and	4	6.7

	above		
<b>Residence</b>	Urban	21	35.0
	Rural	39	65.0
<b>Family Monthly Income</b>	<5000-10000	24	40.0
	10000-20000	18	30.0
	> 21,000	18	30.0

As shown in the **Table (1)**, A total of 60 women's took part in the study, resulting in a 96% response rate. According to the study, Maximum 31(51.7%) were age group of 20-30 years and 29 (48.3%) of the respondents were between the ages of 31-40 Years respectively. Regarding religion of women's 37(61.7%) were hindu,16(26.7%) were Muslim and 7(11.7%) were Christian.

Regarding the woman's' educational backgrounds, 18 (30%) had no formal education, 17 (28.3%) had elementary education, 9 (15%) had secondary education, 5 (8.3%) had upper secondary education, a master's degree or higher, and 6 (10%) had a bachelor's degree or higher and 5(8.3%) were master and above.

Regarding educational status of husband 16 (26.7%) of the husbands had only had a primary education, 15 (25%) had completed a secondary education, 13 (21.7%) were no formal education and 6 (10%) had completed both a higher secondary and a bachelor's degree. 4 (6.7%) had a master's or above.

Regarding residence of woman's' 39(65%) were residing at rural areas and 21(35%) were urban areas. Regarding family monthly income 24(40%) were <5000 to 10,000,18(30%) were monthly income 10,000 to 20,000 and more than >21,000.

**Table:2: Level of domestic violence**

<b>Characteristics</b>	<b>Domestic violence score</b>	
	<b>F</b>	<b>Percentage</b>
<b>Severe domestic violence</b>	16	26.6%
<b>Moderate domestic violence</b>	34	56.6%
<b>Mild domestic violence</b>	10	16.7%

According to Table 2, 10 (16.7%) women's had mild domestic violence, 16 (26.6%) had severe domestic violence, and 34 (56.6%) had moderate domestic violence.

**Table 3: Association between levels of domestic violence among women's with selected socio demographic variables.**

Demographic variables		Level of domestic violence				
		Severe	Moderate	Mild	Total	Chi-square P value
Age in years	20-30	6	24	6	36	$\chi^2=9.72$ P=0.24
	31-40	10	10	4	24	
Religion	Hindu	8	15	6	29	$\chi^2=6.75$ P=0.84
	Muslim	3	10	3	16	
	Christian	5	9	1	15	
Educational status of women's	No Formal Education	5	5	1	11	$\chi^2=6.49$ P=0.82
	Primary Education	4	7	4	15	
	Higher Secondary Education	4	10	3	17	
	Graduation and above	3	12	2	17	
Educational status of husband	No Formal Education	4	6	1	11	$\chi^2=8.43$ P=0.04*
	Primary Education	5	10	4	19	
	Higher Secondary Education	5	10	3	18	

	Graduation and above	2	8	2	12	
Occupational status of woman's	House wife	2	4	1	7	$\chi^2=1.27$ P=0.73
	Farmers	2	6	5	13	
	Private employee	5	15	2	22	
	Government employee	4	8	2	14	
Family Income	<Rs.5000-10,000	3	5	1	9	$\chi^2=3.56$ P=0.31
	Rs.10,000/-- Rs.20000/-.	5	10	2	17	
	>Rs.21,000/-- and above	5	9	5	19	
Residence	Urban	9	20	5	34	$\chi^2=3.48$ P=0.61
	Rural	7	14	5	26	

(\* -P>0.05, significant) (NS=Not significant) S=(significant )

The above table 3 shows that there was a significant association between domestic level of women's and their demographic variables such as educational status of women's.  $p < 0.05$  level. There was no association between the demographical variables such as age,, occupational status of women's, family income, education of husbands, residence status of women's at  $p < 0.05$  level. Women with non-white skin had a higher likelihood of experiencing violence during their menstrual cycle. Women's care services could provide a safe environment for survivors of violence. Women with higher education and upper wealth quintiles are less likely to experience domestic abuse than women with lower education and lower wealth quintiles in northeastern India. Domestic abuse in the region is equally prevalent in both rural and urban areas.

