



INDIAN JOURNAL OF LEGAL REVIEW

VOLUME 5 AND ISSUE 1 OF 2025

INSTITUTE OF LEGAL EDUCATION



INDIAN JOURNAL OF LEGAL REVIEW

APIS – 3920 – 0001 | ISSN – 2583-2344

(Open Access Journal)

Journal's Home Page – <https://ijlr.iledu.in/>

Journal's Editorial Page – <https://ijlr.iledu.in/editorial-board/>

Volume 5 and Issue 1 of 2025 (Access Full Issue on – <https://ijlr.iledu.in/volume-5-and-issue-1-of-2025/>)

Publisher

Prasanna S,

Chairman of Institute of Legal Education

No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

Phone : +91 94896 71437 – info@iledu.in / Chairman@iledu.in



© Institute of Legal Education

Copyright Disclaimer: All rights are reserve with Institute of Legal Education. No part of the material published on this website (Articles or Research Papers including those published in this journal) may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher. For more details refer <https://ijlr.iledu.in/terms-and-condition/>

VIOLENCE AGAINST WOMEN IN INDIA

AUTHOR– ANU YADAV, STUDENT AT KES' SHRI JAYANTILAL H. PATEL LAW COLLEGE, MUMBAI

BEST CITATION – ANU YADAV, VIOLENCE AGAINST WOMEN IN INDIA, *INDIAN JOURNAL OF LEGAL REVIEW* (IJLR), 5 (1) OF 2025, PG. 1239-1244, APIS – 3920 – 0001 & ISSN – 2583-2344.

ABSTRACT

Violence against women in India refers to acts of sexual or physical abuse, usually carried out by men, against Indian women. In India, common types of violence against women include sexual assault, domestic abuse, and murder. There have been reports of violence against women in India, including rape, acid throwing, dowry killings, honor killings, and forced prostitution of young girls. According to police records in India, The percentage of crime rate against women in India has increased. This brutal type of assault and disfigurement can affect women of any class, caste, creed, or religion. Any form of abuse that poses a threat to women is regarded as domestic violence in India; this includes sexual, psychological, and physical abuse of any partner, past or present. The Dowry Prohibition Act, passed by the Indian government in 1961, outlawed dowry demands in wedding contracts. Nonetheless, there have been several reports of homicides, suicides, and domestic abuse linked to dowries. Many of these occurrences were documented in the 1980s.

Key Words – Violence, right, Domestic violence, Dowry, Rape, protection, human, women.

Introduction

Human rights include the rights of women. Millions of women worldwide experience abuse and discrimination simply for being female. All women are entitled to the Equal rights to personal freedoms, such as the ability to choose the number and spacing of their offspring, as well as the freedom to realize and enjoy her freedom and potential. But because gender-based discrimination and injustices are still so prevalent in the world, many women do not receive the education or care they require, their experiences are ignored, they are pushed into prostitution, and violence, including domestic violence, threatens their lives. Women's security is seriously threatened by the rising rate of cyber crime and victimization. Nonetheless, women make up 50% of the global population, and if their rights are disregarded, no nation can develop.

Women Rights are Human Rights

The he rights of women are human rights. In 1948, the Universal Declaration of Human Rights

was ratified and declared by the UN. The worldwide feminist movement began altering the world. Because violations were primarily committed by state actors in the public realm, women's participation in international processes led to a transformation of conventional human rights theory and practice. It also changed state doctrine to incorporate positive accountability. At the Fourth World Conference on Women in Beijing in 1995, the International Conference on Population and Development (ICPD) in Cairo in 1994, and the so-called Beijing +5 conference (a five-year review of the Beijing conference) in New York in 2000, significant progress was made toward the realization of women's and girls' rights. In the early 1990s, the UN acknowledged the human rights of women and girls. The Convention of the United Nations on the Elimination of All Types of The 1980 Convention on the Elimination of Discrimination Against Women (CEDAW) guarantees equal rights for all women in public and political life, including the ability to vote, receive an education, receive health care, and work. Violence against women is

acknowledged as a barrier to equality, progress, and peace in the 1993 United Nations Declaration on the Elimination of Violence against Women (DEVAW).

