

SHIELDING THE VULNERABLE: EXPLORING THE SOCIO-LEGAL LANDSCAPE OF PROTECTING WOMEN FROM DOMESTIC VIOLENCE IN INDIA

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Abstract

Domestic violence is using force against other person. It manifests as verbal, physical or psychological abuse. Domestic violence is common in every nook and corner of India. Mostly victim are not able to access the law which makes legal remedies ineffective. There are various legislations to protect women from discrimination. Protection of Women from Domestic Violence Act, 2005 is one of the protective and effective legislation which protect women from violence at home and other place. There is an effort to study the legal provision to stop the domestic violence and effectiveness of its implementation in society. A study was conducted using a questionnaire tool to study the awareness level of women about to Domestic Violence Act, 2005. Two separate study areas were identified to collect the sample based on urban and rural background of the area. Present study revealed that only 24.4% women from rural area have knowledge about this Act as compared to 42.8% of the urban background. Vast majority of rural women (52.8%) and 44% of urban women are unaware of the Act and despite very strong law against the domestic violence, still prevalent in rural society and Act is not able to punish the culprit successfully as majority of the incidences are not reported anywhere. Absconding of complaints is the major hurdle in implementing the law. There is big gap between law and its implementation.

Key words: Domestic violence, Protection of Women, awareness, implementation, rural, urban, underreporting, law enforcement.

INTRODUCTION

Domestic violence is using force against other person. It manifests as verbal, physical or psychological abuse. Domestic violence is common in every nook and corner of India. Mostly victim are not able to access the law which makes legal remedies ineffective. Violence against women is common in India and domestic violence is prevalent in every nook and corner of country. Women live in fear of domestic violence in most of the relations. The primary need and right of every individual is access to justice. Individual have to realise their worth by totality of rights,

political, legal, economical and social enjoyment by him or her. Women are suffering from discrimination in family as well as in society. They have been made the victims of all inequalities, indignities, inequities and discrimination. Domestic violence against a woman violates the right to live with human dignity and identity. The marriage and domestic relationship make women vulnerable, incompatible adjustments within the household. Domestic violence is denial of right to social and political participation and confines them at home. Same time women are being denial of the right to optimum standard of physical and mental health as the victim undergoes prolonged physical and mental trauma. In India there are different processes of socialisation that men and women undergo. Stereotyped gender roles, male dominate and control, where as women are submissive, dependent and respect for authority. A female child grows up with a constant sense of being weak and need of protection physical, economical or social. Feeling of helplessness leads her life to be exploitable at every stage of life. They are not able to take decision independently. They used to live life under fear of domestic violence.

LITRATURE REVIEW

A literature review on of paper would involve examining a range of scholarly articles, reports, legal documents, and other relevant literature to gain a comprehensive understanding of the topic. Ghosh, S., & Choudhury, B. (2019). have implications for policymakers, healthcare providers, and community organizations working to address domestic violence in urban slum settings. They underscore the urgent need for targeted interventions and support services to prevent and respond to domestic violence and support survivors.

National Family Health Survey (NFHS-4) India, 2015-16. Ministry of Health and Family Welfare, Government of India.

Key objectives of NFHS-4 include:

- (i) Assessing the demographic and health indicators of the population, including fertility rates, maternal and child health outcomes, and mortality rates.
- (ii) Examining the utilization of maternal and child health services, including antenatal care, skilled birth attendance, and immunization coverage.
- (iii) Investigating the prevalence and determinants of malnutrition among women and children, including stunting, wasting, and underweight.
- (iv) Collecting data on family planning practices, contraceptive prevalence, and unmet need for family planning services.
- (v) Documenting the prevalence and patterns of domestic violence against women, including physical, sexual, and emotional abuse.

The report *Protecting Women against Domestic Violence: The Indian Experience*. United Nations Development Programme (UNDP) India, 2018.explores the various forms of domestic violence experienced by women in India, including physical, sexual, emotional, and economic abuse. It provides data on the prevalence of domestic violence across different regions and demographic groups.

