



Domestic Violence: A Curse Logical and Critical Analysis

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Abstract: Domestic violence has now become a common problem affecting more than one fourth section of women. This is an intricate area that needs to be researched. Observations often focus on preferred populace and display heterogeneity of design, making comparisons intricate. This study pays attention to corporeal violence by men and by others against their partners or former associates, kids and guardians. Domestic violence is often not detected in time. Despite societal restrictions, women crave to be frequently asked about corporeal abuse and seek instant counsel and information about its alternatives. Women facade an assortment of domestic violence, including substance abuse, anxiety, depression, and pregnancy complications along with harassment. Therefore, doctors should recurrently ask undeviating questions about ill-treatment to all women. This recommendation could be incorporated into guidelines to improve care for women facing domestic violence, which should be widely implemented in India. More research is needed to ascertain the dominance of familial violence in society and to examine how the quandary is presently being addressed. If advancement is to be made in tackling familial violence, action has to be taken within primary care. An elementary change in the behavior of men towards women is desired. Research Study results on familial violence advocate that children who are exposed to violence in their homes facade tiny- and long-term consequences. These children are at superior risk of being fatalities of psychosomatic problems, child cruelty, have amplified learning difficulties and more partial societal skills, larger risk for ruthless anxiety or hopelessness, greater risk for presentation, aggressive, hazardous and offending behavior. Familial violence affects these children till maturity and more. This research helps us to find out the possibility of familial violence and evaluates rudiments that amplify a woman's vulnerability for being a casualty of familial violent behavior. These fundamentals include unemployment, deficiency, and essence abuse. This research also tells what children are obliged to cultivate in a habitat free of familial violence and what steps imperative makers should take to guarantee this. These steps embrace awareness of the impact of domestic violence on society, children, and women and suggest to create public policies and laws that protect society, children, and women.

1. INTRODUCTION

If we try to understand in simple language, then the abuse or violent behavior done by other members of the household against any member of the household is called domestic violence. In other words, one or more members of the household are harassed mentally and physically by the other members that are also considered under domestic violence. The main purpose of domestic violence is to control the other person or get the act done according to his wishes and fulfill his desires against his will also comes under domestic violence. Mainly its victims are the women community. According to the National Commission for Women, if a person harasses the woman of the family, physically, mental and other types, then that woman will be considered a victim of familial violence.

Familial violence beside women has now taken a formidable form and along with it has become a matter of deep contemplation all over India. The constitution has also made provisions to end this and the present judicial system has also made provision for strict laws to improve it. Domestic violence is not limited to women only, now domestic violence is happening to men also in some western countries domestic violence is happening on a very large scale. At present, domestic violence against men is also very big in India. Few years ago in contemporary cities like Chandigarh and Shimla many male gathered and raised their voice against domestic violence being done by their wives and other household members and also recommended to enact a law for domestic violence against men. Along with these, children are also becoming victims of domestic violence, in which parents, teachers, neighbors and relatives have an important role. By these, children have to go through physical mental torture, which remains a big obstacle in their development. Apart from this, the elderly are also not untouched by domestic violence, due to the greed of property, under pressure of work and other types of reasons, the elders of the house are also becoming victims of mental, physical and other types of domestic violence. Keeping all these aspects in mind, it is quite clear that the most adverse effect of domestic violence is on women.

2. DOMESTIC VIOLENCE ACT 2005

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To protect against domestic violence, the Government of India has also enacted the Domestic Violence Act 2005. This Act came into force with effect from 26 October 2006. The Domestic Violence Act 2005 is governed by the Commission for Women and Development. Many incidents of atrocities against women continue to occur due to the practical forms of gender inequality. Most cases of execution are due to domestic violence. Dowry has been the main cause of domestic violence, along with increasing material amenities, the demand for dowry greedy people is also increasing. Women are also abused verbally or emotionally, such as "neglecting, discriminatory or humiliating her for not bringing dowry, taunting or humiliating a daughter when she is born." Making unrespectable derogatory remarks, laughing, slandering, etc., are included in many things. Women are not safe in the family itself. Often they have to be victims of assault on small things. Cases of mental and physical harassment in police stations are increasing rapidly. The cases of harassment are more among the poor uneducated sections. Although provisions have been made for women's equality in our Indian Constitution, the irony is that in a democratic country, most of the women do not get democracy within the home. Before the Domestic Violence Act, a married woman had a provision to make a complaint under IPC (Indian Penal Code) sec.498(A) in case of mental and physical harassment by the family. Section 498-A was added to the Dowry Prohibition Act, 1961 after the amendment made in the year 1983. This is a non-bailable section, under which the defendants can be arrested but the provision of providing facilities like maintenance or residence to the victim woman is not included. While there is no arrest of the defendants under the Domestic Violence Act, provision has been made for the provision of maintenance, residence and temporary protection for children to the victim woman.

