
**VIOLENCE AGAINST WOMEN IN INDIA: A SOCIOLOGICAL
ANALYSIS OF LEGAL PROVISIONS**

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Article Received: 1 May 2026

Article Revised: 21 May 2026

Published on: 11 June 2026

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DOI: <https://doi-doi.org/101555/ijrpa.7547>

ABSTRACT

Violence against women is one of the most serious social and human rights issues in contemporary society. In India, women continue to experience various forms of violence, including domestic violence, sexual assault, dowry-related abuse, harassment, and other gender-based crimes. From a sociological perspective, violence against women is not merely an individual problem but a structural issue rooted in gender inequality, patriarchal social relations, and discriminatory cultural practices. Therefore, understanding the effectiveness of legal responses requires an examination of both social conditions and legal frameworks. The objectives of this study were to examine the nature and prevalence of violence against women in India, identify the social, cultural, and institutional factors contributing to violence, analyze the legal provisions available for addressing violence against women, assess the challenges in the implementation of laws and victim protection, and suggest measures for strengthening legal responses and promoting gender equality. This study is based entirely on secondary data analysis. Data were collected from books, peer-reviewed journal articles, government reports, legal documents, policy papers, and publications from organizations such as the National Crime Records Bureau (NCRB), the World Health Organization (WHO), and the United Nations (UN). The collected information was analyzed using a qualitative and descriptive approach. The findings reveal that violence against women remains widespread in India, with domestic violence being the most frequently reported form. Patriarchal norms, economic dependency, dowry practices, social stigma, and institutional weaknesses contribute

significantly to the persistence of violence. Although India has established a comprehensive legal framework for protecting women, challenges such as underreporting, judicial delays, low conviction rates, and inadequate victim support limit its effectiveness. The study concludes that legal provisions alone are insufficient to address violence against women. Effective prevention requires stronger implementation of laws, improved institutional support, greater legal awareness, women's empowerment, and broader social transformation aimed at achieving gender equality.

KEYWORDS: Violence Against Women, Gender Inequality, Patriarchy, Legal Provisions, India.

INTRODUCTION

Violence against women remains one of the most significant social and human rights challenges in India. Despite constitutional guarantees of equality and the enactment of various legal measures, women continue to experience different forms of violence, including domestic violence, sexual assault, dowry-related abuse, trafficking, workplace harassment, and other forms of gender-based discrimination. According to the National Crime Records Bureau (NCRB), approximately 471,000 cases of crimes against women were reported in India in 2023, reflecting the continuing prevalence of violence against women across the country (NCRB, 2023). Furthermore, the National Family Health Survey (NFHS-5) reported that 32 percent of ever-married women had experienced physical, sexual, or emotional violence by their husbands at some point in their lives (International Institute for Population Sciences, 2021). These statistics indicate that violence against women remains a persistent social problem despite legal and policy interventions.

From a sociological perspective, violence against women is not merely an individual act of aggression but a structural issue rooted in unequal gender relations and patriarchal social arrangements. Feminist scholars argue that patriarchal systems institutionalize male dominance and female subordination, creating social conditions that facilitate and normalize violence against women (Dobash&Dobash, 1979; Walby, 1990). In India, social institutions such as the family, religion, education system, and community structures often reinforce traditional gender norms that place women in subordinate positions. Consequently, many forms of violence become embedded within everyday social practices and power relations.

Over the past several decades, India has introduced a range of legal provisions to address violence against women. These include constitutional safeguards, the Dowry Prohibition Act

(1961), the Protection of Women from Domestic Violence Act (2005), the Sexual Harassment of Women at Workplace Act (2013), and various criminal law reforms aimed at addressing sexual violence. These legal developments demonstrate the state's commitment to protecting women's rights and promoting gender justice. However, the existence of legal provisions does not automatically ensure effective protection. Research has shown that factors such as underreporting, social stigma, patriarchal attitudes, institutional weaknesses, and delays in the justice system often limit the effectiveness of legal interventions (Htun & Weldon, 2012). An intersectional perspective further highlights that women's experiences of violence are shaped by factors such as caste, class, religion, ethnicity, and geographical location. As argued by Crenshaw (1991), multiple forms of social inequality interact to create varying levels of vulnerability and access to justice. Consequently, women from marginalized communities often face greater challenges in seeking legal protection and institutional support.

