

# Addressing Domestic Violence in Delhi: Filling the Gap between Intent and Outcomes

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## **Addressing Domestic Violence in Delhi: Filling the Gap between Intent and Outcomes**

*The Protection of Women from Domestic Violence Act (PWDVA) 2005 is framed so as to fulfill the commitments of the Indian government to international conventions, and responds to the demands of activists. It provides a structure within which most interventions in this area have since been developed both governmental and non-governmental. This study is a preliminary attempt to understand, through a field study and interviews with a wide range of stakeholders, what efforts could further help to bring down the incidence of violence within homes. The field study has been undertaken in a low income area in Delhi. The key learning from this study is the need to invest in community-building efforts which encourage women to develop a stronger sense of self-esteem; and using both formal spaces such as schools and informal spaces closer to home to facilitate attitudinal change among men and the youth.*

### **I. Introduction and Overview**

This project has been motivated by the observation that despite several global, national and city specific initiatives seeking to end violence against women in Delhi, there is a gap between what is desired by policy and the law and the apparent persistence of violence, or between ‘intent’ and ‘reality’. The study has tried to look at what are the initiatives that have been taken by the government and by civil society organizations to address and bring down violence against women, what is their jurisdiction, and what factors limit their effectiveness. Some of these initiatives are national in scope and others are centred on Delhi. A field- work based study in Kalyanpuri, East Delhi, has allowed a closer look at the lives of women from low income households, and what factors constrain their ability to seek help in case they experience violence.

Following a review of on-going initiatives to tackle violence against women in Delhi, a mix of qualitative methods were used to conduct research in Kalyanpuri, including individual interviews, group discussions, and some level of participant observation. In all 114 persons have been interviewed for the study. This includes those charged with implementing the provisions of the Protection of Women from Domestic Violence Act 2005 (PWDVA) ie police officers, Protection Officers, legal counselors, in-charges of shelter homes, and others. Representatives of civil society organizations that work in the field were interviewed as also adult men, women, and adolescent girls and boys from the field site, Kalyanpuri. The attempt right through has been to bring in different perspectives. This study focuses on domestic violence while also recognizing other kinds of gendered violence as part of violence against women. that other forms of violence may be simultaneously experienced. In the area where the field study was conducted, disputes over property and petty crime linked with drug use and alcohol consumption were intermeshed with domestic violence. Secondly, the main concern has been to understand the experiences of women, particularly married women and young adolescent girls. This is not to deny that men and boys too face domestic violence and other gender-based violence, and may face many similar obstacles as the woman from their society. The study, however, does not look at these aspects of domestic violence. Likewise the study does not go into the aspect of child abuse within the framework of domestic violence though according to the new domestic violence act children below the age of 18 years are also to be covered under its purview. The working definition of ‘violence against women’ used for this study was to understand the extent to which physical violence within the home or the threat of physical violence was present and experienced by the women. We have looked at the issue broadly with the aim of discovering the causes of domestic violence, reasons that constrain the affected women from seeking help against this violence, and individuals and duty bearers’ view on the implementation of the law. Thirdly, while discussing the issue of domestic violence the focus has been on the experience of violence within the home. However, during our interviews with the duty bearers and Civil Society Organisation (CSO), who share a specific relation with the VAW initiatives, the discussions centred on the implementation of the PWDVA and efforts towards ending VAW.

Violence is an act of aggression, it is ‘a coercive mechanism to assert one’s will over another, to prove or to feel a sense of power’<sup>1</sup>. ‘It can be perpetuated by those in power against the powerless or the powerless in retaliation against coercion by others to deny their powerlessness’<sup>2</sup>. Violence against women may be experienced passively, or may lead to women changing their life- chances and situation. These voices of resistance are important in shaping society and in motivating other women suffering the same form of violence.

The latest report of the United Nations campaign to ‘end violence against women’ (VAW initiative),<sup>3</sup> shows the persistence of violence against women. This violence can be physical, psychological or economic in form. According to this report, the most common form of violence experienced by women globally is physical violence inflicted by an intimate partner, with women beaten, coerced into sex or otherwise abused. Psychological or emotional violence by intimate partners is also widespread. Compared to their non-abused peers, abused women have higher rates of unintended pregnancies and abortions; sexually transmitted infections, including HIV; and mental disorders such as depressions, anxiety, sleep and eating disorders. When this violence occurs during pregnancy, it is associated with adverse pregnancy events – such as miscarriage, pre-term births and stillbirths. The problems of stress-induced physiological changes, substance use and lack of fertility control and personal autonomy is often seen in abusive relationships.<sup>4</sup> Studies conducted by the WHO and ICRW further suggest that violence is a hindrance in the achievement of development goals.<sup>5</sup>

ISST’s field study in Kalyanpuri, East Delhi confirms that only a small percentage of women seek any kind of help and just a fraction seek legal help. 42 out of the 61 women interviewed had experienced violence themselves. Only 9 women sought legal help; in 6 cases, the police did not respond, in one case the woman withdrew the complaint, leaving just 2 cases for action. 8 women who experienced violence tried other ways of getting help, through the intervention of other family members. Others did nothing. These numbers capture the issue that this study has tried to probe further. Why, despite this high incidence of violence, and all its adverse outcomes, are women apparently apathetic about seeking help? Is the problem a lack of awareness of their rights among women and the community? Is it a failure of implementation of the law? Given limited resources, where are the key ‘pressure points’ of change?

### **Identity and Violence against Women**

Modern sociology considers identity to be shaped by the expectations attached to the social roles that we occupy, and which we then internalise, so that it is formed through a process of socialisation. Identity in this way is stated to be socially bestowed, socially sustained and socially transformed (Peter Berger 1996). As for any child, a girl’s identity formation is rooted in these expectations and the internalisation of the external perceptions of the society. Gendered differences in the processes of socialisation, the allocation of resources within families, media representations, and institutional

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<sup>1</sup> Litke Robert 1992. ‘Violence and Power’. International Social Science Journal.

<sup>2</sup> Poonacha Veena, Ed. 1999. Women and violence. SNDT University

<sup>3</sup> Report (2009) at [www.un.org/en/women/endviolence/pdf/factsheet/unite](http://www.un.org/en/women/endviolence/pdf/factsheet/unite)

<sup>4</sup> Preventing Inmate Partner and Sexual violence against women: Taking action and generating evidence, WHO report 2010. WHO defines intimate partner- behavior within an intimate relationship that causes physical, sexual or psychological harm, including acts of physical aggression, sexual coercion, psychological abuse and controlling behavior. Sexual violence - any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting including but not limited to home and work.

<sup>5</sup> WHO, 2005, Addressing violence against women and achieving the Millennium Development Goals



discourses influence the construction of ‘womanhood’ in a society. Further ‘the presence of violence against women in both public and private space, in physical and non-physical forms go on to have a determining impact on feminine identity formation’ (Oxford Companion to Sociology, 2003). Any given social structure can therefore be seen as surviving on such identity formation processes- the system creates its gendered identity in people and people maintain this identity through prescribed roles.

Processes of socialization in India, including importantly the messages that are communicated to girls and boys about their proper roles through classroom interactions, role models held up to them by their teachers and parents, and the spaces in which their presence is encouraged or discouraged during festivals, ceremonies, rituals, the daily tasks and chores that are given to children to do, or not: have meant that women in our society have generally had lesser presence in public spaces than men. ‘Feminine socialization’<sup>6</sup> stresses on compliance, shame, docile behavior, which leads to accepting constraints on mobility, and submissiveness to the spouse. Differences in levels of education, work participation, mobility have enhanced their vulnerability and weaker position within their home and society. Needless to say, all such generalisations are limited by exceptions to the rule.

### **Status of Women in India**

There is no single indicator that can capture the status of women. On the one hand, progress has been steady on many fronts – and on the other hand, new fronts emerge to warn us that many issues remain unresolved. Just as we celebrate near universal enrolment of both boys and girls in schools, we are forced to confront the extremely high levels of anaemia among adult women.