3. REASONS OF DOMESTIC VIOLENCE

In this era of modernity, there are many reasons for domestic violence, due to which this evil is hollowing our society; we should pay special attention to these reasons and their solutions to save our society. Many thinkers and social reformers have given various reasons for domestic violence. Keeping all this in mind, according to me, the following reasons play an important role in promoting domestic violence, which are as follows.

Social cause, economic reasons, political reasons, personal reasons, Being illiterate, Lack of knowledge of the law, Gender discrimination, Lack of confidence, Not being independent etc.

The caste system also makes a significant contribution to domestic violence. Our society has adopted the caste-varna system so deeply that now if a lower caste girl or boy marries a higher caste girl or boy, she is also socially boycotted and domestic violence also reaches its peak. Is. Dowry system can be considered as the main reason among these social reasons, such a practice like dowry system has made such deep penetration in our society that it is constantly being tried to end

it through laws and other efforts. It mainly troubles those women and their families on such a large scale that due to non-payment of dowry, the woman has to face so much torture that she sacrifices her life. There will hardly be a day when we read in the newspapers that women have been burnt alive or thrown out of their homes because of dowry. We also read, hear and see many types of news related to this through social media. Boycott of widows is also a living example of frustration towards women in the society, we should try that widows should get their due respect in the society and the misbehavior towards them should be stopped. The caste system also makes a significant contribution to domestic violence. Our society has adopted the caste-Varna system so deeply that now if a lower caste girl or boy marries a higher caste girl or boy, they are also socially boycotted and domestic violence may also reach its peak.

4. ECONOMICAL REASONS

In today's modern era, where there has been an immense increase in the desires of man and for the fulfillment of these desires, man wants to be more and more financially empowered. Most of the domestic violence in families that are not financially strong is due to financial constraints and other conflicts caused by it. Where women have been adopted as duodenum, due to financial constraints, they have to face extreme difficulties in running the household, sometimes these problems increase so much that they take the form of violence.

5. POLITICAL REASONS

Here the meaning of politics is taken from moral actions. When a person commits immoral acts, he somewhere starts misbehaving with his family members as well. When it indulges in extreme immorality, he resorts to violence. It can be domestic violence as well as other types.

6. PERSONAL REASONS

One of the most prominent reasons for domestic violence is personal reasons as well, through this we can try to understand how deeply a person's privacy affects other members of the family. For personal reasons, physical, mental, family, social and other aspects have a very important contribution. It is unreasonable for a person to act violently on any other member because of his personal reasons and it is also an offense punishable under the Indian Penal Code.

7. LITERACY

The importance of education has been clearly told in our old texts and its importance cannot be denied even in the present times, there is no question mark on what will be the importance of education in the progress of any person, society, country or world. . Illiterate society is also one of the main reasons for domestic violence in India. Due to which a person does not hold back from misbehaving with his family and other members. In modern times, if we crave to save our family from domestic

violence, then every person in the society should be erudite so that he can make ethical decisions.

8. DEPENDENCY ON OTHERS

The most important role in the increasing domestic violence against women has been played by women's dependence on others. Where our society calls women home Lakshmi and shows respect to them, it also has a negative effect that women have been confined within the boundary wall of the house. Because of this, their privacy or rather their personal This is a major obstacle in development. The direct meaning of dependence on another is to act according to the will of the other and to lose all powers to oppose his inhuman activities. Gradually it emerges as the biggest cause of domestic violence for women. Therefore, we should give maximum publicity about these laws so that whoever needs it can use it in time.