Against this background, the present study examines violence against women in India through a sociological analysis of legal provisions. It explores the nature and prevalence of violence against women, identifies the social, cultural, and institutional factors contributing to such violence, analyzes the legal mechanisms available for protection, and assesses the challenges associated with their implementation. The study argues that while legal reforms are essential, meaningful reduction of violence against women requires broader social transformation aimed at challenging patriarchal norms, strengthening institutions, and promoting gender equality.

Objectives

01. To examine the nature and prevalence of violence against women in India
02. To identify the social, cultural, and institutional factors that contribute to violence against women
03. To analyses the legal provisions available for addressing violence against women
04. To assess the challenges in the implementation of laws and the protection of victims
05. To suggest measures for strengthening legal responses and promoting gender equality

METHODOLOGY

This study is based entirely on secondary data analysis. Relevant information was collected from a wide range of academic and institutional sources, including peer-reviewed journal articles, books, government reports, legal documents, policy papers, and publications of

national and international organizations such as the World Health Organization (WHO), United Nations (UN), United Nations Population Fund (UNFPA), and the National Crime Records Bureau (NCRB) of India. In addition, key legislative documents relating to violence against women, including domestic violence, sexual harassment, rape, and dowry-related laws, were reviewed.

The collected data were analyzed using a qualitative, descriptive, and analytical approach. Particular attention was given to identifying the sociological factors contributing to violence against women, examining the scope and effectiveness of legal provisions, and assessing challenges in their implementation. The study also employed insights from feminist and sociological theories to critically interpret the relationship between gender inequality, social institutions, and legal responses to violence against women. The analysis is primarily based on existing literature and documented evidence, enabling a comprehensive understanding of violence against women and the effectiveness of legal frameworks in addressing this social issue.

1. Nature and Prevalence of Violence Against Women in India

Violence against women (VAW) is one of the most pervasive social problems in India, affecting women across all age groups, social classes, castes, religions, and regions. It encompasses a wide range of harmful acts, including physical, sexual, emotional, psychological, and economic abuse. The World Health Organization identifies violence against women as a major public health and human rights issue that undermines women's dignity, security, and well-being (WHO, 2021). In India, despite constitutional guarantees of equality and the enactment of several protective laws, violence against women remains deeply rooted in patriarchal social structures and gender inequalities. The prevalence of violence against women in India has shown a concerning upward trend in recent years. According to the National Crime Records Bureau (NCRB), approximately 471,000 cases of crimes against women were reported in 2023, representing an increase from 445,256 cases reported in 2022 and 315,215 cases in 2017 (NCRB, 2023). This growth indicates that violence against women continues to be a significant social concern. While the increase in reported cases may partly reflect greater awareness and improved reporting mechanisms, it also demonstrates the persistence of gender-based violence within Indian society.

One of the most common forms of violence against women in India is domestic violence. NCRB data indicate that cruelty by husband or relatives consistently accounts for the largest proportion of crimes against women, representing nearly 31 percent of all reported cases (NCRB, 2022). Domestic violence includes physical assault, emotional abuse, economic

deprivation, and coercive control within intimate relationships. Sociologists argue that patriarchal family structures and unequal power relations often normalize such violence, making it difficult for women to seek support or legal remedies (Walby, 1990). The National Family Health Survey (NFHS-5) found that 32 percent of ever-married women had experienced physical, sexual, or emotional violence by their husbands during their lifetime, highlighting the widespread nature of domestic abuse in India (IIPS, 2021).

Sexual violence is another significant dimension of violence against women. Rape, sexual assault, sexual harassment, and molestation continue to affect thousands of women annually. NCRB statistics recorded more than 32,000 rape cases in 2022, and similar figures were reported in 2023 (NCRB, 2023). Despite stricter laws introduced after the Nirbhaya incident in 2012, sexual violence remains prevalent. Feminist scholars argue that victim-blaming attitudes, social stigma, and lengthy judicial processes often discourage survivors from reporting offences, resulting in substantial underreporting of sexual crimes (MacKinnon, 1979).