Some broad facts are presented below. As per 2011 Census the country has 624 million men and 586 million women. Women constitute 48.46 % of the total population. The female to male sex ratio (number of women per 1000 men) has shown a declining trend over the period 1901-1991. There is a reversal in the trend in both 2001 and 2011 Censuses.<sup>7</sup> The female to male sex ratio increased from 933 in 2001 to 940 in 2011. Census 2011 showed an increase in sex ratio in 29 States/UTs. Child sex ratio in the age group of 0 to 6 years is a matter of concern for the country as it declined from 927 in 2001 to 914 in 2011. Literacy rate for males is 82.14% as against 65.46% for females. The increase in literacy rates among males and females during 2001-2011 is 6.88 and 11.79 percentage points respectively. The work force participation rate of women is well below that for men, with around 25 to 30 % women in rural and 15 to 18 % in urban areas participating in the labour market. Although during 2000-2005, the employment growth has been significantly higher for urban females (5.66%) than for all other three segments of population, namely, rural females (2.81%), rural males (1.59%) and urban males (3.41%), this trend has not continued in the following five year period. Even though 74.8% of rural women are agricultural workers only 9.3% own land<sup>8</sup>. Gender wage gaps persist in both rural and urban regular wage/salaried employees and among rural and urban casual labour.

### **Data on Violence against Women in India and Delhi**

The main source of data on violence is the National Crime Records Bureau. The interpretation of these numbers needs to be done in the awareness that reporting of crime will tend to increase as awareness about legal rights increases. Therefore an increase in numbers is not necessarily an indication of increased crime. That said, NCRB data suggests an increase in reported ‘cruelty by husband and relatives’, one component of crime against women, from 89,546 reported cases in 2009 to 94,041 in 2010. Dowry deaths, listed under ‘violent crimes’, also show an increase from 8383 in 2009 to 8391 in

<sup>6</sup> Oxford India Companion to Sociology and Social Anthropology page 1146.

<sup>7</sup> Data available at [censusindia.gov.in/](http://censusindia.gov.in/)

<sup>8</sup> UN Department of Public Information, November 2009  
[www.un.org/en/women/endviolence/pdf/factsheet/unite](http://www.un.org/en/women/endviolence/pdf/factsheet/unite)

2010.<sup>9</sup> Cases registered under ‘rape’ went up from 18,359 in 2005 to 21,467 in 2008, and down to 21,397 in 2009. The table below shows that at the all-India level, the overall trend of all reported crimes against women as a percentage of total adult female population is relatively constant over the period 2001-2005, and shows some increase thereafter, although this could be partly a result of increased awareness and reporting with the passage of the PWDVA in 2005.

Table 2: Crimes/ 1000 females, All India

	All India
2001	29
2002	28.3
2003	27.4
2004	29.6
2005	29.4
2006	30.7
2007	34
2008	35.5

Source: NCRB data, total of all reported ‘crimes against women’; and projected population based on 2001 Census by Census India.

Delhi, however, shows some reduction after 2005, as shown below.

Table 3: Crimes against women/ 1000 women, Delhi

	Delhi
Year	
2006	25
2007	26
2008	20
2009	21
2010	21

Source: NCRB data, total of all reported ‘crimes against women’; and projected population based on 2001 Census by Census India.

The National Commission for Women (NCW), in its category wise details of complaints registered at NCW during 2010-11(as on 28.02.2011) put out the following numbers for crime against women in various categories.

Table 4: Complaints registered with National Commission for Women: All India

SI. No.	Nature	Total
1	Domestic Violence/ Matrimonial Dispute	2487
2	Domestic Violence	457
3	Dowry Death	465
4	Dowry Demand/ Harassment for Dowry	41
5	Dowry Harassment	446
6	Harassment of Widows	19
7	Property (widows property, parents property, stree dhan property)	872

<sup>9</sup> <http://ncrb.nic.in/CII-2009-NEW/cii-2009/Chapter%206.pdf>

8	Female Foeticide/ Infanticide / Sex Selection	2
9	Female Infanticide/ Foeticide	3

Source: Annual Report 2010-11, Ministry for Women and child Development, Govt of India, Annex LVI, page 287.

What this data confirms is that domestic violence is a significant component of crimes committed against women, followed by property disputes.

The National Family Health Survey (NFHS)-3 (2005-06) findings underscore the extent and severity of violence against women in India, especially married women. It notes that one-third of women in the age group 15-49 have experienced physical violence and about one in 10 have experienced sexual violence; in total, 35 percent of women experience physical or sexual violence; and nearly two in five (37 percent) of married women have experienced some form of physical or sexual violence by their husband. There are differences by state—the prevalence of physical or sexual violence ranges from six percent in Himachal Pradesh and 13 percent in Jammu and Kashmir and Meghalaya to 46 percent in Madhya Pradesh and Rajasthan and 59 per cent in Bihar. Most worryingly perhaps, only one in four abused women have ever sought help to try to end the violence they have experienced; two out of three women have not only never sought help, but have also never told anyone about the violence. More than half of women (54 percent) and men (51 percent) agree that it is justifiable for a husband to beat his wife under some circumstances.<sup>10</sup>

### **Constitutional Provisions, Laws for Protection of Women, and other efforts to end VAW**

Part III of the Constitution of India under Article 14- affirms that the state shall not deny any person equality before the law or the equal protection of laws, Article 15(1), - State shall not discriminate against any citizens on the grounds of sex, religion, race, caste etc, and Article 15(3) - that nothing in Article 15 shall prevent the State from making any special provision for women and children.<sup>11</sup> Civil society organisations have been working continuously to recognise VAW as an infringement of the human rights of women.<sup>12</sup> The objective of these efforts is to argue for the inalienable right of a women to have a secured and violence free life. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) from an international human rights framework mandates the State to outlaw all forms of discrimination against women.

It is now recognized that violence against women is a form of discrimination against women. Viewed in that context, the Protection of Women from Domestic Violence Act (PWDVA) must be seen as an attempt by the Indian State to outlaw all forms of violence against women and thus guarantee equality for them. In order to appreciate the intent behind the PWDVA, it must be remembered that India signed the CEDAW on 30th July 1980 [and ratified it on 9th July 1993] and also the UN Declaration on Violence Against Women ('DEVAW').<sup>13</sup>

<sup>10</sup> Source: NFHS data 2005-6, cited in We Can page at <http://www.wecanendvaw.org/campaign-country/india>.

<sup>11</sup> Part III of the Constitution is understood to include non-alienable rights. Such provisions are Fundamental Rights. They are enforceable by the courts, and for any violation of Part III rights one can directly approach the highest judicial body at state level, the High Court (Article 226) and at the centre, the Supreme Court (Article 32), subject to specific restrictions. Fundamental Rights are not absolute and are subject to reasonable restrictions. The purpose of the Fundamental Rights is to preserve individual liberty and democratic principles based on equality of all members of society.

<sup>12</sup> See WHO, 2005, Addressing violence against women and achieving the Millennium Development Goals

<sup>13</sup> See discussion in Lawyers Collective Women's Rights Initiative, 2007, Staying Alive: First monitoring and evaluation report on Protection of Women from Domestic Violence Act 2005

There are several Acts that had been passed at different times after Independence and which try to offer protection to women from violence. These include:

- Crimes identified under IPC, Immoral Traffic (Prevention) Act, 1956
- Dowry Prohibition Act, 1961
- Indecent Representation of Women (Prohibition) Act, 1986
- Commission of Sati (Prevention) Act, 1987
- Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 (PNDT)
- Prohibition of Child Marriage Act 2006
- Protection of Women from Domestic Violence Act, 2005

The PWDVA, 2005 is a civil law remedy, which aims to reduce and eventually eliminate the incidence of domestic violence in India and with this raise the status of women in society. PWDVA addresses some of the deficiencies of related legal frameworks predating 2005 and expands the scope of the legal provision for strengthening the bargaining power of women through the judiciary. Thus Section 498 (A) of the Indian Penal Code (IPC) pertaining to cruelty inflicted on a woman by husband or relatives of husband had limited relief and remedy option for the aggrieved. It also did not apply to live-in relationships outside marriage. In contrast the PWDVA includes all situations in the *nature* of marriage. The PWDVA defines domestic violence as those acts that result in injury- physical or mental in nature, or harm- physical abuse, sexual abuse, verbal abuse and emotional abuse, economic abuse, or threats to cause injury or harm.