9. LACK OF KNOWLEDGE OF THE LAW

There is a general mindset towards the law in India that the legal process is very complex and expensive. On the other hand, if we talk about the Domestic Violence Act, then it is a simple legal process through which any member of the household who is a victim of domestic violence can take advantage of these legal provisions very easily. Basically these laws have been made for the safety of women.

10. LACK OF CONFIDENCE

The most important and most powerful weapon a man has is his self-confidence, if a man's woman's self-confidence is weak or rather that one who does not have self-confidence, somewhere

he runs away from the difficulties in life. One of the reasons why women are the most harassed by domestic violence, if seen directly, is also lack of self-confidence. All kinds of important steps should be taken by other family members to increase the confidence of women, children and elders so that they can face the difficulties, evils and misbehavior faced by them in today's life.

11. GENDER DISCRIMINATION

It is a universal truth that God has created us all on the basis of the human race, but man is a wise and selfish creature along with being knowledgeable. In order to fulfill his selfish interests, man has oppressed the weaker creatures by using gender discrimination and varna system. On the basis of gender discrimination, the elite and powerful sections of the society have adopted various tactics to monopolize their weaker sections. One of them is domestic violence through which he treats women very cruelly and does not hesitate to do so. When God has made everyone equal, then man has no right at all to discriminate against gender on the basis of his selfishness and do any such work which is against nature and the human race. This can happen only when we make the society aware and understand all sections equally and respect every class.

12. DIFFERENT FACES OF DOMESTIC VIOLENCE

Domestic violence itself encompasses a very broad definition i.e. any type of violence that takes place inside the home. Many scholars and lawmakers have explained many categories of domestic violence, those types, according to me, domestic violence can be mainly of three types. These are as follows.



Pic. 1. (Different types of familial violence)

13. EMOTIONAL OR MENTAL VIOLENCE

An attempt to emotionally harass a woman or any other member of the household is called mental violence or emotional violence. Under this, pointing fingers at the character of the woman, making mental pressure to bring dowry, insulting, making derogatory remarks, troubling not having a child, not letting out of the house, forcing to work or leave. Forced marriage and other forms of verbal abuse that cause mental agony can all be counted as causes of emotional violence.

14. PHYSICAL VIOLENCE

Physical injury by any member of the household to any other member is considered under physical violence. The impact of physical violence is the most in domestic violence in India, in which women are the most victims, physical violence against women is the most, in this, harming the body of the woman, doing such a behavior that causes physical pain to the woman is known as physical violence.

15. ECONOMICAL VIOLENCE

The direct meaning of economic violence is that no member of the household should be financially empowered. In India, the mother power is most affected by this violence, under this; women, children and the elderly are not able to meet even the primary needs. Not being able to arrange for the education of the children, not being able to meet even the primary needs like clothes, food and medicines. Allowing a new job, forcibly taking away the income, even withholding the useful items of the house is considered under economic violence.

16. GENDER VIOLENCE

Its direct relation with sex, tarnishing social reputation, humiliating rape, watching and forcing obscene things, etc. is considered under gender violence. Gender discriminations are one of the most effective reasons for gender violence. When a person thinks that he or she is weaker than him or her this weaker section faces much violence at domestic level.

17. EFFECTS OF DOMESTIC VIOLENCE

Many effects of domestic violence have been seen, women are the most victimized by domestic violence and they have a very bad effect on the condition of women. We can divide the effects of domestic violence on the following basis

18. PSYCHOTIC EFFECTS

It has often been seen that a person suffering from domestic violence becomes prone to relapse, his thinking becomes negative. The most adverse effect of domestic violence falls on the mental state of the person, problems like panic, anxiety and

loneliness arise in him. This fact is not hidden from anyone that a person suffering from domestic violence does many types of work which is very harmful for the society, family labor, such as consuming drugs, stealing etc. In such a situation, the person commits suicide due to depression. can also take action.

19. PERSONAL EFFECTS

In the personal effects of domestic violence, we mainly add or see those effects which directly affect the individual, affecting both his direction and condition, the most effect in the personal effect is the change in the behavior of the person. The most effect falls on the mental state of man, due to which he loses his mental balance. Due to domestic violence, the personal development of man stops, the children who are victims of domestic violence are unable to develop their physical development and the duodenum, which is the victim of domestic violence, is also unable to do their personal development properly.

