
DOMESTIC VIOLENCE AGAINST WOMEN IN INDIA: A STUDY OF PREVALENCE, CAUSES, LEGAL FRAMEWORK, AND THE WAY FORWARD

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ABSTRACT

Domestic violence against women remains one of the most pervasive human rights violations in India, cutting across class, caste, religion, and region. Drawing on data from the National Family Health Survey (NFHS-5, 2019–21), National Crime Records Bureau (NCRB) reports, and peer-reviewed literature, this paper examines the prevalence, forms, and socio-cultural determinants of domestic violence in India. It reviews the legal framework governing domestic violence, including the Protection of Women from Domestic Violence Act, 2005 (PWDVA) and the criminal provisions under the Bharatiya Nyaya Sanhita, 2023 (BNS), which replaced the Indian Penal Code in July 2024. The paper further discusses the health, economic, and intergenerational consequences of domestic violence, the gaps in enforcement and access to justice, and concludes with policy recommendations aimed at prevention, protection, and rehabilitation.

1. INTRODUCTION

Domestic violence, also referred to as intimate partner violence or spousal violence, refers to a pattern of abusive behaviour — physical, sexual, emotional, verbal, or economic — used by one partner to gain or maintain control over another within a domestic or familial relationship. In India, domestic violence against women is deeply embedded in patriarchal social structures, unequal gender norms, and economic dependency, and it occurs across urban and rural settings and across socio-economic strata.

Despite the existence of dedicated legislation and growing public awareness, domestic violence continues to be significantly under-reported. Survey-based estimates consistently show prevalence rates far higher than those reflected in official crime statistics, indicating

that most victims never approach the police or courts. This gap between lived experience and reported crime is central to understanding the scale of the problem in India.

2. Objectives of the Study

- To examine the prevalence and forms of domestic violence against women in India using recent survey and crime data.
- To analyse the socio-cultural, economic, and individual-level factors associated with domestic violence.
- To review the legal and institutional framework for prevention and redressal.
- To assess the health and socio-economic consequences of domestic violence.
- To suggest policy measures and recommendations for prevention and support.

3. METHODOLOGY

This paper adopts a descriptive, secondary-data-based approach. It draws on nationally representative survey data (NFHS-5, 2019–21), crime statistics published by the National Crime Records Bureau (NCRB), government legislation and case law, and peer-reviewed academic studies. No primary data collection was undertaken; the analysis synthesises existing quantitative evidence and legal-policy literature to present a comprehensive overview.

4. Prevalence of Domestic Violence in India

According to the National Family Health Survey (NFHS-5, 2019–21), close to three in ten women aged 18–49 in India have experienced physical, sexual, or emotional spousal violence at some point, and a notable proportion of pregnant women reported experiencing violence during pregnancy. Control-related behaviour by husbands, alcohol consumption by the male partner, and disparities in education or income between spouses emerge as strong correlates of violence in this data.

Emotional violence alone was reported by a substantial share of women, with prevalence rising with age. State-level variation is considerable: some states such as Karnataka recorded a sharp rise in reported spousal violence between NFHS-4 (2015–16) and NFHS-5 (2019–21), while several other states recorded declines over the same period, illustrating that trends are not uniform across the country.

Indicator (NFHS-5, 2019–21)	Approximate Value
Women (18–49) ever experiencing spousal violence	~29%
Pregnant women experiencing violence during pregnancy	~3%+
Women reporting emotional violence	~14%
NFHS-5 sample size for the domestic violence module	~72,320 women

Note: Figures are approximate, rounded estimates drawn from published NFHS-5 analyses; readers should consult the official NFHS-5 report for exact state- and sub-group-level figures.

5. Forms of Domestic Violence

- Physical abuse — hitting, slapping, choking, or other forms of bodily harm.
- Sexual abuse — forced sexual acts or marital rape (not separately criminalised under Indian law).
- Emotional and psychological abuse — humiliation, threats, isolation, and controlling behaviour.
- Verbal abuse — insults, name-calling, and demeaning language.
- Economic abuse — denying access to finances, employment, or property.
- Dowry-related harassment — harassment or cruelty linked to demands for dowry, sometimes resulting in dowry deaths.

6. Causes and Contributing Factors

6.1 Socio-cultural Factors

Patriarchal norms that normalise male authority within the household, rigid gender roles, and social acceptance of “mild” forms of chastisement contribute to the persistence of domestic violence. Practices such as dowry, preference for sons, and restrictions on women's mobility and autonomy reinforce power imbalances within marriages.

6.2 Economic Factors

Economic dependency on the husband or in-laws limits a woman's ability to leave an abusive relationship. Research based on NFHS data also finds that when a wife's education or earnings exceed her husband's, this can, in some contexts, be associated with a higher risk of violence, reflecting resistance to shifts in traditional power dynamics.

6.3 Individual and Household Factors

Alcohol and substance abuse by the male partner is one of the most consistently identified risk factors for domestic violence across Indian studies. Witnessing or experiencing violence in one's family of origin (intergenerational transmission), young age at marriage, and larger family size are also associated with elevated risk.