The Ministry of Women and Child Development in each State or Union Territory is required to appoint Protection Officers, register Service Providers and notify shelter homes and medical facilities as per the Act for the aggrieved person's benefit. Under the Act, the aggrieved woman can seek various forms of relief such as a protection order, residence order, maintenance, compensation order, temporary custody order, monetary relief, shelter and medical facilities. Most importantly, the PWDVA recognizes the aggrieved person's right to reside in the shared household. It opens up multiple channels for seeking justice, as the affected can approach the following duty-bearers- the District Protection Officer, the local police, a lawyer, a Service Provider or the District Metropolitan Magistrate. Moreover, the Act no longer views domestic violence as a private matter and thus gives 'any person' the authority to give information about domestic violence to the Protection Officer.<sup>14</sup>

The PWDVA 2005 is an impressive effort by the government to make clear the stance of the state and the law, and to start putting in place a strong infrastructure for effective implementation. The 'theory of change' implicit in this effort, as well as in efforts by non-government agencies to bring down the incidence of violence and protect women who find themselves in violent situations, may be briefly summarized as follows: a higher awareness of women's rights and of the law, among women, men, police, and community in general, will lead to lower incidence of violence over time; with a supportive set of implementing agencies the provisions of the Act will mean that women are protected from other adverse implications such as possible loss of safe shelter.

The PWDVA requires certain procedures to be followed<sup>15</sup>, which include

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<sup>14</sup> See National Women's Conference, organized by Action India & National Centre For Advocacy Studies; the Implementation and Enforcement of The Protection of Women from Domestic Violence Act, 2005 February 20th and 21st, 2006, New Delhi.

<sup>15</sup> For a detailed analysis see Benita Sharma, 'Gender budgeting and violence against women', UNIFEM-UNFPA-NIPFP workshop on Gender Resource Budgeting, Asia Pacific and Arab Chapter, at NIPFP, New Delhi, June 2009.

- Reporting the incident to the Protection Officer which can be done by the woman herself or by another person who has reason to believe that such an act has taken place or is *likely to place*.
- A Police officer, Service Provider, Protection Officer, or Magistrate who has received complaint shall inform the women of her right to make application for obtaining protection order, right to residence, monetary relief etc.
- Protection officer is required to make a Domestic Incident report to the Magistrate in charge
- The Magistrate shall fix the first date of the hearing, which shall not ordinarily be beyond three days from the receipt of the application by the court and shall endeavour to dispose every application within a period of 60 days from the date of the first hearing
- P.O is required to inform the respondent of the date of hearing
- The Magistrate may direct parties for counseling
- It protects the right to stay in shared household
- The Magistrate can pass orders to ensure shelter/ monetary relief
- Breach of these orders is punishable with fine/imprisonment
- Government is to ensure wide publicity; periodic sensitization; effective co-ordination; put protocols in place

To assess the effectiveness of the implementation of the law it is useful to refer to a six-point checklist prepared by Amnesty International.<sup>16</sup> Data collected from the field study helps in a specific response to these questions, albeit in a particular context. Because this study is based on a small sample in a low income locality in Delhi, these findings need not be representative of the situation elsewhere.

First, adequacy of the law: ISST's field study finds very limited knowledge among women about the PWDVA even after 7 years since its enactment, and weak infrastructure reflected in inadequate number of Protection Officers and service providers. The PWDVA is implemented by the States/Union Territories. It is the state government's duty to appoint the P.O., to register Service Providers and notify shelter homes and medical facilities.<sup>17</sup> In several states no independent post has been created for P.O., and existing state officers have been given additional charge of this work. In its own review meeting in June and October 2010, the Ministry of Women and Child Development expressed the need for appointment of Protection Officers with independent charge, training of all relevant functionaries, awareness generation and regular data collection, among others was impressed upon.<sup>18</sup> News of there being no protection officers for metropolitan cities like Mumbai and Bangalore have been flashing in the newspapers as recently as February 2011<sup>19</sup> Protection officers themselves felt the need for adequate training and support from other duty bearers to implement the PWDVA. Even where full-time officers have been appointed as in Delhi, Tamil Nadu, West Bengal and Haryana, all of them are on contractual appointments.<sup>20</sup>

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<sup>16</sup> Amnesty International developed a six-point checklist for identifying obstacles to justice for women or girls who are victims and survivors of sexual and other forms of gender-based violence. The checklist is intended to help activists and advocates to identify laws, policies and practices which still need to be reformed and obstacles to the successful implementation of laws and policies. It is based on international human rights law and standards. See Six-Point Checklist on Justice for Violence Against Women at <http://www.amnesty.org/en/library/info/ACT77/002/2010/en>

<sup>17</sup> <http://indialawyers.wordpress.com/2010/11/27/protection-of-women-from-domestic-violence/>

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<sup>19</sup> See for example [http://zeenews.india.com/news/nation/no-protection-officers-appointed-under-domestic-violence-act\\_601313.html](http://zeenews.india.com/news/nation/no-protection-officers-appointed-under-domestic-violence-act_601313.html); <http://www.deccanherald.com/content/139280/state-appoint-protection-officers-last.html>

<sup>20</sup> Bhumika Jhamb, 2011, 'The missing link in the Domestic violence Act'. Economic and Political Weekly, Vol XLVI, No. 33: 45-50

Second, safety of victims: the study found that women feared further assault from spouses were they to seek help, and at the same time feared harassment at the police station.<sup>21</sup>

Third, appropriate methods of collection of forensic evidence: This aspect has not been explored in this study.

Fourth, specific obstacles limiting access to services: police inaction and failure to recognize domestic violence as legal issue was frequently encountered by the women in our case study, and not helped by the fact that women frequently withdraw their complaints as a result of their high dependency on spouses; therefore the police wait, to see if the complaint stays with them, before taking any action, resulting in a 'chicken and egg' situation!<sup>22</sup>

Fifth, investigation of crimes: The study found that domestic violence cases were seen as a 'household matter' and not a 'serious' issue, therefore the urgency to investigate such a complaint was missing.<sup>23</sup>

Sixth, trial procedure: Timely and speedy disposal of cases as specifically mentioned in the PWDVA is not happening due to overburdened family courts and Protection Officers dealing with the matter<sup>24</sup>. While laws are drafted with the expectations of providing justice, it is equally true that no law can be fully implemented by the state without generating awareness about it and ensuring adequate infrastructure for its implementation. It is also well known that social mores, in comparison to law, take longer to change, especially when a widespread social practice is challenged. In such a case, not only does the state bear responsibility for nationwide advocacy and awareness efforts, non-governmental organizations, the media and the people at large who together constitute the bearers of tradition must also contribute as change agents.

Several other initiatives both government and non government have been initiated in Delhi. Some of the better known initiatives are briefly discussed below. It is apparent that even though the main focus of these is on advocacy and changing attitudes and behavior, the need to encourage and mobilize communities is recognized by all, as is the need for sustained sensitisation of duty bearers.