20. SOCIAL IMPACT

A person who is a victim of domestic violence fails to maintain his prestige in the society due to the abuse and he avoids attending the programs in social establishments. Due to domestic violence women are afraid to speak in the society due to which they lose their social dignity and dignity.

21. ACCORDING TO THE LAW

Giving dowry is a crime, taking dowry is a crime, it is an offense to assist in taking or giving dowry; Dowry demand is an offence; It is an offense to advertise or advertise for dowry. If there is a complaint, the police can investigate the matter without the order of the magistrate. Gifts can be given at the time of marriage by parents, friends, relatives or any other person.

22. MAIN PROVISIONS OF THE DOWRY ACT

- Dowry is a non-bail able offense i.e. the accused cannot be released on bail without the order of the magistrate.
- The offenses in this cannot be settled by mutual agreement.
- It is the responsibility of a person accused of a dowry offense to prove that he has not committed such an offence;

The money / goods or property received voluntarily at the time of marriage by a married woman who brings with her from her maternal home is considered as Streedhan; Gift property received at the time of marriage should be given to the bride within 03 months of the marriage. If the gift/property is received at the time of marriage or after, the gift/property should be given to the bride within 03 months from the date of receipt. Dowry harassed woman living below poverty line, through whom F. If

the IR is registered and the case is going on in the court, then there is a provision to provide the amount fixed by the government for the prosecution of the case by the District Probation / Dowry Prohibition Officer; * Dowry harassed women living below poverty line, through whom F.I.R. There is

a provision to provide financial assistance per month as determined by the government, by the District Probation Dowry Prohibition Officer, whether the case is registered or the case is going on in the court.



Fig. II (Dowry demand and punishment)

Penal provisions under the Dowry act

S. No	Act	Punishment
1	Taking or giving or abetment of dowry	Imprisonment up to 05 years and Rs. 15000/- or the value of dowry whichever is higher
2	Dowry of any kind to demand	Imprisonment from 06 months to 02 years and fine of Rs.10000/-
3	Dowry death	Punishment of minimum 07 years to life imprisonment or fine

If a person does not return the gift to the girl within the time prescribed by law, her complaint can be lodged. Those who do

not return the gifts can be punished with imprisonment from 06 months to 2 years or fine from 5 to 10 thousand rupees, or with both. If the girl or woman dies for any reason before the gift is returned from such a person, then the woman's heir or her son/daughter or her parents can ask for the gift from the person with whom it is kept. The amount of fine may be paid to a dowry victim woman as compensation on the orders of the court. The woman can apply for alimony and expenses within 02 months after the husband is found guilty. If the married woman dies within 7 years of marriage, then all her property will be given to her children. In the absence of a child, all his property can be handed over to her parents.

23. LITERATURE REVIEW ON DOMESTIC VIOLENCE

Many researchers, thinkers and philosophers have done many researches on familial violence and continuing. They have made many statements and give many definitions regarding domestic

violence. All over the world many organizations are working on domestic violence. In India many international and national NGO's are working for the development of the society along with govt. Indian government also did many works for the betterment of the society. As we know women are suffered at large due to domestic violence. Indian government constituted many commissions and organizations under constitutional roof, for the safety of women and children. To stop violence against women govt. also constituted National Commission for Women (NCW) In January 1992 as a statutory body under the National Commission for woman act 1990. It is helpful to advise to the

govt. in all strategy matter that effects and affects women. Its objective is representing woman rights and raising voice for their issues and concern. A monthly bulletin named "Rashtra mahila" is in print in bilingual languages (Hindi/English) by the Commission. Equal representation for women in Politics, religion, and other societal activities, exploitation of women for job, labor and police abuse are the main subjects of their campaign on which Commission works. It's situated in New Delhi; it helps the women all over India who faced discrimination in any field. We find out some important works done by NCW to resolve controversies over rights, such as;