6.4 Caste, Religion, and Social Location

Studies using NFHS-5 data show that intimate partner violence is not evenly distributed; women from historically marginalised groups, including Scheduled Caste communities, report higher exposure to violence than women from general-category households, reflecting the intersection of gender with caste-based and economic disadvantage.

7. Legal and Institutional Framework

7.1 The Protection of Women from Domestic Violence Act, 2005 (PWDVA)

The PWDVA is India's principal civil law addressing domestic violence. It came into force in October 2006 and defines domestic violence broadly to include physical, sexual, verbal, emotional, and economic abuse. It extends protection not only to wives but to women in relationships “in the nature of marriage,” as well as female relatives within a shared household. The Act provides for Protection Officers, registered service providers, and courts to issue protection orders, residence orders, monetary relief, and custody orders, offering a civil remedy distinct from criminal prosecution.

7.2 Criminal Law Provisions

Cruelty by a husband or his relatives was historically punishable under Section 498A of the Indian Penal Code, 1860. With the introduction of new criminal codes effective 1 July 2024, this offence is now addressed under Section 85 (cruelty) and Section 86 (definition of cruelty) of the Bharatiya Nyaya Sanhita (BNS), 2023, which carries a punishment of imprisonment of up to three years along with a fine. Procedural matters are now governed by the Bharatiya Nagarik Suraksha Sanhita, and evidentiary matters by the Bharatiya Sakshya Adhiniyam, which explicitly recognises electronic evidence such as text messages and emails.

7.3 Other Relevant Laws

- The Dowry Prohibition Act, 1961 — prohibits the giving or taking of dowry.
- Section 13(1)(ia), Hindu Marriage Act, 1955 — allows divorce on the ground of cruelty.
- The Dowry Death provision (formerly IPC Section 304B) — addresses deaths of women within seven years of marriage under suspicious circumstances linked to dowry harassment.

7.4 Implementation Challenges

Despite this legal architecture, implementation remains weak. Studies of court records point to low conviction rates relative to the number of cases filed, long delays in adjudication, inadequate numbers of trained Protection Officers, and limited awareness among women — particularly in rural areas — of their rights under the PWDVA. Marital rape continues to be

exempted from the definition of rape under Indian criminal law when the wife is an adult, a gap that has been the subject of ongoing judicial and public debate.

8. Consequences of Domestic Violence

8.1 Health Consequences

Beyond direct physical injury, domestic violence is associated with adverse reproductive and maternal health outcomes, including higher rates of pregnancy termination, and with poorer general health indicators such as anaemia and hypertension among survivors. Psychological consequences include depression, anxiety, post-traumatic stress, and, in severe cases, suicidal ideation.

8.2 Economic Consequences

Domestic violence reduces women's labour force participation and productivity, increases healthcare costs, and can trap women and their children in cycles of poverty due to loss of income and assets.

8.3 Consequences for Children and Intergenerational Effects

Children who witness domestic violence are at greater risk of behavioural and emotional problems and are statistically more likely to either perpetrate or experience intimate partner violence in their own adult relationships, perpetuating a cycle across generations.

8.4 Barriers to Help-Seeking

Research using NFHS-5 data finds that a large majority of women who experience physical or sexual violence never seek help from either formal institutions (police, health workers, legal aid) or informal networks (family, friends), owing to stigma, fear of retaliation, economic dependence, and normalisation of abuse.

9. Regional and Social Variation

Prevalence of domestic violence varies considerably across Indian states and social groups. NFHS rounds show that states such as Karnataka, Bihar, and Manipur have recorded comparatively high rates of spousal violence in recent surveys, while others have recorded declines. Urban-rural differences, education levels, and caste and religious identity further shape both the incidence of violence and women's ability to access protection and justice.

10. Recommendations

- Strengthen implementation of the PWDVA by increasing the number and training of Protection Officers and ensuring their presence in every district and block.

- Expand accessible, confidential support infrastructure such as One-Stop Centres, women's helplines, and shelter homes, particularly in rural and semi-urban areas.
- Integrate routine screening for domestic violence into public health services, including antenatal care, given the demonstrated links to maternal health outcomes.
- Invest in community-based awareness programmes that challenge patriarchal norms and engage men and boys as allies in prevention.
- Improve data collection through periodic, granular state- and district-level surveys to track trends and target interventions.
- Review and strengthen legal gaps, including the continuing exemption of marital rape from criminal law, in line with constitutional guarantees of equality and bodily autonomy.
- Promote women's economic empowerment through skill development, employment access, and financial inclusion to reduce economic dependency that traps women in abusive relationships.
- Fast-track domestic violence and cruelty cases in courts to reduce delays and improve conviction outcomes.

11. CONCLUSION

Domestic violence against women in India is a widespread and multi-dimensional problem rooted in patriarchal social structures, economic dependency, and gaps in legal enforcement. While the PWDVA, 2005 and criminal provisions under the Bharatiya Nyaya Sanhita provide an important legal foundation, survey data consistently show that the majority of affected women neither report abuse nor seek help. Addressing domestic violence effectively requires a coordinated response that combines robust law enforcement, accessible support services, public health integration, economic empowerment of women, and sustained efforts to shift the social norms that normalise violence within the home.

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