In addition to domestic and sexual violence, women in India experience other forms of victimization, including kidnapping, abduction, dowry-related violence, trafficking, stalking, and cyber harassment. Kidnapping and abduction accounted for approximately 19 percent of crimes against women in recent years, while dowry-related offences continue to claim the lives of many women despite legal prohibitions (NCRB, 2022). These forms of violence demonstrate that women's vulnerability extends beyond the household into public and digital spaces.

Regional disparities further illustrate the uneven distribution of violence against women across India. States such as Haryana, Telangana, and Delhi report crime rates against women that exceed the national average. Delhi, in particular, consistently records one of the highest crime rates against women among metropolitan areas (SPRF, 2024). In contrast, states such as Tamil Nadu and Gujarat report comparatively lower rates. These variations may be influenced by differences in social norms, women's educational attainment, economic participation, law enforcement effectiveness, and reporting practices.

A major challenge in understanding the prevalence of violence against women is the issue of underreporting. Many women do not report incidents because of fear of social stigma, economic dependency, family pressure, lack of awareness of legal rights, and distrust in the criminal justice system. Consequently, official crime statistics represent only a fraction of the actual incidents occurring in society. The gap between NCRB crime data and NFHS-5 survey

findings demonstrates that many women experience violence without seeking formal assistance or legal intervention (Duvvury et al., 2013).

Overall, the available evidence suggests that violence against women in India remains widespread and multifaceted. The persistence of domestic violence, sexual violence, dowry-related abuse, and other forms of victimization reflects the continued influence of patriarchal norms and structural inequalities. Therefore, addressing violence against women requires not only stronger legal enforcement but also broader social transformation aimed at promoting gender equality, women's empowerment, and cultural change.

2. Social, Cultural, and Institutional Factors Contributing to Violence Against Women in India

Violence against women in India is not merely an individual act of aggression but a social problem shaped by various social, cultural, and institutional factors. From a sociological perspective, these factors create conditions that enable and sustain violence against women in both private and public spheres. Understanding these underlying causes is essential for addressing the root of gender-based violence rather than only its consequences.

One of the most significant social factors is the persistence of patriarchal social structures. Indian society has traditionally assigned men a dominant position within families and communities, while women are often expected to be obedient and dependent. Such unequal power relations can normalize violence as a means of controlling women. According to the National Family Health Survey (NFHS-5), 32 percent of ever-married women in India have experienced physical, sexual, or emotional violence by their husbands, reflecting the continued influence of patriarchal norms within households (International Institute for Population Sciences, 2021). Economic dependency also increases women's vulnerability, as many women remain financially reliant on male family members and may be unable to leave abusive relationships.

Cultural factors further contribute to violence against women. Traditional gender norms often place greater value on men than women and reinforce expectations regarding female behavior, marriage, and family honor. Practices such as dowry continue to contribute to harassment, abuse, and even deaths among married women despite legal prohibitions. The National Crime Records Bureau (NCRB) reported 6,450 dowry deaths in India during 2022, indicating that dowry-related violence remains a serious concern (NCRB, 2022). In many communities, social stigma associated with divorce, separation, or reporting abuse discourages women from seeking help. Victim-blaming attitudes also persist, particularly in

cases of sexual violence, where survivors are often held responsible for the crimes committed against them.

Institutional factors also play an important role in the continuation of violence against women. Although India has enacted several laws, including the Protection of Women from Domestic Violence Act (2005), the Dowry Prohibition Act (1961), and provisions under the Bharatiya Nyaya Sanhita and earlier Indian Penal Code, implementation remains uneven. Many women face barriers when accessing justice due to lengthy legal procedures, inadequate support services, and limited awareness of legal rights. The conviction rate for crimes against women remains relatively low compared to the number of reported cases, reducing confidence in the justice system (NCRB, 2022). Furthermore, fear of retaliation, lack of trust in law enforcement agencies, and social pressure often discourage women from reporting incidents of violence.

These social, cultural, and institutional factors interact with one another to create an environment in which violence against women can persist. Therefore, reducing violence against women requires not only stronger legal enforcement but also broader social change aimed at challenging patriarchal attitudes, promoting gender equality, improving women's economic empowerment, and strengthening institutional support mechanisms.