The 'We Can' end violence campaign, started by OXFAM Great Britain and now in several countries including India, seeks to develop 'change makers' who would catalyse a change in attitudes as also make available information about services. The Delhi Government proposes to extend this campaign through its network of Gender Resource Centres (GRCs) across Delhi (training has been given to some GRC co-ordinators, while the campaign itself is to be launched soon).<sup>25</sup> The central force of the campaign is people who bring change – Change Makers. The 'We Can' campaign recognizes that violence against women is rooted in gender inequality and that whether in homes or outside, it reflects the power structures in society which relegate women to a lower status than men. The campaign works through millions of Change Makers – men and women who actively encourage more positive attitudes and behaviour towards women within the communities they live and work in by providing alternative norms – to facilitate attitudinal change on violence against women. Change Makers are involved in the 'awareness-to-action' process both as individuals and as a group. They recognise that change can be

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<sup>21</sup> The third report of the NFHS confirms women's unwillingness to report domestic violence. See [www.nfhsindia.org/nfhs3\\_national\\_report.html](http://www.nfhsindia.org/nfhs3_national_report.html)

<sup>22</sup> See discussion in Lawyers Collective, Women's' Rights Initiative, 2011, *Staying Alive: Fifth Monitoring and Evaluation Report on PWDVA 2005*

<sup>23</sup> See discussion in Lawyers Collective, Women's' Rights Initiative, 2009, *Staying Alive: Third Monitoring and Evaluation Report on PWDVA 2005*

<sup>24</sup> This point was brought out clearly during the interviews with the related duty bearers

<sup>25</sup> [http://www.missionconvergence.org/pdf/sss\\_newsletter\\_2.pdf](http://www.missionconvergence.org/pdf/sss_newsletter_2.pdf) accessed June 8, 2011

stimulated but not forced. Currently there are over 2.7 million Change Makers in South Asia.<sup>26</sup> In extending this effort to Delhi, it is proposed that Change Makers would be selected from the community, both men and women. It is proposed to implement this through the Gender Resource Centres (GRC) and follow a cascade method of training, with 32 initial persons trained who in turn will train others. To encourage regular participation by women, the longer 10-15 day training camps are to be replaced by 2-3 day camps, focusing on perspective building and training women in strategy.

Campaigns such as 'We Can' are focusing on attitude and behavior change, which is an important component of ending VAW. Dispute resolution could be done through informal mechanisms within the community or formal legal processes. The 'Mahila Panchayat', launched in 2001, is a forum that has worked well in slum and other low income areas in Delhi, and could be extended to more places.<sup>27</sup> The Mahila Panchayats are not part of the formal legal process, but their decisions have been very well accepted in the communities.<sup>28</sup> As one scholar puts it, 'Mahila Panchayats are transforming marriage in contradictory ways: by ensuring better treatment for women without ameliorating the structural asymmetries of marriage' and that 'Mahila Panchayats remain functional, successful, popular and well-utilized, as they do not articulate a radical approach'.<sup>29</sup>

The media plays an important role in building awareness and attitudes. A national media campaign has been started by Breakthrough India, the 'Bell Bajao' campaign which calls on men and boys to become active in their communities to protect women from domestic violence through short films on TV to create awareness and motivate people to act against domestic violence. In Uttar Pradesh and Karnataka, Breakthrough is also doing community mobilization work with people for ending domestic violence. Breakthrough provides legal counseling in partnership with other organizations such as Action India, Jagori, Lawyers Collective, and Human Rights Law Network. Medical aid is provided in consultation with AIIMS counseling centers. Breakthrough in mid 2011 carried a Video Van Camp over many parts of Delhi, although not in the field area of this study. Their experience has shown that there has been a 15-16% increase in reporting after their campaigns in U.P. and Karnataka. In their view, a successful intervention has to work on many levels: with women, to encourage protest against domestic violence; with men; with family and community, to build neighbourhood solidarity to stop incidents of domestic violence; with service providers to provide support and enable delivery of emergency care services to domestic violence affected cases; and to get community leaders to speak out against domestic violence. Breakthrough works with the belief that domestic violence is not a stand-alone issue, and must be understood within the larger frame of cultural norms that deny the fundamental human rights of women and girls. In their experience, social opposition is one of the biggest problems faced while executing campaigns like bell-bajao, as existing social norms are being questioned. In order to be effective, all members of society need to be involved and recognize domestic violence as a human rights issue. In alliance with National Institute of Public Cooperation and Child Development (NIPCCD), Breakthrough gives training in gender sensitization to GRC members, Police force and students of Delhi University.

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<sup>26</sup> <http://www.wecanendvaw.org/change-makers-signup>

<sup>27</sup> See [http://www.delhi.gov.in/wps/wcm/connect/lib\\_dcw/DCW/Home/Projects/Mahila+Panchayats](http://www.delhi.gov.in/wps/wcm/connect/lib_dcw/DCW/Home/Projects/Mahila+Panchayats). This idea was developed by Action India and accepted by Delhi Government. As of June 2011, there were 23 NGOs running Mahila Panchayats in different parts of the city: see [http://delhi.gov.in/wps/wcm/connect/lib\\_dcw/DCW/Home/Partner+NGOs/Mahila+Panchayat+NGOs](http://delhi.gov.in/wps/wcm/connect/lib_dcw/DCW/Home/Partner+NGOs/Mahila+Panchayat+NGOs). Groups of community women, identified by NGOs, form a panchayat in their area, take up local disputes, counsel the two parties and assist in reducing violence in their locality. Each panchayat has two para legal workers.

<sup>28</sup> Interviews with representatives of Mission Convergence

<sup>29</sup> Shalini Grover, presentation at ISST-IHC Gender Policy Forum, April 2007



The project titled "Safe Delhi for Women", a component of the global Safe Cities project, is a partnership between UN Women, the Ministry of Women and Child Development and Jagori. Started in 2009, the initial focus has been to address violence in the public domain, including sexual harassment, staring, touching, sexual assault, attempted rape, stalking, lewd comments. A baseline survey showed that roads and public transport were spaces where women are most vulnerable to facing some form of sexual harassment. Most women surveyed did not think that they could approach the police in time of need. Some initial recommendations included provision of 'walk-able' and disabled-friendly pavements with adequate lighting; proper maintenance of key public spaces, including clean, safe and adequate toilets for both men and women; an improved public transport system with safety measures such as help-lines for passengers, immediate response by the crew and a system in cases of distress and support within the buses; help-lines; 24-hour eateries and allowing street vendors around busy spaces that provide some form of safety to women travellers at night and diversified use of space; more women in the police; and gender sensitization of conductors, drivers and the police and youth.<sup>30</sup>

The above efforts are examples of partnerships between government and civil society organizations. There are also efforts that have made within the police department notably through the Parivartan programme started in 2005, against rape and domestic violence, which deploys women police constables (WPCs) in the field and seeks to build partnerships with parents, teachers, psychologists, sociologists, lawyers, students, youth, area security committee members, not-for-profit organizations and resident welfare associations (RWAs) in a structured way.

The city of Delhi therefore has a reasonable track record in terms of systematic efforts by government and non-government agencies to try and address domestic violence, however, whether these efforts have been adequate in the sense of reaching out to a majority of citizens and having conveyed a sense of security to women, is more difficult to judge. This study tried to answer this question by conducting a field study in Kalyanpuri, in East Delhi, an area consisting of low income households which is typical of other such settlements across the city.

The field study, discussed in greater detail in the next chapter, confirmed that the incidence of domestic violence is high, and further that most victims of violence 'choose' to suffer in silence. Why they do so, reflects both inadequacy of the infrastructure and services provided by law, as well as the social context that generates a high level of both economic and social dependence on husbands, making legal action a last and not initial step and an alternative life seems like a remote chance: as discussed in greater detail in the next chapter.