"Justice for Her": Study on Access to Justice for Women Survivors of Domestic Violence in India. International Center for Research on Women (ICRW), 2020 focusing on the accessibility of justice for women who are survivors of domestic violence in India. The study is pivotal in shedding light on the challenges women face in accessing legal recourse and support services in the aftermath of domestic violence incidents.

National Policy for Women, 2016. Ministry of Women and Child Development, Government of India articulates a vision for creating an inclusive society where women enjoy equal rights, opportunities, and dignity. It sets out specific objectives aimed at addressing gender disparities and advancing women's empowerment in areas such as education, health, economic participation, governance, and legal rights.

The 2001 national policy for women's empowerment stipulates that the legal and judicial systems must be made more gender-sensitive and responsive when it comes to domestic abuse. The policy said that in order to support women's advancement and provide the necessary resources in the areas of finance, agriculture, education, health, nutrition, and the environment, institutional mechanisms must be strengthened. Domestic violence typically relates to sexual assault of women or the fear of sexual abuse by another individual. She may be the target of verbal, physical, psychological, or financial abuse. The term "Domestic Violence" describes all of these behaviors.

Amrty Sen, (2001) *Development as Freedom*I proposes that development should be understood as the expansion of human freedoms, which encompass various dimensions such as political freedoms, economic opportunities, social provisions, and personal security. He contends that the enhancement of capabilities, including access to education, healthcare, political participation, and social protections, is essential for individuals to live lives they value and to have meaningful choices.

Veena Das, (2007). *Life and Words: Violence and the Descent into the Ordinary* argues that violence is not just an aberration or exceptional event but is deeply intertwined with social structures, cultural norms, and historical legacies. She explores the ways in which violence permeates various spheres of life, from the intimate spaces of the home to the broader socio-political landscape. One of the key contributions of the book is its exploration of the "everydayness" of violence—the ways in which violence becomes routinized and normalized, shaping ordinary experiences and interactions. Das shows how individuals navigate the complexities of violence, often employing strategies of silence, evasion, and reinterpretation to cope with its effects.

Baxi, P. (2002). *Inhuman Wrongs and Human Rights: Unconventional Lawyering* emphasizes the importance of grassroots mobilization, community empowerment, and strategic litigation in promoting social justice and human rights.

Heise, L., & Kotsadam, A. (2015) reveal significant variations in the prevalence of partner violence across countries and regions. It identifies several key factors that are consistently associated with higher rates of partner violence, including lower levels of education and income, younger age, alcohol abuse, and gender inequitable norms. The study also highlights the role of broader societal factors, such as women's status and legal protections, in shaping patterns of partner violence. United Nations. (2015). *Handbook for Legislation on Violence against Women*.

RESEARCH METHODOLOGY

To know the actual situation of domestic violence empirical study was done. The reliability and dependability of any research depends upon the methods opted for investigation of a problem. Keeping in view the socio-legal nature of the problem empirical and doctrine research methodology has been chosen to highlight the issue. The methodology adopted is basically both descriptive and analytical. The research methodology has been chosen in such manner that the basic information derived from the different sources and disciplines may be co-ordinated effectively and a link may be set up between the present study and others. Traditional doctrine as well as non-doctrine research methodology has been adopted.

Noida, National Capital Region, a cosmopolitan city was chosen as universe of study. People from all over India reside there for the purpose of job or higher education. It is an industrial as well as educational hub. A survey was conducted using a questionnaire tool to study the awareness level of women about various legislations and their provisions. Two separate study areas were identified to collect the sample based on urban and rural background of the area. First study area was sector 12 of Noida, Gautam Budh Nagar, Uttar Pradesh. It is a complex locality where women from all the background i.e. house wives, working women (in various sectors), women with various educational background and age group were present. Therefore, this locality represents the urban women. Second locality is village Ghorī Bachera from the same district of Gautam Budh Nagar, Uttar Pradesh. This is a rural village with typical village life in contrast to the first locality. There was an effort to take sample from a wide section. Random sampling was done and questionnaires were filled randomly without selecting any particular area or section of locality. To evaluate the response, the variables age, education, birth place, and profession were taken into account.

