

## **Domestic Violence Against Women's Causes –**

**Case Studies Of Districts Srinagar, Baramulla And Anantnag UT Jammu And Kashmir**

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### **Abstract**

In reaction to the rising number of occurrences of domestic violence against women, the researcher undertook a research to determine the root cause of the problem and provide recommendations based on the findings. 22 case studies of domestic abuse victims were conducted, as well as information from the families involved. The findings identified a number of factors, including female illiteracy, a lack of information about their rights, dowry customs, in-laws' poor socioeconomic level, birth of a female child, extramarital affairs, drug addiction, and inconstancy. It was advised that various awareness and educational programmes for illiterate women be implemented at the Panchayat level to assist minimise domestic violence charges against them. Domestic abuse perpetrators could face even harsher penalties.

**Key Words:** Violence in the Family, Women, Education Programs, Unenlightenment.

### **Introduction**

“You can tell the condition of the nation by looking at the status of women’. –Jawaharial Nehru. “That country and that nation which doesn’t respect women will never become great now and nor will ever in future” and in pursuit of making India a great nation, let us work towards giving women their much deserved status.’ - Swami Vivekananda.

Domestic violence is a pattern of violence, abuse, or intimidation used to retain or manage authority over a partner in an intimate relationship. Domestic violence is essentially about power and control.

On a global basis, violence against women and girls is a serious problem. Gender discrimination not only causes but also results in violence against women. Gender-based violence is the main issue, which began with gender inequity.

The National Crime Records Bureau (NCRB), India reports crimes against women every two minutes. In India, one rape is reported every 15 minutes. Every 1.6 minutes, a crime against women is reported in India. In this country, a girl is subjected to domestic violence every 4.8 minutes, while a rape instance is reported every 13.5 minutes.

About 70% of Indian women are victims of domestic violence, with one woman being trafficked every four hours and another being subjected to maltreatment by her in-laws every four minutes.

According to the National Crime Records Bureau (NCRB), every 20 minutes, a woman in India is raped. Furthermore, rape, outraging modesty, dowry murders and harassment, acid attacks, and kidnapping have all climbed by 7.1 percent nationwide since 2010.

"The majority of instances under crime against women were reported under 'Cruelty by Husband or his Relatives' (30.2%), followed by attack on women with intent to outrage her modesty' (19.7%), kidnapping and abduction of women (19.0%), and rape (7.2%)," according to the report.

According to "NFHS-4 (2015-2016) report 'In India, 30% of women aged 15 to 49 had experienced physical abuse since they were 15, and 21% have experienced both physical and sexual assault in the 12 months before to the poll. As per "United Nation Population Fund report', Around two-thirds of married Indian women have been victims of domestic violence, and up to 70% of married women in India between the ages of 15 and 49 have been beaten, raped, or forced to have sex. The problem of domestic violence has sparked a lot of research. As Diwan and Diwan (1997) An insatiable demand for dowry led to different dowry offences and dowry deaths, according to his study 'law relating to Dowry Offences, Dowry deaths, Bride burning, Rape and associated offences.' Dowry has reached absurd proportions. Despite efforts to tighten dowry prohibition laws and introduce new criminal measures against cruelty to women and dowry-related killings or suicides, these crimes are on the rise. According to Visaria (1999), illiterate women and those with education up to the primary level (class 4) are more vulnerable to violence than those with education beyond the primary level. Dabla. (2009) Violence is a behaviour in which a more powerful person takes advantage of and abuses a less powerful person. It is not merely hostility or hurt committed by one individual (man) against another (woman).Kaur R & Garg S.(2010) Domestic violence has been linked to an alcoholic husband. It was also usual for husbands' relatives to instigate wife beatings. Despite being harassed, the majority of the ladies decided to remain silent. The women were afraid of the consequences of going to court, such as social isolation. Anuradha et. Al. (2013) argued that argument, substance misuse, and low family finances were the most common causes of beginning of violence in rural areas. The most prevalent reasons given by urban women were arguing, substance addiction, and sex rejection. The most common reason given by victims for not seeking aid was a breach of privacy.

Chand S. (2013) Domestic violence is believed to occur as a result of a range of cultural, economic, and psychological factors. Domestic violence is frequently blamed on deep-seated issues such as dowry, psychopathology, substance addiction, poverty, cultural factors, anger, stress, and sadness. Sarkar NN (2013) Domestic violence was shown to be more common when the male spouse was less educated or had a propensity of using alcohol, opium, or tobacco. Domestic violence was caused by illiteracy, poverty, family status, and the community's lack of concern for spousal violence. Bhardwaj U (2014) According to popular belief, there is no single cause that accounts for violence against women. Research is increasingly focusing on the interconnectedness of numerous aspects that should help us better comprehend the problem in various cultural contexts.