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<sup>30</sup> Background doc for press conference July 8, 2010; see <http://jagori.org/unique-study-on-womens-safety/> Accessed June 8, 2011



## II. Kalyanpuri: A Field Study

### About the Study Site

The study was conducted in two areas, the resettlement colony of Kalyanpuri in the East district of Delhi and a *jhuggi* cluster in the same area. The colony is divided into 11 blocks (Block 11 to 21) with around 420 plots per block, and on average a two storey construction on each plot. That is, there are around 840 households in each block with an average number of 5 members per household. Kalyanpuri also includes 5 *jhuggi* clusters in some Blocks (including 11-12, 17-21). In all, a rough estimate of the population would be at a little over 60,000.

As a resettlement colony, this is a 'legal' colony; but there is a sharp difference between the '*pucca*' houses of the resettlement area and the '*kaccha*' *jhuggi* cluster. Within the latter, houses are built on either side of narrow lanes, using single brick walls with no ventilation, weak doors, one room houses with vertical expansion in construction if any. A few such homes have private toilets, there are open drains along each lane, and innovative electronic solutions can be seen such as cooler fans being used as ceiling fans given limited space. There are some especially vulnerable segments, such as those inhabited by *Gond* tribes from Madhya Pradesh and Maharashtra.<sup>31</sup>

Economically, residents range from the poorest households with income of Rs 900-1000 per month, to better off households with up to Rs 25,000 per month.<sup>32</sup> The median income is around Rs 4500-5000. Most residents have migrated from various states in north and central India, namely Uttarakhand, Punjab, Haryana, Uttar Pradesh, Bihar, West Bengal and Madhya Pradesh.

The choice of this area for the field study was on several grounds. First, ISST operates a 'Community Outreach Centre' and a Gender Resource Centre (GRC) in the area which makes it easier to gain access and win the confidence of the community, especially the women who have experienced violence. Second, according to police officials, this area is among those with a high incidence of all forms of violence. Third, currently there are no other NGOs in the area working specifically on domestic violence against women. Recommendations emerging from this study can be taken up by ISST for further advocacy given its presence in the community.

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<sup>31</sup> Gonds live all over central India i.e. in the states of Madhya Pradesh, Maharashtra, Chattisgarh, Andhra Pradesh and Odisha. They are the largest Tribe in India and South Asia, and one of the largest in the world. The Gonds have scheduled tribe status in most of the Indian states. Gond tribals are known for their herbal medicinal skills.

<sup>32</sup> This may be compared to the minimum wage set by the Delhi government at Rs 6500 per month



*Cluster settlement, Kalyanpuri*

**Objective**

The objective of the study was to understand what factors prevent women from seeking help if they find themselves in violent situations, and what in their view and the views of men, youth and duty bearers in the area, are the best ways of reducing the incidence of violence.



*Block settlement, Kalyanpuri*

## **Methodology**

The research used a mix of qualitative methods, including individual interviews and group discussions, and some level of participant observation. Structured but open ended questions were used to guide the interviews. Questions included a profile of the household, women's mobility and power over household spending decisions, whether they had experienced domestic violence, and if so from whom, under what circumstances, frequency, what they did, what in their view has helped or would help to prevent violence, and what effect it had on their lives. The interviews also explored awareness around legal rights and procedures for accessing these (see Annex 3 for the full questionnaire). Discussions with youth from the area were partly aimed at getting information about their views on why violence happens within homes and what will help to stop it, and partly aimed at counseling them. The interview and the focus group discussions focused on the perception of the respondents around domestic violence, hurdles faced in voicing against this violence, existing gap between law and its implementation, and where the hope of the women lies. Initially, a review was conducted on the initiatives started by the Government, NGO and civil society groups in Delhi to address violence against women. These methods have helped us in understanding the issue of domestic violence from various perspectives and the reasons behind the same.

Due to the nature of our discussions with the residents of Kalyanpuri, especially the in-depth, long conversations with women victims of domestic violence, it becomes difficult to describe these interactions as 'interviews' in the narrow sense of the term as they fall between interviews and narrations, conversations and communication.

## **Difficulties Experienced During Data Collection**

This study is not representative in a statistical sense of all women in the city of Delhi. However a snowball sampling method was used in identifying respondents, and care has been taken in reporting the views expressed so that the findings are reflective of the views of the sample as also of the women in the field site more generally.

Most of the women interviewed were articulating their experiences with violence for the first time. For this reason many were formulating their ideas as they spoke, thus re-living the experience they wished to share. As an investigator, it was sometimes difficult to negotiate entry into the private space of thoughts of these women. Even when the proximity of houses in the slum means neighbours are aware of physical violence, yet there is a strong sense of shame in admitting to and talking about a personal experience of violence.

The interviews have been one-time sessions with the women, so greater immersion into their lives has not been possible. This makes it difficult to fully interpret silences, irritations and nuances of violence in their daily experience.

Most men in the area work as daily wage labourers, and do not have regular work hours, so that at times the interviews were interrupted because of the sudden arrival of the husband at home.

## **Respondents**

There were two distinct locations from where the sample was selected. Sites of domestic violence within the jhuggi 'clusters' were easily located – even a child from any of these areas could point out houses where violence happened. Interviews took place outdoors. This was not the case for the 'block' homes of the resettlement colony and in this case women who had experienced violence were identified by community mobilisers and counselors. These interviews were held within respondents' homes. The cluster houses are single bricked, with weak doors allowing the inside and the outside space to merge; the block houses are '*pakka*' homes displaying a closed nature. In both cases an equal reluctance was

seen to talk about their experience. Some spoke up readily, some took time to open up, and a few would not admit to having experienced violence (as reported by the community mobiliser).

Respondents included married women, as well as divorced, separated and unmarried women. Interviews were also held with men, adolescent girls and boys, and with police and other duty bearers so as to get multiple perspectives on the issue. These multiple views enable us to appreciate the similarities and differences in perceptions around violence against women.

In all, 114 persons were met. 61 women (out of which 56 were married), and 7 men, were interviewed individually. 42 of the married women had experienced domestic violence and 4 unmarried women had witnessed violence at home. 35 youth were met through three focus group discussions. Three representatives of civil society organizations, and 9 persons associated with implementation of the PWDVA were interviewed.

The table below gives a brief household and demographic profile of women respondents

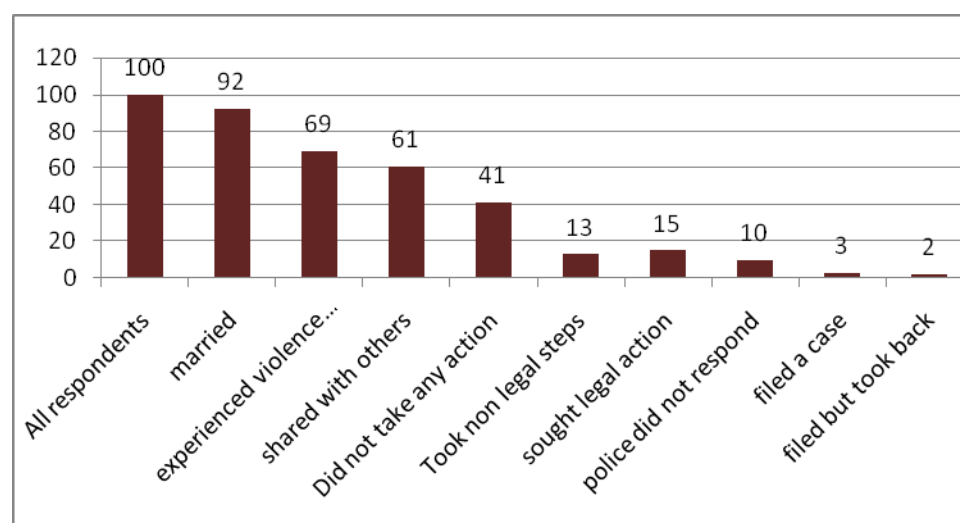
Table 5: Profile of women respondents

Average monthly household income	Rs 4500-5000 (Range Rs 900 – 25,000)
Average number of children per household	3
Working women (mainly self employed)	35 %
Women stating child care and household responsibilities as reason for not working	52 %
Women with no education	40 %

Source: ISST fieldwork, Kalyanpuri

75 % of the married women admitted to domestic violence. The most common form was physical violence including hitting, slapping, and sexual violence. In a number of cases women were hit during pregnancy. However only after establishing a rapport and when women relaxed and felt comfortable was it possible to gauge the extent of the violence. Women’s initial response was often to dismiss violence with such responses as ‘occasional quarrels happen in every home’ or to say ‘if you have utensils at home there is bound to be some sound’.