OBJECTIVE

1. To delve into the various forms of domestic violence prevalent in Indian society, including physical, emotional, psychological, sexual, and economic abuse.

1. To examine the existing legal provisions and frameworks aimed at safeguarding women from domestic violence in India, such as the Protection of Women from Domestic Violence Act (PWDVA) and related legislation.
2. To explore the socio-cultural attitudes, norms, and beliefs that perpetuate domestic violence and hinder effective protection measures for women.
3. To identify the obstacles women face in accessing legal recourse and support services when experiencing domestic violence, such as socio-economic barriers, stigma, and lack of awareness.
4. To assess the effectiveness of existing support mechanisms, including shelters, counseling services, legal aid, and helplines, in providing assistance to victims of domestic violence.
5. To recognize the intersectional nature of domestic violence and its differential impact on women based on factors such as caste, class, religion, ethnicity, and sexual orientation.

Overall, the objective is to comprehensively analyze the socio-legal landscape of protecting women from domestic violence in India, with the ultimate goal of informing policy reforms and interventions to better shield vulnerable individuals from abuse.

KINDS OF DOMESTIC VIOLENCE

In India, domestic violence manifests in various forms, ranging from dowry deaths, abetment to suicide, physical harm, and emotional abuse to deprivation of basic necessities such as food, clothing, and medical assistance during illness. Both direct actions and indirect behaviors aimed at harassing women constitute domestic violence. Here are some of the types of domestic violence and their explanations:

1. **Physical Abuse:** Physical abuse is defined by Section 3 of the Domestic Violence Act, 2005 as acts that injure or cause pain to the body, jeopardize life or health, or restrict the victim's development, either mentally or physically. This covers using criminal force, assault, and criminal intimidation. Physical violence has long been a common tactic employed by families to oppress women.
2. **Psychological Abuse:** Women often face psychological abuse through ridicule, humiliation, name-calling, or insults, particularly regarding issues such as infertility or not bearing a male child. Psychological abuse is a significant form of mistreatment experienced by women.
3. **Economic Abuse:** Women frequently find themselves economically dependent on men within households, relying on their male spouses to meet basic needs. The control over "Stridhan" or personal possessions often rests with male family members. Economic abuse encompasses actions that prohibit or restrict a woman's access to resources or facilities she is entitled to, effectively depriving her of economic autonomy.

4. Intellectual Abuse: While not explicitly addressed in the Domestic Violence Act, 2005, intellectual abuse is evident in marital relationships where women are often considered subordinate. Disparities in educational levels can exacerbate the difficulty in relating to each other intellectually. Women are sometimes perceived as inferior, unstable, or unreliable, with their perspectives undervalued within the family dynamic.

5. Sexual Abuse: Sexual abuse is prevalent within families, encompassing any sexual conduct that humiliates, degrades, or violates a woman's dignity. Wives are commonly expected to fulfill their husbands' sexual needs, often leading to instances of marital rape or coercion within matrimonial homes.

Since violence is shaped by cultural norms, historical context, and society values, there is no one definition that applies to all situations. Different philosophical, legal, sociological, and criminological systems have different definitions of domestic violence. Nonetheless, it is generally accepted as a worldwide phenomenon, even though social, economic, and cultural variables have an impact on its variances..

INTERNATIONAL SCENARIO

The United Nation has played pertinent role to protect the women right. Right from establishment of UN Commission on status of women other conventions are there to take the women issues seriously. It is opportune time to save women from threat of violence and discrimination. The member states have also taken these issues seriously and has taken the initiative to remove the violence against the women. India as member state of UN has also fulfilled its promise by enactment law against domestic violence.