3. Analysis of Legal Provisions Available for Addressing Violence Against Women in India

India has developed a comprehensive legal framework to address violence against women through constitutional protections, criminal laws, and special legislation. These legal provisions aim to prevent violence, protect victims, and punish offenders. However, despite the existence of numerous laws, violence against women remains a significant social problem, raising questions about the effectiveness of legal implementation and enforcement.

The Constitution of India provides the foundation for women's rights by guaranteeing equality before the law and prohibiting discrimination based on sex. Article 14 ensures equality before the law, while Articles 15 and 16 promote equal opportunities and prohibit gender-based discrimination (Government of India, 1950). These constitutional provisions establish the legal basis for protecting women from violence and ensuring equal access to justice.

Several criminal laws specifically address different forms of violence against women. The Bharatiya Nyaya Sanhita (BNS), 2023, which replaced the Indian Penal Code (IPC), contains provisions relating to rape, sexual assault, stalking, kidnapping, trafficking, and cruelty by husbands or relatives. Earlier Section 498A of the IPC, now incorporated into the new legal

framework, has been one of the most important provisions for addressing domestic violence and marital cruelty. According to NCRB data, cruelty by husband or relatives accounted for nearly 31 percent of all crimes against women reported in 2022, demonstrating the continued relevance of this legal protection (NCRB, 2022).

A major milestone in legal protection was the enactment of the Protection of Women from Domestic Violence Act (PWDVA), 2005. Unlike traditional criminal laws, this Act recognizes physical, sexual, verbal, emotional, and economic abuse within domestic relationships. It provides victims with protection orders, residence rights, monetary relief, and access to support services (Government of India, 2005). The Act expanded the understanding of domestic violence beyond physical abuse and strengthened women's legal rights within households.

The Dowry Prohibition Act, 1961, was introduced to combat dowry-related violence and harassment. Despite this legislation, dowry-related crimes remain a serious issue. NCRB reported 6,450 dowry deaths in 2022, indicating that legal prohibition alone has not eliminated the practice (NCRB, 2022). Similarly, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, was enacted to provide a safer working environment for women and establish mechanisms for addressing workplace harassment.

The Criminal Law (Amendment) Act, 2013, enacted following the Nirbhaya case, significantly strengthened laws related to sexual violence. The amendment expanded the definition of rape, introduced stricter punishments, and criminalized offences such as stalking, voyeurism, and acid attacks (Government of India, 2013). These reforms represented an important step toward improving legal protection for women.

Despite these legal advancements, several challenges remain. Low conviction rates, delays in court proceedings, inadequate victim support services, and limited awareness of legal rights often reduce the effectiveness of these laws. Many survivors also hesitate to report violence due to fear, social stigma, and lack of confidence in the justice system. Therefore, while India possesses a relatively strong legal framework for addressing violence against women, effective implementation, institutional accountability, and greater public awareness are essential for translating legal protections into meaningful social change.

4. Challenges in the Implementation of Laws and the Protection of Victims

Although India has enacted several laws to address violence against women, the effective implementation of these legal provisions remains a major challenge. The gap between legal protection and the actual experiences of victims often limits the ability of laws to prevent

violence and ensure justice. From a sociological perspective, legal measures alone cannot eliminate violence against women unless institutional, social, and cultural barriers are also addressed.

One of the primary challenges is the underreporting of violence. Many women do not report incidents due to fear of social stigma, family pressure, economic dependency, and concerns about retaliation from perpetrators. The National Family Health Survey (NFHS-5) found that 32 percent of ever-married women had experienced physical, sexual, or emotional violence by their husbands, yet only a small proportion sought help from formal institutions such as the police or legal authorities (International Institute for Population Sciences, 2021). This indicates that a significant number of cases remain outside the formal justice system.

Another challenge is the slow pace of judicial processes. Violence against women cases often experience lengthy investigations, delays in court proceedings, and prolonged trials. Such delays discourage victims from pursuing legal action and can lead to emotional distress and financial hardship. According to the National Crime Records Bureau (NCRB), while a large number of cases are registered annually, conviction rates remain comparatively low for many categories of crimes against women (NCRB, 2022). This weakens public confidence in the criminal justice system and reduces the deterrent effect of legal sanctions.