Table 1: Women respondents (low income slum cluster): experience of and response to violence



Source: ISST fieldwork, Kalyanpuri

### Women’s Position in the Household

One indicator of a woman’s position in the household is her ability to exercise control over expenditure decisions. Based on responses, it is seen that women exercise control over minor, everyday expenditure decisions but have less say in major decisions. Major decisions seem to encourage consultation. In summary,

Table 6: Power over decision making

Decision taken by:	Minor expenses (% of responses)	Major expenses (% of responses)
Women by herself	74	27
Along with husband	17	29
Husband and/ or mother-in-law	9	43

Note: major expenses include property, health related, consumer durables like a refrigerator or cooler; minor expenses include daily vegetable shopping, or items needed by children.



### Factors Influencing Awareness and Attitudes of Women and Girls

Focus Group Discussions held with (unmarried) girls between the ages of 17 and 20 years, to understand their experiences, perceptions and expectations about marriage and domestic violence throws some light on how a sense of dependency on men develops very early in life. In their view, there is greater violence with young women than with married women. The girls felt insecure in going out after dark. Commenting on the general environment the girls said that teasing and verbal abuse were very common at public places like the bus stops, market, on way to tuition classes, even while going to the public toilets. Not feeling safe, they prefer to go with a male family member or go in a group with other girls. While some parents encourage their daughters to study and even look for work, it is still felt that girls should be married before they get ‘too old’. Girls are socialized into believing that a decent and well-brought-up girl will never take steps like complaining about their husband to the police. They are aware that if a girl walks out of a violent relationship, the girls’ parents take the view that this problem must be dealt with by the in-laws. Separated or legally divorced women are like social



outcastes. In our sample, there were no women who were legally divorced although a few had chosen to live either on their own or with natal family.

Responses suggest that those women who were accessing public spaces more and had higher mobility, were also better aware of women’s legal rights. ‘Mobility’ for married women is captured in their ability to go out for marketing and their ability to travel on their own if required.

Table 7: Mobility and awareness

Mobility and awareness of law			
		Aware	
Mobility		Yes	No
High	45	37	7
Low	16	11	5

Source: ISST fieldwork, Kalyanpuri

Being educated meant little change in likelihood of experiencing violence, as shown below.

Table 8: Domestic violence and education

Level of education	Number of women	Experiencing violence	%age
Non-literate	22	15	68.2
Educated upto Class 10	25	20	80
Educated beyond Class 10	9	7	77.8

Source: ISST fieldwork, Kalyanpuri

It was seen that while 60-70% of respondents were aware of laws against dowry, and police protection in case of violence, only 13 % had specific knowledge about the PWDVA. Almost 50 % were aware of the GRC.

Interestingly, the reasons women gave for why the incidence of violence is high, did not exactly mirror what they felt could change the situation. For example, while 34 % felt that official inaction encourages violence, only 7 % felt that stronger action by authorities will reduce violence. This is because they could not see a clear link between men’s behavior and the threat of punishment. Similarly while 23 % felt that lack of legal awareness allows violence to continue, only 7 % felt that greater awareness of legal rights will bring down violence. In contrast, while only 8 % felt that not being educated explains violence happening, 31 % felt that more education would help women deal with the situation. Similarly while 13 % felt that poor economic conditions can trigger violence, while 29 % felt that economic independence will help reduce it.

These responses are better understood if set against the reality of the institutions and social norms that women face. 90% of those who were asked ‘Is domestic violence justified?’ answered that it was not justified. These women had a clear sense that this form of violence was not *right*, however, they said that a woman had to adjust and accommodate in her new home after marriage and that house was to be

her home for all the rest of her life leaving limited options to think about protesting against bad treatment or seeking help against the domestic violence. The same idea, of believing that women must after marriage 'accommodate and adjust' to the new life with her husband, and fulfill her expected role in society, was seen in interviews with men.

### **Views of Men**

Responses of men showed a strong link between violence and fulfillment of their idea of masculinity. This masculinity was expressed in wanting to control the wife and believing that after marriage a woman must accommodate and adjust to the new life with her husband, fulfilling her expected role in society. As they put it, heated arguments, occasional beating, are seen everywhere, these are 'normal'; moreover this is a private household matter. At the same time they agreed that extreme violence is totally unacceptable. Changes in the traditional division of labour appeared to be strongly resisted by men, and certainly not seen as desirable.

### **Adolescent Boys and Girls**

Some of the boys met saw 'tension' as a big cause of domestic violence, and said that the tension of the outside world is taken out at home by men. Lack of enough work for men, and the burden of household chores on women, makes the home environment such that both are quick to react to any provocation. Boys also pointed to gambling and hence loss of the little money that the men earned as a factor. The habits of consuming alcohol, **being jobless, and lacking education all feed into each other, making men feel trapped and venting this frustration on women. In their view, better understanding of each other would help to reduce domestic violence.** They also believed that a boy should have a job before he gets married, as that would help reduce economic tension in the house.

Both boys and girls spoke of girls having to negotiate their life-style to suit the needs of the husband, even accepting violence if needed. The fact that girls in the present society do not have the freedom to choose their spouse is itself a form of violence. Any movement in public spaces by a girl is not free of judgement by neighbours. While both girls and boys have to face restrictions, girls have to face much more. Some participants believed that one has to do things according to the society's expectations, and if people wish to defy the social norms, they will have to face many obstacles.



*Focus group discussion with young boys and girls, Kalyanpuri*

All participants agreed that **education of girls was must**, and that educated girls are less subjected to domestic violence or resist such violence better. They explained that when a woman is educated, her husband does not think of taking her for granted, as he would fear that the wife can become economically dependent and even raise her voice against him and the violence. Options open up for women who are educated.

### **Community Environment**

In the field study area, where economic deprivation is high and a general sense of lawlessness seems to prevail, two concepts become very important to explore- culture of poverty and relation of law and culture. During our individual and group conversations with women, men and youth, the elusive concept of '*mahaul*' (environment of a place) emerged several times. The respondents sometimes pointed to low levels of education, sometimes joblessness and sometimes the '*jhuggi* culture' to explain what they referred to as the '*mahaul*' of Kalyanpuri as a factor that allows all kinds of violence including domestic violence to take place. Poverty becomes a factor restricting efforts to access mainstream institutions or demand rights.

The opening of a Gender Resource Centre (GRC) at Kalyanpuri (and other low income areas in Delhi) is intended to spread awareness about entitlements and facilitate access to government programmes. GRCs have been set up by the government in partnership with non-governmental organizations. Besides assisting in availing entitlements, these centers work towards Social, Economic and Legal empowerment of women through a range of activities including legal counseling, vocational training, formation of self-help groups, and health and nutrition camps.<sup>33</sup> However the GRC is still a new initiative and while a step towards improvement, could not be expected to transform the '*mahaul*' referred to above on its own.

### **Law and Culture**

In our effort to understand the general lawlessness of our field area, we had to grasp the relation between the residents of Kalyanpuri and the law. Lawrence Rosen explains how law is actually part of a culture's way of expressing its sense of the order of things: 'to understand how a culture is put together and operates, therefore, , one cannot fail to see it as part of culture' (Rosen, 2006: 5). The weight of law on the residents of our study area is imbalanced, swinging from absence (lack of response) to extreme imposition when suspected of crime. The residents of the area who carry within them a 'culture of poverty' seem to be crushed by this imbalanced nature of the law surrounding them. It does seem that the way people of a country interact with its law and legal system is different depending on their own economic and social location.