**For the reasons stated above, the investigator set out to:**

- 1. Investigating the causes of domestic violence.**
- 2. To make a recommendation for ending domestic violence.**

Using purposive sampling, the investigator compiled a list of 110 cases from police stations, a Kashmir lawyer, and once stop centres, UT Jammu and Kashmir district of Srinagar and Anantnag. From this sampling frame, 25 cases of domestic violence were chosen at random from the list of cases on which the study was based. The case study approach was used to conduct a qualitative analysis of the data. Their case histories were examined to determine the causes of domestic violence based on information provided by them, their families, neighbours, and other individuals. To gather information, the investigator personally visited women who had been victims of domestic violence. The investigator spent the most time possible becoming emotionally compatible with the victim of domestic abuse in order to extract the expected information. An interview strategy was employed to acquire information from the victim of domestic violence. The investigator inquired about the study after developing a friendly rapport. The reasons of domestic violence were investigated through case studies. Following are some of the cases that were addressed after they were analysed.

**Case study 1:** Mrs Shahyista Jan was 26 years old when she married Javid Ahmad Dar. After some months, she discovered that he is addicted to narcotics. When she tried to stop him, her husband tortured her physically and mentally. She continued to accept domestic abuse for her son's sake. When her husband's aggressive behaviour grew intolerable, she informed her parents and the police about it. Her husband's behaviour improved for a month after police and parents intervened, but he then relapsed to his old ways. As a result, she eventually left her in-laws and returned to her parents. Her spouse and his parents approached her parents six months later, requesting a compromise. For the sake of her son, she agreed to his plea and accompanied him back.

**Case study 2:** Mrs. Shafia Jan was 32 years old when she married Rameez Ahmad Bhat. Mrs. Shafia Jan noticed a shift in her husband's behaviour after a while. She learned that he had doubts about her dignity and that she had been subjected to both physical and psychological torment. She gave birth to a daughter after the level of domestic abuse became unbearable; she informed her parents and then the police about the situation. After the intervention of the police, as well as her parents and the awqaf Committee, her husband's attitude improved significantly after only two months. As a result, she eventually left her in-laws' house and moved in with her parents. Mr. Rameez Ahmad Bhat and her parents arrived and begged that her parents return her. She returned with her spouse because neither her parents nor she were financially secure. She had no choice but to make a compromise because of the circumstances. She did not want to live with him, but she had no choice but to submit to social violence due to compulsions.

**Case study 3:** Mrs. Zanib Akhtar married Amir Ahmad Dar at the age of 26 years, according to his mother, They have been married for a year and have had a wonderful time together. When her in-laws and husband learned that she couldn't become a mother, Mrs. Zanib saw a significant shift in their behaviour. Her in-laws tortured her physically and psychologically. They torment her on a daily basis, dragging her outside and forcing her to flee the house. She

informed her parents about the situation in a notice. After the situation was brought to the attention of the Mohallah committee, the auqaaf committee, Police and her parents, a significant change in her in-laws' attitude was observed. They later revert to their previous bad behaviour. They put poison in her food on one occasion. Her in-laws rushed her to the hospital when they realised she was in serious trouble. They told the doctor that she had poisoned herself because she couldn't have children owing to infertility. In the hospital, she ran out of breath. Her parents were poor, and they were unable to prosecute the matter on their own. Finally, the case file was closed with the conclusion that it was a suicide.

**Case study 4:** Mrs. At the age of 29 years, Sheeba Jan married Basit Ahmad Wagay. She discovered that her spouse had an extra material relationship after his unexpectedly hostile behaviour. Her husband abused her mentally and verbally. She'd had a daughter in the meantime. She compromises with situations for the sake of love and care for her kid. She informed her parents and the court about the domestic violence when it got unbearable. The decision was made in the form of a divorce decree by the court. She has returned to her parents' home.

**Case study 5:** Mrs. Sobia Jan married Mr. Ayaz Ahmad when she was 28 years old. They've been married for two years and have a happy life together. Mrs. Sobia Jan, on the other hand, realised that her husband had an extra material relationship after that. When she protested, her husband subjected her to both verbal and psychological torment. She had two daughters in the meantime. She told her parents about the domestic violence when it became unbearable. After the Auqaaf committee intervened, the Women Police Station Rambagh and her parents noticed a six-month improvement in her husband's behaviour. Later, he reverted to his previous attitude. As a result, she eventually moved out of his in-laws' house and began living with her parents. After eight months, Mr. Ayaz Ahmad and his parents approached her parents and asked for forgiveness. She accepted her fate because she was neither a well-educated or financially self-sufficient woman, and her parents were unable to care for her children.

**Case study 6:** Afreen Bashir daughter of Bashir Ahmad in a lower middle class family.

Her father is a farmer by profession. She lived with four siblings and her parents. A mediator brought a proposal of marriage for her. Everything seemed good and finally the marriage was fixed by her parents. She was marriage to shabir Ahmad who lived in Anantnag.

First few months were normal. Soon it was after the aboration that she felt swift change in the behavior of her husband and inlaws. Within a couple of months she again conceived a child.

During her preganancy period she was mentally tortured by her inlaws. After knowing about the gender of the child the faces of my in laws and even my husband turned pale. They left me at the hospital without even having a glimpse of my child. They left me at the hospital without even having a glimpse of my child. They left me at the mercy of the lord. I was left with no option but to stay with my parents alone with my girl child.