## **Discussion**

Conducted study to assess the Violence against women is now widely recognized as an important public health problem, owing to its health consequences. Domestic violence generally refers to violence against women that generally takes place in the matrimonial home, which includes physical, emotional, sexual as well as economical violence occurring in the adult relationship. Domestic violence has negative impact on the demographic outcome of a country or region, which includes the health and health seeking behavior of women. The present study is an attempt to investigate the socioeconomic factors that would significantly influence domestic violence in the northeastern region of India. The northeastern region of India comprises of eight states, including Manipur and Sikkim, which are reported having the highest and the least prevalence of domestic violence in the whole country according to NFHS-4. Considering these reports and having a different socioeconomic setup as compared to other states in the mainland India, we selected the region for the current study. Data from NFHS-4 conducted during 2015-16 is being employed for the present study. Findings show that education of women, wealth, women's working status, religion, parity of women, and husband's alcohol use are some of the significant covariates that might have influenced domestic violence. The overall prevalence of physical, emotional, sexual, and severe physical violence among women of northeastern India are 24.7%, 11.8%, 6.4%, and 5.3%, respectively. Logistic regression analysis computes the relative risks of categorical variables via the odds ratios. Those women who got higher education and are in upper wealth quintiles have less risk of experiencing domestic violence as compared to women

in lower education and lower wealth quintile in northeastern India. There is no rural urban difference in experiencing domestic violence in the region.<sup>7</sup>

The study used the Indian National Family Health Survey 3, a cross-sectional national survey of 124 385 ever-married women of reproductive age from all the 29 member states.  $\chi(2)$  Analysis and logistic regression were used. Lifetime experiences of violence among respondents were as follows: emotional violence, 14%; less severe physical violence, 31%; severe physical violence, 10%; and sexual violence, 8%. Women of scheduled castes and Muslim religion were most often exposed to domestic violence. Women's poorer economic background, working status, and husband's controlling behavior emerged as strong predictors for domestic violence in India. Elimination of structural inequalities inherent in the indigenous oppressive institutions of religion, caste, and the traditional male hierarchy in society could prevent domestic violence.<sup>8</sup>

Conducted study the prevalence of physical, psychological, and sexual violence and potential risk factors of the women confronting violence within the home in India. A multicentric study with analytical cross-sectional design was applied. It covers 18 states in India with 14,507 women respondents. Multistage sampling and probability proportion to size were done. The result shows that overall 39 per cent of women were abused. Women who have a lower household income, illiterate, belonging to lower caste, and have a partner who drinks/bets, etc. found to be important risk factors and place women in India at a greater risk of experiencing domestic violence. Study concluded that As India has already passed a bill against domestic violence, the present results on robustness of the problem will be useful to sensitize the concerned agencies to strictly implement the law. This may lead to more constructive and

sustainable response to domestic violence in India for improvement of women health and wellbeing.<sup>9</sup>

### **Conclusion:**

Women are the easy objectives for abusive behavior at home, to illuminate the aggressive behavior at home, practice becomes a significant aspect brutality in the house, physical attack on females is normal and 40 percent believe both bodily harm as well as emotional provocation are significant aspects. Demonstration should adjust. Analyst didn't study situations where lady utilized muscle capacity to down play the spouses. There are males who have become frantic as well as incapacity by their spouse through harming. Statute must be competent and reasonable for the purpose of security of all. Casualty of ravenous ladies for the good of God incorporate "eager ladies" likewise as one of the reasons for documenting DV act, in any event in urban India. The aggressive behavior at home act is unlawful as it treats ladies alone as the endless casualties and men alone as the culprits of savagery. This is gross infringement of sexual orientation uniformity. Get your realities rights. Ladies have been spoiled enough. Inside a sovereign state, where our constitution and legal authorities ensures equivalent rights advantage to male and female, this is a disgrace that female despite everything need to battle in any event, for little things. A basic case of this is the abusive behavior at home against ladies.

There has been a significantly through debate during the drafting of this Act that would be easiest to implement. An example of this has been the provision of settlement of domestic violence cases in the Magistrate's courts. The reasoning behind this provision is easy access for

the aggrieved. The option of Family Courts wherever they have been was also considered. However, it was noted that the Family Courts, are overcrowded due to the channeling of cases under section 125 CrPC to these courts. Argument that has been brought out against the Family Courts is that they tend to shift cases of domestic violence within the field of family 'disputes'. Thus, in the interest of preserving the family, abuse up to a certain limit is tolerated, the primary purpose of Family Courts being to 'promote conciliation'. There has been an effort in this Act to simplify and make more effective issues of the method of filing a complaint of domestic violence for obtaining relief. It also simplifies procedural matters for an aggrieved who wishes to file a complaint. For example, the Act allows anyone, perhaps a friend or an NGO, that has witnessed a case of domestic violence, to file a complaint in that regard to the Protection Officer.

The appalling toll will not be eased out until family, government, institutions, and civil society organizations address the issue collectively. These results provide vital information to assess the situation to develop interventions as well as policies and programmes toward preventing violence against the women. As India has already passed a bill against DV, the present results on robustness of the problem will be useful to sensitize the concerned agencies to strictly implement the law.

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