States should take action to safeguard women against violence of any sort, especially when it occurs inside the family, according to the “United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)”. CEDAW promotes gender equality and called for the abolition of all forms of discrimination related to marriage and families. The Beijing Declaration and Platform for Action (1995) is a crucial tool for defending women against discrimination and other crimes. There are now twelve identified crucial points, two of which are (i) poverty and (ii) unequal access to education for women. (iii) insufficient and uneven access to the health care system (iv) violence against women (v) their vulnerability in armed conflicts (vi) unequal power and decision-making structures (vii) insufficient protection of human rights (viii) inadequate protection in human right (ix) institutional mechanism to improve advancement of women (x) underrepresentation of women in media (xi) inequalities in natural resource management and environment (xii) discrimination and violation of the girl child.

The 49th session of the Commission on the Status of Women in 2005 included a review and evaluation of the Beijing Platform for Action following a ten-year period.

The Beijing Platform for Action was reviewed in 2010—15 years after it was first proposed. The delegation from the states embraced a declaration, expressed gratitude for the steps taken to

advance gender equality, and committed to ensuring that the Platform for Action and Declaration were completed as soon as possible. According to a UNICEF research from 2012, 57% of Indian boys and 53% of Indian girls between the ages of 15 and 19 believe that beating a wife is acceptable. Additionally, a significant portion of women blame themselves for beatings by their partners, according to a national family health survey. Based on the most recent NCRB data, women currently make up approximately 6.5 percent of India's police force. According to Indian police estimates, only 4 out of 10 rapes are recorded. This is primarily due to the deeply ingrained conservatism of Indian society, where many victims are afraid to come forward for fear of being "shamed" by their community and family

LEGAL APPROACH ON DOMESTIC VIOLENCE

There are various legal provisions to protect women from domestic violence. There are specific laws to deal with the problem. The Protection of women from domestic violence Act is effective legislation.

a) Indian Penal Code

Section 498A of the Indian penal code protects women from cruelty and atrocities of husband and his relatives against women. Women cannot be asked for unlawful demand of husband and his relatives. If women are harassed and derived for commit suicide and mental and physical injury will include cruelty and culprits will be liable for punishment.

b) Protection of Women from Domestic Violence Act

One useful tool for defending women against domestic abuse is the Protection of Women from Domestic Violence Act of 2005. According to Section 3, the respondent's actions, omissions, or acts constitute domestic violence. Additionally, it contains any form of harm that could affect the victim's life, health, safety, or physical or mental well-being. It also include mental, emotional, financial, and sexual abuse in addition to physical violence. Harassment, harms or endanger aggrieved party or her relative to meet out the unlawful demand for dowry or the property or valuable security. Domestic violence also includes responding in a way that threatens to damage the victim or anybody connected to her, whether it be physically or psychologically..

(i) Shared Household

Section 2(s) of Act grants the right to reside in the shared household. This provision stipulates that women cannot be evicted from the household except through procedures established by law. Consequently, women are entitled to claim residence in a household, irrespective of whether it is rented or owned by their husband

(ii) Shelter Home

According to Section 6 of the Act, a shelter home's responsibilities include providing shelter to an aggrieved person upon request from her, or on behalf of the aggrieved person, a Protection Officer or a service provider; the person in charge of the shelter home is responsible for fulfilling this obligation.

(iii) Protection officer

Section 8 of the Act mandates that women protection officers must possess qualifications and experience as prescribed within the legislation. These officers play a crucial role in assisting women by aiding them in making complaints, filing applications before the Magistrate for necessary orders, and facilitating access to support services such as medical aid and counseling. Additionally, protection officers are tasked with ensuring compliance with court orders. To streamline operations, existing government officials are appointed with additional responsibilities to serve as protection officers. Among their duties is the responsibility to reach out to aggrieved women, informing them about the Domestic Violence Act and its provisions.