Violence against women in India

The Protection of Women from Domestic Violence Act, 2005; the Prohibition of Child Marriage Act; and the Preconception and Prenatal Diagnostic Techniques Act are three pieces of law that address breaches of women's rights across India. (Sex Selection Prohibition) Act. Nonetheless, India is seeing a startling increase in violence against women. Recently witnessed protests by Indians around the nation in response to a number of widely reported rape and murder incidents involving young, female victims. The deplorable December 2012 rape assault in Delhi served as evidence of the current situation. Mumbai is also where a 15-year-old girl with physical disabilities was raped by her father in the ostensibly safe confines of her own house, and a 20-year-old Nepali lady was gang-raped by three men on December 22. In India, assaults on women's dignity occur on a regular basis. Nearly 50,000 of the 1.5 lakh crimes against women that are reported each year are connected to domestic abuse in their homes, according to the National Crime Report Bureau. A six-year investigation by Empower People found that 23 percent of West Bengali girls are trafficked. At 17%, Bihar comes in second, followed by Kerala (6%), Andhra Pradesh (11%), Orissa (8%), and Assam (13%). Scheduled castes, scheduled tribes, or lower socioeconomic strata comprise the majority of trafficked brides. Despite a 1996 ban on gender screening for such purposes, sex-selective abortions have happened at startling rates in India. According to researchers, up to 600,000 female fetuses—or 2.2% of the country's yearly birthrate—are aborted in India each year. The gender has shifted as a result ratio so drastically that, among children under six, there were 914 girls for every 1,000 boys in 2011—the most unequal gender ratio since India gained its freedom in 1947. With 256.34 incidences per lakh women, Vijayawada is the most dangerous

city in India, according to statistics from the National Crime Records Bureau's Crime in India 2012 report.

Possible Solution from Every Perspective

According to women's organizations worldwide, ending violence against women is the most crucial issue. Gender-based violence is a complicated issue with many underlying causes, societal expressions, and laws prohibiting rape have failed to address the patriarchal and sexist worship of in India. Implementing rules that shield women from abuse is a calculated approach to preventing it and uphold those laws; actions cannot go unpunished. C) Abuse of women. Special courts must be able to hear women's rights cases and render decisions as soon as possible. Two criteria should serve as the foundation for the final judgment, the judicial decision-making and public voting. Strong penalties for violating the practices should be applied immediately or the same day in order to stop human rights violations from being unpunished, and women's harassment cells should be easily accessible.

However, only a small percentage of problems have prevention measures, and the majority of effective practices include helping women who have been harmed after surviving a trauma. Therefore, addressing the underlying causes of the issue is necessary to combat the rise in crimes against women. Dishonesty and criminality in general. Some potential preventive measures that should be taken into consideration are listed below.

Women's helpline number 181 must be available 24/7 from any telecommunications carrier; women-only buses may only be offered during the day. Regular public availability! Private transportation must be guaranteed in the primary routes. It is necessary to promote public transportation access through advanced transportation systems, targeted legislation, or increased public awareness. Additionally, it's critical to steer clear of any remote or lengthy travel routes by promoting stores, events, or parks along them to keep them occupied.

Complaint box in every Collectorate building with regular monitoring and immediate action can be maintained. Post implementation-related information on the public notice board for education. Establishments, intersections, media commercials, etc. to raise public awareness. For women's empowerment and safety, all female activists ought to band together under a single national organization.

In India, physical or sexual abuse of Indian women, usually by a man, is referred to as violence against women. In India, common types of violence against women include sexual assault, domestic abuse, and murder. The act must be performed exclusively because the victim is a woman in order to qualify as violence against women. The nation's long-standing gender inequality is the main reason why men frequently perpetrate these crimes. Because many forms of assault are not seen as crimes or may otherwise go unreported due to certain Indian cultural values and beliefs, violence against women in India is really more common than it may first seem.

All of these factors combined to give India a 2017 Gender Inequality Index score of 0.524, placing it in the lowest 20% of all listed nations.