Institutional weaknesses within law enforcement agencies also affect the protection of victims. Survivors sometimes face insensitive treatment, victim-blaming attitudes, or inadequate support when reporting offences. Research has shown that negative experiences with police officers and other officials can discourage women from continuing legal proceedings (United Nations Women, 2023). In rural and marginalized communities, limited access to legal services, shelters, counselling facilities, and support organizations further restricts women's ability to seek protection.

Lack of awareness about legal rights is another important obstacle. Many women, particularly those from disadvantaged socio-economic backgrounds, are unaware of the protections available under laws such as the Protection of Women from Domestic Violence Act (2005) and workplace harassment legislation. As a result, victims may not utilize existing legal mechanisms designed for their protection.

Social and cultural norms also create barriers to implementation. Patriarchal attitudes often encourage the settlement of cases within families rather than through formal legal channels. Community pressure to preserve family reputation can discourage women from reporting violence, especially in cases involving domestic abuse or sexual assault. Such attitudes

contribute to the normalization of violence and reduce the effectiveness of legal interventions.

Therefore, while India has established an extensive legal framework to address violence against women, challenges related to underreporting, judicial delays, institutional limitations, inadequate victim support, and persistent patriarchal norms continue to hinder effective implementation. Strengthening institutional capacity, increasing legal awareness, improving victim support services, and promoting gender-sensitive practices within the justice system are essential for ensuring meaningful protection for women.

5. Measures for Strengthening Legal Responses and Promoting Gender Equality

Addressing violence against women requires not only strong legal provisions but also effective implementation and broader efforts to promote gender equality. Although India has enacted several laws to protect women from violence, persistent cases of domestic abuse, sexual violence, dowry-related crimes, and harassment indicate the need for further reforms and institutional strengthening. From a sociological perspective, sustainable solutions must address both the legal system and the social conditions that contribute to gender-based violence.

One important measure is strengthening the implementation of existing laws. While laws such as the Protection of Women from Domestic Violence Act (2005), the Sexual Harassment of Women at Workplace Act (2013), and provisions under the Bharatiya Nyaya Sanhita provide legal safeguards, their effectiveness often depends on timely enforcement. Improving police responsiveness, ensuring gender-sensitive investigations, and reducing delays in judicial proceedings can enhance access to justice for victims. Fast-track courts for crimes against women can help reduce case backlogs and provide quicker legal remedies (UN Women, 2023).

Another important step is expanding victim support services. Women who experience violence often require legal aid, counselling, medical assistance, temporary shelter, and rehabilitation services. The establishment of One Stop Centres under the Government of India has improved access to integrated support services for survivors of violence. According to the Ministry of Women and Child Development, these centres provide medical, legal, psychological, and emergency assistance under a single platform, helping victims navigate the justice system more effectively (MWCD, 2024). Expanding such services, particularly in rural and underserved areas, can strengthen victim protection.

Promoting legal awareness is also essential. Many women remain unaware of their rights and the legal mechanisms available to protect them. Public awareness campaigns, community

outreach programs, and legal literacy initiatives can empower women to seek assistance and report incidents of violence. Educational institutions, civil society organizations, and media outlets can play an important role in disseminating information about women's rights and available support systems.

Long-term prevention requires promoting gender equality through education and social change. Gender stereotypes and patriarchal attitudes often contribute to discrimination and violence against women. Educational programs that encourage respect, equality, and non-violence from an early age can help challenge these attitudes. The National Family Health Survey-5 found that women with higher levels of education generally reported greater decision-making power and awareness of their rights (IIPS, 2021). Therefore, improving female education and economic opportunities can contribute significantly to reducing women's vulnerability to violence.

Economic empowerment is another key strategy. Women who have access to education, employment, and financial resources are often better positioned to resist abuse and seek support when necessary. Government initiatives aimed at increasing women's workforce participation, entrepreneurship, and financial inclusion can strengthen their social and economic independence.

In conclusion, strengthening legal responses to violence against women requires effective law enforcement, faster judicial processes, enhanced victim support services, and greater legal awareness. At the same time, promoting gender equality through education, economic empowerment, and social transformation is essential for addressing the root causes of violence. A combination of legal, institutional, and social interventions is necessary to create a safer and more equitable society for women.