### **Women's Voices**

A few case studies help to illustrate the actual experience of acting (or not acting) when faced with violence, the uncertain way in which the law is approached and the reluctance to leave the conjugal home. Those women who tried to face up to violence but did not seek legal recourse, asked other members of the family and neighbours for help. Most women felt they could ask for such help only once or twice, and could not ask for help repeatedly. The stories below are of two women who have lived with violence, and two who have taken some action to end it. The latter includes one woman who filed a case against her husband and feels that over time this, along with other personal factors, has been successful in stopping violence.

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<sup>33</sup> See <http://www.missionconvergence.org/MNGO.html>



### **Tara**

Tara is 24 years old, has completed schooling up to class 10; she has never worked. Tara married a man from the same locality she fell in love with. Since the marriage was not acceptable to either family, the couple eloped and for a while lived in the young man's village, a space that was strange to the girl both geographically and culturally. Tara's new relatives and sometimes her husband too began to harass her, and she was soon facing violence on a regular basis. The violence was both mental and physical, and the threat of this violence was forever in her thoughts. She spent 6 months in the village. By this time her natal family had come to terms with her marriage and this encouraged a return to Delhi. But the violence continued. Taunts over the dowry she had not brought, her behavior and having given birth to two daughters, all led to violence.

Finally, she approached her natal family, who took her back into the home, and eventually filed for divorce. The two families reached a settlement outside court and the girl went back to live with her husband, this time in a separate rented accommodation. Tara said that she decided to go back to her husband because she believes that one cannot spend one's whole life alone. She claims that her husband is fine now and treats her well since they live separately, but she misses respect and love from her conjugal relatives. Tara believes that women should stop violence when it first happens.

### **Katyayani**

Katyayani is 40 years old, has completed 11 years of schooling and works as a mobiliser in the District Resource Centre for the area, as and when required. One of her legs has been affected by polio. As a young girl she was encouraged to study and has also started learning Indian classical music. Then a neighbour expressed an interest in marrying her. Although Katyayani initially refused, his persistence and the gossip so generated eventually led to their marriage. Once the marriage was consummated, a different and obsessive side of the man emerged. Both he and others in his family tortured and taunted Katyayani – her low dowry and her physical handicap, giving birth to three daughters, were used as arguments. Matters worsened as her husband started drinking regularly. As she put it, 'he comes across as a saint outside the home and is a Satan once he has had his drink'. He took to beating the children too, when under the influence of alcohol. Katyayani said earlier, incidents of violence would happen third or fourth day; in past 4-5 years their frequency has come down. As her natal home was 3 houses away, Katyayani's parents would come to rescue her often from the husband. It was because of this parental support that she believes she survived through the years. She registered an official complaint with the police. She had filed a CrPC 307 against mother-in-law for attempting to burn her at the second-third year of the marriage; her husband was taken into custody by the police for this case. He has never forgiven her for this. Katyayani believes that recourse to law does not end domestic violence; all women have to compromise with the situation which is ultimately in the husband's and his family's favour. Ironically even the Judge suggested she should reconsider making it a court case as after all she had to go live with her husband.

Katyayani has four children from her marriage. The eldest daughter completed her graduation and is married. The second daughter was only able to pass her 9<sup>th</sup> standard and suffers from clinical depression. The third daughter is now in class 11; the youngest child, a boy, is in Class 10. Katyayani stated that even after 22 years of her marriage she has not been able to understand her husband. She also felt that her own children sometimes did not understand her, and that her economic contributions to the household are not appreciated. Katyayani feels she has lived through the worst period; when pressed she agrees that if girls are educated and have jobs they could consider leaving the conjugal home in such situations.

### Vijayanka

Vijayanka is 50 years old, had studied upto 2<sup>nd</sup> year college, and is an 'Asha' worker.<sup>34</sup> Her husband has a government job. She has been married for twenty six years now and has four daughters. Despite education and economic security she faced domestic violence for 15 years of her marriage. Violence by husband was often triggered by disputes over money, and not in this case for giving birth to four daughters. Vijayanka did not tell her parents about the violence that she was facing at her conjugal home. Apart from wanting to spare them sorrow, she said that the social stigma of a broken home would have made marriage of her younger sisters difficult, had she chose that step, apart from its effect on her own life. But *if husband wants* domestic violence will not happen: 'it all depends on the husband'. Vijayanaka comments that though her own education did not protect her from violence, but it has enabled her to guide her daughters while they were in school helping them to perform better. Looking back at her own life, she said despite all that she has been through life is going on.

### Ansuya

Ansuya is 47 years old, illiterate, and self-employed. She was subjected to violence by her husband, but stood up against it. She lives in one of the jhuggis/ cluster in Kalyanpuri. She is presently working for the ISCKON as a free-food distributor, where she gets to take back the leftover food for her house. Ansuya also has a business selling jewelry, and occasionally works as a domestic worker. Ansuya had witnessed her own father being violent with her mother. Like most girls in Indian society she was not given the freedom to choose her life-companion; being from a poor family she was married young before she could be seen as a 'liability' on her parents. In her marriage, she faced restrictions over her mobility, and had to often experience physical violence for 'not doing household chores properly'. Violence increased with her husband's regular alcohol drinking and in later years an extra-marital affair he had with another woman. She thought of leaving many times, but feared the social stigma and loss of self-respect in society that might follow. As she was uneducated she thought that if she left the house with her children she would be helpless without the basic shelter and food that she got from her husband. So although she had filed a case against her husband, she took it back.

During one episode of violence when her husband threw hot milk at her and burnt her, she decided enough is enough, that things had gone out of hand and that she had given her husband enough chances to improve his behavior but nothing had changed him. As her children had grown-up and were on her side, Ansuya and her children made the husband leave the house. This task became easier for Ansuya as her husband was having an extra-marital relation with another woman, with whom he is now living. Ansuya believes that education and economic independence are very important and can help a woman find her way out of a violent household. Today, Ansuya's children, except the eldest son who dropped out of school after 5<sup>th</sup> class, are exceptional cases for the area as three of the five are at university. All the three girls are confident and speak of living an independent life thanks to their education.

In our interviews 90% of the women said that domestic violence is not a good thing but only 37% of those suffering this violence sought any help. The women explained this by pointing to their lack of choice, their 'majboori'. While state effort is needed to address official inaction, education and skill development programmes for women, other aspects of this perceived lack of choice demand a deeper look at social norms and role-expectation of both men and women, and what we pass on to our children in the name of social and family values. While some situational matters can have short-term remedies such as immediate focus on girl and women's education, making the police sensitive to domestic

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<sup>34</sup> Accredited social Health activist (ASHA). They are the new band of community based functionaries, proposed in the National Rural Health Mission who will serve the population of specified numbers as per the Government. ASHA is the first port of call for any health related demands of deprived sections of the population, especially women, children, old aged, sick and disabled people. She is the link between the community and the health care provider

violence, other issues that are structural in form have no short-term solutions. We recognized through our interviews with women and young girls, that along with education and work and sincere official action, it was equally important to build a sense of identity, a sense of self that must get respect, among women and towards women. Since this sense of self is most effectively built at a young age, ISST believes that working with children and adolescents of the 10-20 years age group would be a good way forward. Also as part of our recommendation for ending violence against women, we believe that community level action must be of prime focus, or else the task of change- as it also involves social change- would seem impossible. Interventions that are located within the community could become catalysts of change.