(iv) Service providers

There should be service providers under this Act. Section 10(1) defined that voluntary association registered under the Societies Registration Act, 1860, any company or any other person for time being, who are interested in protecting the rights and interests of women such as legal aid, medical, financial or other assistance shall be registered as service provider by the State Government under this Act. The service provider has to record the incident of Domestic Violence in prescribed form and provided the copy to Magistrate and Protection Officers. The service provider can get the aggrieved person medically examined and forward the copy of the medical report to Protection Officer and the police station within the local (vi)

(v) Complaint to the Magistrate

The women who have been aggrieved, the protection officer, or any other person acting on their behalf may apply to the magistrate in order to request one or more of the Act's remedies. These individuals may file lawsuits seeking damages or compensation for harms incurred during the respondent's act of domestic abuse, all without compromising their legal rights. According to Section 12(1) of the Act, the Magistrate is required to consider any domestic occurrence report that he receives from the protection officer and service provider. The Central Government established an application format. The magistrate will typically schedule the applicant's initial hearing three days after receiving it, and they will make every effort to resolve each case within 60 days of hearing.

(vii) Monetary relief

Section 20 of the Act, 2005 stipulates the provision of monetary relief to the aggrieved party by the respondent to cover incurred expenses and losses, which include:

(i) Loss of earnings, (ii) Medical expenses, (iii) Damage to property, and (iv) Maintenance for the aggrieved woman and her children, either separately or in addition to any maintenance ordered under Section 125 of the Code of Criminal Procedure, 1973, at present in force.

JUDICIAL APPROACH

Judiciary has played vital role to protect women from domestic violence. Being the guardian of the rights judiciary has given landmark judgements to save women from the plight of domestic violence.

In **Shammi v. Sudhir Nagpal** 2008 (5) Bom.CR 149 The Court held that where an employer provided the husband with accommodation, same can be treated as matrimonial. In **Vimla ben Ajit bhai Patel v. Vatsla ben Ashok bhai Patel** (2008) 4 SCC 649. The Court recognize the right of residence as part and parcel of maintenance and the said right cannot be defeated by the husband by will. In **Neelam Malhotra v. Rajinder Malhotra**, AIR 1994 Delhi 234 It was decided that there was no set formula for calculating the amount of interim maintenance. A self-employed person frequently discloses inaccurate income on his tax return. A precise amount cannot be calculated using a mathematical formula. The statute gives the court the flexibility to determine maintenance *pendent lite* while taking into account the parties' daily expenses and living situation, in addition to their income.

In **Rajani v. Subramaniam** AIR 1990 Ker 57 The Kerala High Court ruled that in modern society, wives should not be expected to endure any form of harassment, whether mental or physical, in their domestic lives, unlike the conditions endured by women in previous eras. "Her sentiments have to be respected and her aspiration and ambitions are to be taken into account in making adjustments according to the life the wife is accustomed to lead". In **Rupali Devi v. State of Uttar Pradesh** 2019) 2 ALT (CRL.) 114 (U.P.) the Supreme Court held that if cruelty committed to wife in a matrimonial home and forced to leave or driven away can take shelter in parental home or any other place. The Court has jurisdiction to entertain complaint under section 498A of Indian Penal Code.

The Supreme Court in **Ishpal Singh Kahai v. Ramanjeet Kahai**, 2011 SCC Online Bom 412 held that the essence of the DV Act lies in extending statutory protection to victims of domestic violence, particularly those who lack proprietary rights in their homes. This legislation ensures the security and safeguarding of a wife, regardless of her ownership status in her residence. Its primary objective is to shield wives from violence and to prevent the recurrence of such acts within domestic settings.