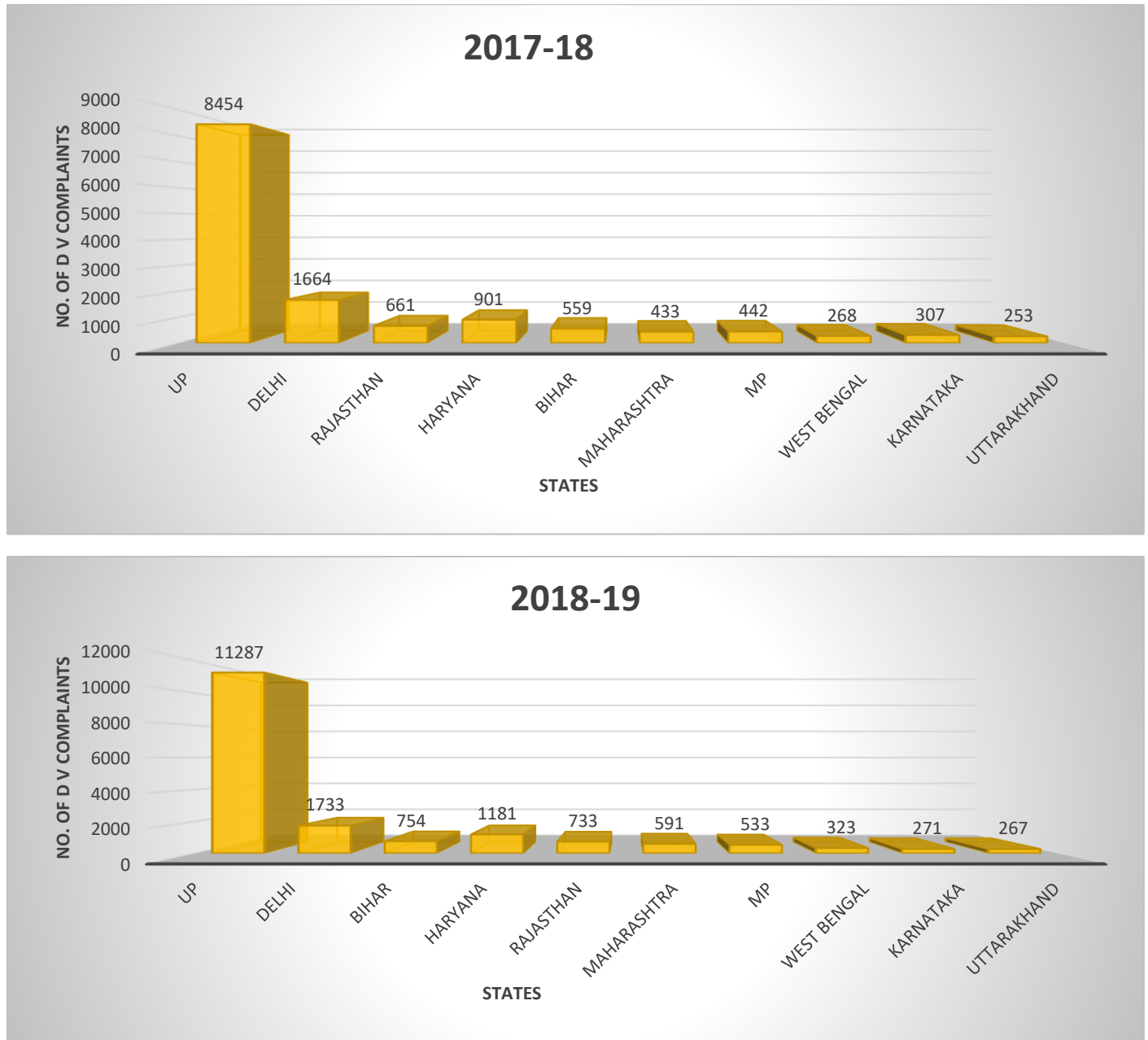


Fig. 2. These histograms showing increasing domestic violence cases in India (Top ten states) as per <http://ncw.nic.in/>

24. CONTROVERSIES

• Mangalore pub attack controversy

By 40(forty) men Of Hindu right -wing Sri Ram Sena in Mangalore punched, pulled 8 (Eight) women by their hairs and threw them out from the pub. Nirmala Venkatesh a member of NCW was sent to grip the condition after assessing her she said that “Pub didn’t have enough security and women must be secluded themselves. If girls felt that, they didn’t do anything wrong, no need to be scared, be gallant and give a declaration?”

• Badaun rape and murder controversy

A woman was raped in Uttar Pradesh inside the temple. Two NCW members were sent to assess the situation . But 1 member Chandramukhi Devi stated to press that it was the victim's fault only because she visited alone at odd late time in the evening.