After the gap of few weeks my husband and in laws demanded a dowry of Rupees: 50000/- (Fity thousand) in order to accept me and my child. After arranging the money of dowry we were ready to give the said amount in order to settle the things But they did not given any

positive response and stopped any sort of contact. We heard from some unknown person that my in-laws are searching another wife for my husband. We even approach to the village Aquaf community to look into this matter. Her husband was called but he refused to respond. We even filed a case in the district Court Anantnag and the case is still pending.

**Case study 7:** Rafia was born into a middle-class household in Aluchibagh, where her father owns a carpet business. Her younger brothers and sisters had already married. Because she had a mark on the left side of her face, she was unable to marry. She was depressed and preferred to be alone. She used to go to spiritual places and pray, but as time went on, she became despondent and stopped praying. Her mother used to take her to cosmetic surgeons, but nothing worked. This instilled in her a sense of rage and frustration. She was irritated and dissatisfied with her existence at all times. Finally, she received a marriage proposal from a man in Safal Kadal, who was 40 at the time. As dowry, she was given a plot of land in her name. In 2006, she married the businessman. Rafia's fault was that she was more educated than her husband.

Rafia was asked to sell her land shortly after she married. Her spouse explained that he needed money to start a new business. She obeyed orders. She was asked to borrow money from her father's hoe for the start-up of the new business after another eight months. She approached her father, who offered her a substantial sum of money. Her spouse promised to repay her, but he never did.

Rather, she was told that she needed to get more. She eventually refused. She was now regularly harassed and mocked. She got depressed and weak. When her spouse learned of her pregnancy, everything changed. He began to treat her with respect. When she gave birth to a girl, however, she was brutally abused. Finally, she made the decision to split. The matter was in court for two years, but Rafia and her parents never gave up hope. She was able to obtain a divorce and is now living with her daughter at her father's house.

**Case study 8:** Ismat Jan was from the Srinagar neighbourhood of Sonwar. Her father worked for the forest service, and her mother was a teacher. Ismat Jan had a sister and a brother. Ismat Jan, the second kid, aspired to be a doctor. She was unable to pursue an MBBS, instead she pursued a B.Sc. Her parents married her after she graduated to Bilal, a government teacher from the Dalgate region. Her hubby adored her. They went out once a week, and he used to bring her gifts on a regular basis. This joy only lasted five months. When she was requested to obtain 2 lakh rupees from her father, her world was flipped upside down. Her husband was still quite courteous to her. He persuaded her to accept the money by claiming that it was not for dowry but for a family emergency. She carried out her husband's instructions. Her father handed her Rs. 1.5 lakh as a present.

Ismat Jan quickly realised that the money was merely dowry, and that it was not required for any specific purpose. She became so depressed that she went to her father's house and stayed for three months. Her spouse accepted her apology and persuaded her to return. She found out she was expecting after two months. Her husband was ecstatic to the point of being ecstatic. Her in-laws, on the other hand, demanded payment once more. She was able to wrest

the money from her father and give it to them in order to keep their relationship intact. The demands grew stronger as time went on. In this case, her spouse remained silent. In the absence of her husband, her mother-in-law abused her mentally and physically when she failed to meet the demands. When she had twins, her husband's attitude shifted, and he began to oppose his parents. She has now managed to live separately from her husband and children, but the ghosts of her past continue to haunt her.

**Case study 9:** Sumiya John daughter of Wali Mohammad Ganie and Mahtaba Begum was born in baderwani Qazigund, Anantnag. She has five sisters and a one brother. She is the eldest among her siblings. Her educational qualification could not go further after 8<sup>th</sup> as she belonged to a poor family.

As she came to her age her family started talks about her marriage and got her and got her engaged to Ishfaq Ahmad Bhat who was a driver by profession. Shortly after her engagement her father got very sick and he died. Now she had only her old grandfather to support her, her brother was already living separate from his family. So she had to do all the arrangements for her marriage herself.

Her in-laws seemed to be nice and caring to her and refused to any dowry. But soon after few months of her marriage her mother in law started torturing her mentally and verbally. Her husband even started physical violence and once while she was pregnant, he kicked her due to which she had a miscarriage. After that she went to her family.

After some time she was back with her in-laws she thought they might have changed but they started torturing her again leaving her with no option other than lodging an FIR against her husband and her husband was finally arrested.

Tired of so much violence she rented a room and started living separately and got a job as an ashra worker. She is also 6 months pregnant.

**Following an examination of the case studies of assailants of domestic violence, the following factors have emerged:**

1. Women's illiteracy
2. Dowry Customs.
3. In-laws' socioeconomic standing is poor.
4. The birth of a female child.
5. Substance Abuse.
6. Relationship with extra material
7. Their rights are not well-known to them.

## **Suggestions**

Different awareness and educational programmes for illiterate women at the panchayat level are suggested, which may help to minimize the rate of domestic violence against them.

Domestic abuse suspects may face harsher penalties. Suffering/divorced women should be encouraged to remarry by offering financial assistance, jobs, and free medical care at every hospital, among other things. If the above-mentioned proposals are faithfully implemented in society, the degree of domestic violence such as inbreeding, molestation, eve teasing, infertility, and so on will be on the decline, according to the investigator.

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