The Domestic Violence Act's petitions may be filed in a court where the "person aggrieved" either temporarily or permanently resides, works, or conducts business, the Supreme Court clarified In **Shyam Lal Devda v. Parimala**, (2020) 3 SCC 14

SOCIO- LEGAL SITUATION OF DOMESTIC VIOLENCE IN INDIA

To know the ground reality empirical study has been conducted which revealed that awareness and knowledge about the law is not satisfactory, is matter of concern for women empowerment and gender justice also. Law and judiciary are very sensitive about the right of the women in India.

1. Knowledge of Domestic Violence Act, 2005

There are various legislations to protect women from discrimination. Protection of Women from Domestic Violence Act, 2005 is one of the protective and effective legislation which protect women from violence at home. The majority of women (48.40%) are not aware about the Act. Only small section of the women (33.60%) has acquaintance with the Protection of Women from Domestic Violence Act, 2005. 18% women are uncertain about the Act (Table 1).

Table 1

S. N.		Yes		No		Uncertain		Total	
	Question	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage
1	Knowledge of Domestic Violence Act, 2005	168	33.60	242	48.40	90	18.00	500	100
2	Whether Domestic Violence Act, 2005 Protect Women	171	34.20	129	25.80	200	40.00	500	100
3	Victim of Domestic Violence	64	12.80	389	79.6	38	7.6	500	100

4	Filing of complaint of Domestic Violence	21	4.20	478	95.60	1	0.20	500	100
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It is a clear indication about the limited reach of the law to the stakeholders which adversely impact the effectiveness of the law. The variable residence has significant impact the awareness level of women about the said law is more in the urban areas and a very small section of women from rural have knowledge about this Act. Only 24.4% women from rural area have knowledge about this Act as compared to 42.8% of the urban background. Vast majority of rural women (52.8%) and 44% of urban women are unaware of the Act. It means that most of the women are not aware about the Domestic Violence Act which definitely effect its implementation in society. India is a rural country most of the population is living in village and women are unaware of law. (Table 2)

Table 2
Residence wise response on DVA, 2005

Sr. N.	Answer	Urban		Rural	
		Frequency	Percentage	Frequency	Percentage
1.	Yes	107	42.8	61	24.4
2.	No	110	44.0	132	52.8
3.	Uncertain	33	13.2	57	22.8
4.	Total	250	100	250	100

Profession is an important factor to analyse the response. Only 41.4% of working women are aware about the Protection of Women from Domestic Violence Act, 2005 which is more than the house wives (28.8%). 54% of house wives and 39.3% working women are not aware about the Act. 19.4% working women and 17.2% of the house wives are uncertain about the effectiveness of the Act.(Table 3)

Table 3**Profession wise analysis of response on knowledge of Domestic Violence Act, 2005**

Sr. No.	Answer	Housewife		Working	
		Frequency	Percentage	Frequency	Percentage
1.	Yes	89	28.8	79	41.4
2.	No	167	54	75	39.3
3.	Uncertain	53	17.2	37	19.4
4.	Total	309	100	191	100

Social perception shows that majority of women are not aware about the Domestic Violation Act, which is one of the reasons of ineffectiveness of the law. Working women who considered more empowered have less knowledge about the law.

2. Whether Domestic Violence Act, 2005 Protect Women

The poor level of awareness is reflected in the poor conviction of the women about the Domestic Violation Act, 2005 that it can be an instrument to protect women from domestic violence. 40% of women are uncertain about the question that Domestic Violation Act, 2005 is an instrument to protect women from domestic violence. Only 34.20% of the women believe about the effectiveness of the Act while 25.80% women do not believe that said Act is a major instrument to stop domestic violence. Major part (40%) is uncertain about the Act (**Table 1**).

Abolition of domestic violence is not possible until stake holders are not able to use law, so that it is required to increase the accessibility of the Act. Effect of education has significant more educated women are convinced about the effectiveness of the enactment, 38.78% of the educated women think that Domestic Violation Act, 2005 is an instrument to protect women from domestic violence and this percentage is 17.59% among uneducated women. Among illiterates 39.29% and 21.94 literate women are not convinced about the effectiveness of the Act. Majority of respondents (42.59%) among illiterate and 39.29% literate are uncertain about the effectiveness of the Act.