Violence Reported in

2008: 195,856

2009: 203,804

2010: 213,585

2011: 213,585

2012: 244,270

A crime against a woman is committed every three minutes, according to the National Crime Records Bureau of India, which also reports that reported cases of crime against women rose 6.4% in 2012. The National Crime Records Bureau claims that in 2015, there were over 300,000 recorded cases of crime against women, a 44% rise from the more than 228,650 recorded in 2011. West Bengal is home to 7.5% of India's female population and accounts for 12.7% of all reported crimes against women. 21

7.3% of India's female population is in Andhra Pradesh. It represents 11.5% of all crimes against women that have been reported. According to roughly 65% of Indian males, women occasionally deserve to be abused and should put up with violence in order to maintain the family. Twenty-four percent of Indian males had experienced sexual violence at some time in their life, according to a January 2011 International males and Gender Equality Survey (IMAGES) Questionnaire. Since many cases go unreported, it is exceedingly difficult to get precise figures on the frequency of cases. This is largely because of the tremendous pressure to preserve the family's honor and the possibility of mockery or embarrassment from the prospective reporter. Law enforcement officials are more inclined to accept bribe proposals from the accused's family for similar reasons, or possibly out of concern for more serious repercussions like honor killings. To stop abuses and other forms of violence against Telangana Police created SHE Teams to concentrate on women's safety.

Crimes against women in India

The broadest definition of crime against women under Indian law is shown in this map as the crime rate per 100,000 women. Rape, sexual assault, denigration of modesty, kidnapping, kidnapping, mistreatment by a close spouse or family member, trafficking, dowry killings, dowry persecution, immorality, and any other offenses specified in the Indian Penal Code.

There have been reports of crimes against women in India, including rape, acid throwing, dowry killings, honor killings, and the forced prostitution of young girls. Crimes against women are common in India, according to police data. The National Offense Records Bureau reported in 1998 that by 2010 growth in the rate of crimes against women would exceed the population growth rate.

Child marriage

Although child marriage has historically been common in India, it is no longer as common in

modern India. In the past, until they reached puberty, child brides would reside with their parents. Child widows used to be doomed to a life of severe suffering, shaven heads, seclusion, and social rejection. Despite being prohibited in 1860, child marriage is still often performed. The pertinent law in the nation is the Child Marriage Restriction Act of 1929.

Domestic violence

India has a high rate of domestic violence. Renuka Chowdhury, a former Union minister for women and child development, estimates that 70% of Indian women are victims of domestic abuse. Domestic abuse was permitted by law. Discussed in the 1980s when section 498A, "Husband or relative of husband of a woman subjecting her to cruelty," was included to the 1983 Criminal Law Act.

This happens even though the Protection of Women from Domestic Violence Act in India provides legal protection for women from domestic abuse. Domestic violence against women is regarded in India as any kind of abuse that can be considered a threat; it can also be physical, psychological, or sexual abuse to any current or former partner. Domestic violence is not handled as a crime or complaint, it is seen more as a private or family matter. In determining the category of a complaint, it is based on caste, class, religious bias and race which also determines. The incidence of violence has been documented in numerous studies using a criminal justice approach, although the majority of women choose not to report it. Despite being granted equality, fairness, and dignity by the constitution, these women continue to refuse because of their sociocultural backgrounds.

Dowry

The Dowry Prohibition Act, passed by the Indian government in 1961, outlawed dowry demands in wedding contracts. Nonetheless, there have been several reports of homicides, suicides, and domestic abuse connected to dowries. Many of these occurrences were documented in the

1980s. The Dowry Prohibition (keeping lists of gifts for the wedding and groom) Rules were created in 1985. These guidelines state that a signed list of gifts given to the bride and groom at the time of marriage must be kept on file. Each item on the list should have a brief description, an estimate of its value, the name of the giver, and a connection to the recipient. But these regulations are rarely followed.

According to a 1997 research, at least 5,000 Indian women lose their lives to dowry-related causes annually, and at least a dozen perish every day in "kitchen fires" that are believed to be deliberate. This is referred to as "bride burning" and is frowned upon in India. 8,618 dowry fatalities were reported by the National Crime Records Bureau in 2011. According to unofficial estimates, the numbers are at least three times higher.