• Guwahati molestation controversy

A 17seventeen year old girl was molested by a gang in which NCW Alka Lamba Leaked the name of the victim. In this context NCW chairperson Mamta Sharma made remarks signifying that, “women must be vigilant how to dress”

• Sabrimala temple entry case

This issue was in lime light due to social discrimination women approached to Supreme Court for justice. Many NGOs and government organizations are helping them at all levels.

Mainly women are highly effected and affected by domestic violence in this regard we made a comparative study that in India Domestic violence cases were increasing day by day total 23722 complaints were raised according to NCW portal against women in 2020. Following study also describe the same;

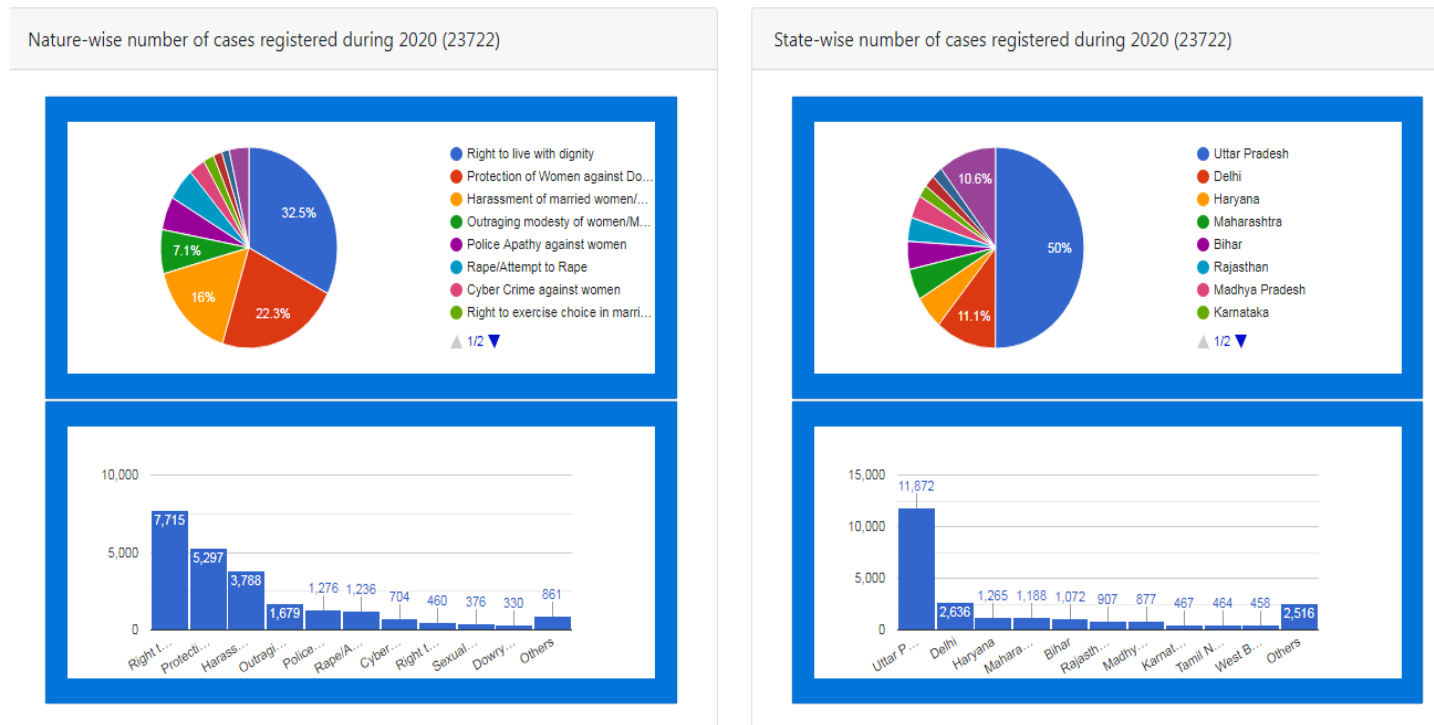


Fig. 1. Statistical overview of complaints nature wise and state wise. http://ncwapps.nic.in/frmComp_stat_Overview.aspx