Table 4**Education wise Analysis of Data**

Sr. No.	Answer	Literate		Illiterate	
		Frequency	Percentage	Frequency	Percentage
1.	Yes	152	38.78	19	17.5
2.	No	86	21.94	43	39.81
3.	Uncertain	154	39.29	46	42.59
4.	Total	392	100	108	100

Education is important factor in empowerment of women. In reference to Domestic Violence Act, 2005 even educated women are not aware about law.

3. Victim of Domestic Violence

It is very interesting to note that women still hesitate to admit that they have ever faced domestic violence as only 12.80% women admit this fact and 79.60% refuse that they have faced any incident of domestic violence in their life. 7.60% women are uncertain about the incidence of domestic violence (Table 1).

4.Filing of complaint of Domestic Violence

Family is important factor for women. Mostly women avoid to file the complaint the culprits. When it comes to reporting the incidents of domestic violence only 4.20% women has filed complaint against the culprit. 95.60% women denied to file any complaint against the culprit (Table 1). Education has important bearing more educated women are coming forward to register complaints against the culprits. During the present study it was revealed that 4.85% educated women and only 1.85% uneducated women have filed complaint against the culprits. 98.15% uneducated and 94.90% educated women denied about any kind of complaint of domestic violence. (Table 5)

Table 5
Education wise Analysis of Response

Sr. No.	Answer	Literate		Illiterate	
		Frequency	Percentage	Frequency	Percentage
1	Yes	19	4.85	2	1.85
2	No	372	94.90	106	98.15
3	Uncertain	1	0.25	0	0
4	Total	392	100	108	100

It shows that despite very strong law against the domestic violence, domestic violence is still prevalent in rural society and Act is not able to punish the culprit successfully as majority of the incidences are not reported anywhere. Absconding of complaints is the major hurdle in implementing the law.

CONCLUSION

Domestic violence pervades every corner of India, manifesting in various forms across different societies. Its repercussions are profound, extending beyond individual victims to affect the economic, social, and health well-being of entire families. This issue is particularly acute in India, as evidenced by data from the National Family Health Survey (NFHS), which reveals that more than 30% of Indian women have experienced physical, sexual, or emotional abuse from their husbands at some juncture in their lives.. There are various law to save the poor and helpless

women from claws of husbands or other family members but these laws are not sufficient. The state can play vital role to remove the domestic violence in society. The law are beyond the reach of the stake holders. Women are ignorant about their rights and laws which should be availed by them. Intensive legal and social awareness programme are required so that women could get benefit of law. There is gap between law and its implementation.

In field study it is clear that even educated or working (which mean working out side house hold) women are not aware about the Protection of Women from Domestic violence Act, 2005. Illiterate and rural women are far away from the laws available for women. Most of women neither accept the domestic violence against them nor file the case against culprit. During the present study it was revealed that 4.85% educated women and only 1.85% uneducated women have filed complaint against the culprits. Merely making laws are not solution of the problem but there is need to provide the legal aid at their door step. The specific legal aid camps and legal cells are required to provide justice to victims of domestic violence.

Judiciary has played pertinent role to protect women from domestic violence. The apex Court has decided that women can file complaint where she is forced to live after cruelty by husband or his relatives. In 21st century society has progress in science and technology but women are not able to access basic amenities. Family is basic institute for human being and requires peaceful, appropriate and domestic violence free environment at home.

Violence Act has played its significant role and protected women against exploitation, domestic violence and cruelty against women. Domestic Violence law is the protective law which secures women from violation of human rights and from Domestic Violence. It empowers them to get the appropriate measure for protection and for survival but need more awareness about the Act.

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