MAJOR FINDINGS

1. Violence against women remains a widespread social problem in India. NCRB data show a steady increase in reported crimes against women, rising from 315,215 cases in 2017 to approximately 471,000 cases in 2023, indicating the continuing prevalence of gender-based violence in Indian society.
2. Domestic violence is the most common form of violence against women. Cruelty by husband or relatives accounted for nearly 31% of all reported crimes against women, highlighting the persistence of violence within family settings and intimate relationships.

3. Sexual violence continues to be a major concern. More than 32,000 rape cases were reported annually in recent years, demonstrating that sexual violence remains a serious challenge despite legal reforms and stricter punishments.
4. Violence against women is strongly linked to patriarchal social structures. Traditional gender norms, unequal power relations, and male dominance within families and communities contribute significantly to the continuation of violence against women.
5. Cultural practices and social attitudes reinforce women's vulnerability. Dowry practices, victim-blaming attitudes, social stigma, and pressure to preserve family honor often discourage women from reporting abuse and seeking justice.
6. Institutional factors limit the effectiveness of legal protections. Judicial delays, low conviction rates, inadequate victim support services, and limited awareness of legal rights reduce the effectiveness of existing laws addressing violence against women.
7. India has established a comprehensive legal framework to address violence against women. Constitutional provisions, the Protection of Women from Domestic Violence Act (2005), the Dowry Prohibition Act (1961), the Sexual Harassment of Women at Workplace Act (2013), and the Bharatiya Nyaya Sanhita (2023) provide important legal safeguards for women.
8. A significant gap exists between legal provisions and practical implementation. Although laws are available, many victims face barriers in accessing justice due to institutional weaknesses, social pressures, and inadequate enforcement mechanisms.
9. Underreporting remains a major challenge. NFHS-5 found that 32% of ever-married women had experienced spousal violence, suggesting that actual levels of violence are much higher than official crime statistics indicate.
10. Strengthening legal responses requires broader social change. Effective prevention of violence against women depends not only on stronger law enforcement and faster judicial processes but also on promoting gender equality, women's education, economic empowerment, legal awareness, and transformation of patriarchal attitudes.

CONCLUSION

Violence against women remains one of the most serious social problems in contemporary India, affecting women's safety, dignity, health, and overall well-being. This study demonstrates that violence against women is not merely an individual issue but a structural problem deeply rooted in patriarchal social relations, gender inequality, and discriminatory cultural practices. The analysis of available data reveals that various forms of violence,

including domestic violence, sexual violence, dowry-related abuse, harassment, and other gender-based crimes, continue to affect a significant number of women despite legal and policy interventions. The study further identifies those social factors such as patriarchal family structures, economic dependency, and unequal power relations, together with cultural factors including traditional gender norms, victim-blaming attitudes, and dowry practices, contribute significantly to the persistence of violence against women. Institutional challenges such as inadequate law enforcement, delays in judicial processes, limited victim support services, and low awareness of legal rights further hinder efforts to combat violence and protect survivors. The analysis also shows that India has established an extensive legal framework to address violence against women through constitutional guarantees, criminal laws, and special legislation such as the Protection of Women from Domestic Violence Act, the Dowry Prohibition Act, and workplace sexual harassment laws. While these legal provisions provide important safeguards, their effectiveness is often constrained by implementation gaps and institutional limitations. As a result, a considerable gap remains between legal protections on paper and the actual experiences of women seeking justice. From a sociological perspective, the persistence of violence against women highlights the need to move beyond legal reforms alone. Effective prevention and protection require broader social transformation that challenges patriarchal attitudes, promotes gender equality, strengthens institutional accountability, and empowers women socially and economically. Greater legal awareness, improved victim support mechanisms, gender-sensitive law enforcement, and access to education and employment opportunities are essential components of this process. In conclusion, violence against women in India remains a complex and multidimensional social issue that requires a comprehensive response involving legal, institutional, and societal interventions. Only through the combined efforts of the state, civil society, communities, and individuals can meaningful progress be achieved in reducing violence against women and building a more just, safe, and gender-equal society.

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