25. DOMESTIC VIOLENCE SOLUTIONS

The research results that have been obtained through many researchers and law scholars make us understand that not every victim is aggressive; we can get them out of the mental disorder of domestic violence by providing them the right environment. The research being done on domestic violence around the world India lags behind in conducting such research In order to truly end domestic violence against women and children and the

elderly, we should not look at men as a problem, but as an integral part of the solution to this issue. Or rather, instead of keeping men against women, men should be considered an integral part of the solution to this problem. Another solution to domestic violence can also be done by eliminating many types of evil practices inherent in the society, such as the end of dowry system, the end of gender discrimination, the end of feticide, etc. Many laws have been made by the Government of India to prevent domestic violence; we can stop domestic violence by

making the public aware of them by promoting them as much as possible. The Government of India has made many types of schemes for the protection of women, children and the elderly, by giving maximum publicity to the schemes run by them and making those facilities accessible to the general public, somewhere, domestic violence can be ended to a great extent. Can do. The Government of India has started effective schemes like Mahila Thana and One Stop Center; we can limit domestic violence to a great extent by connecting more and more women to these schemes. Along with government schemes, with the help of NGOs and private organizations, if we work together with the Human Rights Commission, Women and Child Protection Commission and other commissions together, then we can overcome domestic violence to a great extent. The most important task to prevent domestic violence is through mental therapists, we can balance mental disorders and the mindset used against women to become a mindset in their favor.

26. CONCLUSION

Mainly discrimination between women and men in the society, such as considering women weaker than men, inferior ideology towards women and the burden of household chores, all these contribute to increasing domestic violence somewhere. If this ideology of the society changes, then surely domestic violence will be seen working in India. And a major reason which is responsible for increasing violence against women is the dowry given in marriage. Although there are laws in India against dowry, even today this practice has not been completely taken out of the society, but if it is said that it has taken a more violent form then it will not be wrong. If the practice of dowry is removed from society, then many cases of domestic violence will be reduced. If the income of man increases, then there will be a decrease in the cases of violence against men. Children are always compared with other children, who lowers the morale of the children and this is the main reason that there is violence against children. If children are allowed to study according to their interest without making such comparisons, then they will

definitely be successful in the future. Due to ignorance and social evils like dowry, many daughters commit suicide. We want no one to repeat such a mistake. There is a very old saying that “the problem is the solution itself”. When we talk about domestic violence, its solution is also inside the house. Man is a social animal; society has a very important impact on his life and his behavior affected by ill-effects. If it happens then he starts doing bad deeds. We all know that violence of any kind is not right. The house where every person along with his people wants to live a life of peace in every situation, because of greed, he indulges in domestic violence with his loved ones today. If you want to live in peace and comfort and peace in life, then first of all, remove the wrong things like greed, anger, arrogance and pride from yourself. Sometimes good moments pass and then we regret later. Therefore, make you laugh in life and keep laughing at yourself and others, so that there is no need for a law like domestic violence and it ends.

REFERENCES

- [1.] <https://www.hindustantimes.com/india-news/ncw-received-23-722-complaints-in-2020-ighest-in-six-years/story-m2hDa1u7LXeX2rBIX6qsHM.html>
- [2.] <http://ncwapps.nic.in/frmAnnualReports.aspx>
- [3.] [https://www.uok.ac.in/notifications/\(3\)%20Kavita%20Choudhary.pdf](https://www.uok.ac.in/notifications/(3)%20Kavita%20Choudhary.pdf)
- [4.] <https://hindividyalay.com/gharelu-hinsa-essay-hindi/>
- [5.] <https://www.educatewale.com/gharelu-hinsa-par-nibandh/>
- [6.] <https://doj.gov.in/sites/default/files/Women%E2%80%99s%20Security%2C%20Welfare%20and%20Maintenance.pdf>
- [7.] <https://news.jagatgururampalji.org/gharelu-hinsa-act-hindi/>
- [8.] <http://ncw.nic.in/>
- [9.] <https://ncrb.gov.in/en/Crime-in-India-2020>
- [10.] <https://ncrb.gov.in/sites/default/files/CII%202020%20SNAPS%20STATES.pdf>
- [11.] <https://ncrb.gov.in/sites/default/files/CII%202020%20Volume%201.pdf>
- [12.] <https://www.google.co.in/>