Rape

The UN's human rights chief has called rape in India a "national problem," while Radha Kumar has called it one of the country's most prevalent crimes against women. Women's rights organizations have been advocating since the 1980s for marital rape to be deemed illegal, but the Criminal Law (Amendment) Act, 2013 preserves the marital exemption by declaring in its Section 375 exception clause that: "Sexual acts or sexual contact between a man and his own wife, provided the wife is not younger than fifteen, is not rape. "Even in industrialized nations, a new incidence is reported every 20 minutes, despite the fact that the number of instances reported per capita is quite low when compared to other nations. Among Indian cities, New Delhi has one of the highest rates of reported rapes. According to sources, the number of rape cases in India increased between 1990 and 2008.

Eve teasing

Eve teasing is a euphemism for when men torment or mole state women sexually. Many campaigners attribute the increase in sexual harassment cases against women to "Western

culture." When The Indecent Representation of Women (Prohibition) Act was to outlaw the derogatory portrayal of women in publications, artwork, paintings, commercials, and other media.

In 1990, workplace harassment and molestation accounted for half of all recorded crimes against women. In a historic ruling in 1997, the Supreme Court of India firmly condemned the sexual harassment of women in the office. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redresses) Act came into force in December 2013, to prevent Harassment of women at workplace.

One of the main topics of discussion is violence against women, which is a flagrant violation of their human rights. The infringement of women's fundamental rights through sexual, emotional, mental, and physical abuse has nearly accustomed to the Indian context. Domestic abuse, forced prostitution, exploitation, forced labor, sexual harassment, including rape and sexual assault, female feticide, infanticide, and domestic violence are the most prevalent forms of violence against women in India. "Our women have more rights than women in other countries, but there are large areas where women are suffering, why may be, they are not conscious of their right," said the late Smt. Indira Gandhi.

i) Domestic Violence: Domestic violence encompasses all forms of violence against a person by a biological related, but it usually involves a woman being abused by male family member's women. It encompasses both emotional and physical abuse. Physical violence is the most visible kind of domestic violence. Slapping, pushing, kicking, biting, striking, hurling things, strangling, beating, threatening with a weapon of any kind, or using a weapon are all examples of physical domestic violence committed by an intimate partner. The emotional includes Psychological abuse can erode a woman's sense of self-worth and can be incredibly harmful to overall mental and physical wellbeing.

Harassment, threats, verbal abuse such name-calling, degrading remarks, and blaming, stalking, and the separation or threat of a child from the mother are all examples of emotional or psychological abuse. Threats or violent acts against a partner's reproductive health or decision-making constitute reproductive coercion, also known as coercive reproduction. It is a group of actions used to coerce a partner into becoming a parent or terminating a pregnancy. Harassment, threats, verbal abuse such name-calling, degrading remarks, and blaming, stalking, and the separation or threat of a child from the mother are all examples of emotional or psychological abuse.

38 One type of domestic violence, sometimes referred to as intimate partner violence, is reproductive coercion, in which dominance, control, and power are upheld through actions pertaining to reproductive health. Both over a partner through an unintended pregnancy and within a partnership. 39 Pregnancy pressure, pregnancy coercion, and birth control sabotage are the three types of reproductive coercion. These may happen concurrently or separately.

Conclusion

The society is under the idea of age-old doctrine that woman is inferior to man. Religion is misunderstood, and women have historically suffered more than they do now. But since they are human, they have the same rights as men. Some of the basic human rights such as right to equality, right to education, right to live with dignity, right to liberty, right to politics, right to property, rights to equal employment opportunities, freedom of choice in one's profession, livelihood, fair working conditions, equal pay for equal work, protection from gender discrimination, social protection in the event of old age, illness, or retirement, and protection from cruel treatment.

Reference

1. https://www.researchgate.net/publication/343278780_VIOLENCE_AGAINST_WOMEN'S_IN_INDIA.

2. Dr. Krishna Chandra Jena, 'Violence Against Women A Human Right Violation' in Human Right Education Law and Society, 2004, Hyderabad, Naisar University, p. 91

3. Mjnisha Jam 'Slowroad to Succor for Abused Women' in The Telegraph, Guwahati, 29th November, 2006 p. 11.

4. Law Commission of India 172nd Report 2000 see also Arun Kumar Singh Human rights and crime victims right to compensation 'in IJJPL Vol 12007 p.89.1