### **Duty Bearers**

Interviews with duty bearers brought forth a number of suggestions. Two views repeatedly expressed were that on the one hand, clearly resources and infrastructure for implementing the PWDVA is insufficient; on the other, that given the problems in slum areas and women's dependence, it is best to find other solutions. Infrastructure such as the number of service providers and protection officers is inadequate, as well as the number of Mahila courts – for example, one Magistrate sees cases for the entire East District covering 18 police stations. It was also pointed out that increasing the number of protection officers is also not enough, as more training needs to be given to enable them to fulfil their duties. One suggestion is that in slum communities, solutions to domestic violence are best found by dispute resolution 'there and then'; that for the poor the indirect costs of legal action such as transport, taking time out from work to attend court, and so on, can become prohibitive even if all direct costs are covered by the government. Another view was that there are difficulties in door to door surveillance once court orders are passed; and recurrence of violence on the aggrieved even after a favourable court order is passed discourages women. For this reason, women usually were seen to file a domestic violence case only when situations got out of hand, and almost no-one does so, on account of mental or verbal abuse. Other difficulties included inability to deal with a breach of residence order in case the house is sold off by the respondent party or if the respondent runs away in case of a rented accommodation. The view was also expressed that women too need to develop a stronger sense of independence, perhaps through education and work. There are other specific problems, in slum areas, with men usually being wage workers, proof of a monthly salary is hard to get for claiming maintenance.

### **Civil Society Organizations**

A point noted by one of the CSO representatives met was that in a heterogeneous settlement such as this slum area is – i.e. with people from different parts of the country – one sees a lack of trust and cooperation among the people making it a difficult area to work in, and therefore that trust building is a requirement for any successful intervention. Similarly for those groups working to build awareness, social opposition to interventions that questioned social norms made direct community work very demanding and costly.

### **Ways Forward: Respondent Views**

The diverse deprivations being experienced by people living in slums make it difficult to build opinion around the issue of domestic violence alone. The conflict between state-set directions for social change through the law and other entitlements, and society's effort to remain stable through enforcement of existing social norms is difficult to resolve quickly.

### **Responses received by persons interviewed on what will help are tabulated below.**

The table below puts together the suggestions made by the wide range of stakeholders interviewed, on what in their experience, works to reduce the incidence of domestic violence.

Table 8: What actions will help to bring down the incidence of violence against women? Stakeholder perceptions

Awareness (of women's rights and the law, to bring about change in attitudes and behavior)	Adolescent girls Adolescent boys Duty bearers from: Mission Convergence, Govt of Delhi; magistrate; in-charge shelter home; legal counselor; police NGO representatives (Breakthrough, Chetanalaya)
Education for women	Adult women Adolescent girls Adolescent boys Protection officer Legal counselor Inspector, crimes against women cell
Life skills training for women	In charge shelter home
Stronger PWDVA infrastructure including more Mahila Courts, more protection officers, training, higher budget allocation	Magistrate PWDVA Protection officer In charge shelter home Police
Legal help	NGO
Take action to control alcohol consumption	Adolescent girls Adolescent boys Protection officer In charge shelter home Inspector crimes against women cell
Employment for men	Adolescent girls Adolescent boys Inspector crimes against women cell
Employment for women	Adult women Protection officer In charge shelter home
Stronger parental supervision of boys	Adolescent girls Adolescent boys Police
Support from other women and from the police	Adult women Adolescent girls Adolescent boys
Service delivery closer to home/ community mediation	Mission Convergence
Counselling/mediation by NGO or courts	Protection officer
Counseling women for adjustment and compromise in cases of occasional or one time violence	Adult men
Networking of NGOs	Mission Convergence
Co-ordination across service providers	In charge shelter home
Public police partnership	Police

The above table reflects the perceptions of people from different positions within society. While all would agree that the underlying cause of domestic violence is rooted in social role expectations and

weak bargaining position of women and therefore attitudinal change within households would make the greatest change, there were differences in emphasis and specific areas recommended for action. Interestingly, everyone (with the exception of some respondents from the police who felt that awareness was already high) felt that greater awareness of rights and the law would help to bring down the incidence of violence.

Being more aware of its deficiencies, service providers and duty bearers emphasized the need to put more resources into the infrastructure of implementation of the PWDVA. This was not however echoed by women, who place more faith in a 'change in mind set'.

Adolescent boys and girls emphasized alcohol and lack of work for men as daily triggers of violence; and illiteracy as a source of vulnerability for women that could be removed. Working women articulated employment for women as a need.

### III. Recommendations

This study has been motivated by the observation that the incidence of domestic violence appears to be very high despite many efforts to provide more services and build awareness against violence. The Protection of Women from Domestic Violence Act (PWDVA) 2005 has been framed so as to fulfill the commitments of the Indian government to international conventions, and responds to the demands of activists. It provides a structure within which most interventions in this area have since been developed both governmental and non-governmental. The objectives of the study were to identify through review of on-going initiatives, and interviews with stakeholders, what further efforts could help to bring down the incidence of violence within homes. A field study has been undertaken in a low income area in Delhi. The main findings confirm that while the PWDVA and associated infrastructure and awareness building has undoubtedly opened a new window, few women access legal entitlements from a sense that this will lead to loss of social and economic security that is obtained by them through remaining married. In light of the findings, this report concludes with some suggestions for further actions.

The main ‘take aways’ from this study, from the point of what actions could make the greatest difference are as follows. These are addressed to government, civil society groups, women and men: actions are needed by all.

**First**, the long conversations with women affected by domestic violence suggest that women are willing to live with a certain amount of violence as the price of the social and economic security that comes with being married – and as they see no other choices. At the same time there is a clear sense of limits: of what is ‘acceptable’ violence and what is not, although it is hard to state where this limit lies as it is largely a matter of perception. Violence as a component of security might sound contradictory, but draws attention to the fact that a lot remains to be done with respect to enhancing women’s independent sources of economic security. This includes both the individual’s ability to earn a livelihood; and the provision of safety in public spaces. The Safe Cities campaign has drawn attention to the latter aspect, although so far no specific recommendations have been made for low income areas. In low income slum areas even the most basic public services are missing, in particular if toilets could be ensured for each dwelling it would take away the unsafe passages to remote public toilets; and good public lighting *within* colonies is essential.

**Second**, the implementation of the PWDVA calls for more resources. There is need for many more Protection Officers (eg East Delhi District has one protection officer for a total population between 3-4 million); and more training for them. Shelter homes are an important part of the PWDVA provisions but there is a weak co-ordination between the Protection Officer, Police, counselor and warden/care-takers for shelter home. The Delhi Legal Service Authority places legal aid counselors at GRCs for a limited period and this support needs to be increased. Family Courts are few: East District Delhi has one court for 18 police stations.

**Third**, awareness building efforts need to be much stronger and go beyond information. Beyond posters and hoardings, providing common facility centres, recreational and learning spaces for women within the clusters and colonies where they live, and then seeking to catalyse an awareness of rights and self-esteem would both enhance awareness and encourage solidarity among women, which in turn would strengthen women to stand up to violence. Similarly life skills such as negotiation skills could be taught to women to help them negotiate better outcomes.

**Fourth**, community level dispute resolution needs to be supported and strengthened, as for example through the Mahila Panchayat scheme. This scheme, as discussed earlier, mobilizes groups of women within communities to address and resolve local disputes including domestic violence; it is an on-going scheme of the Delhi Government.

**Fifth**, efforts to change attitudes of the youth and enable different socialization processes must include informal spaces near the home as well as formal spaces such as schools, as social norms are most strongly reinforced and gender identities formed in spaces beyond just the formal. Without this, there is an inter-generational transmission of an attitude of helplessness; women who felt unable to support themselves say – ‘how can we support our daughters?’

**Sixth**, working with men and boys requires different interventions. While building awareness may be the key issue with boys, violence by men often reflects their economic insecurity, compounded by alcohol consumption. While reaching women is most easily done by strengthening community structures, the most effective ways of building the self esteem of men and the value of equality among them needs to be further researched.

All of these efforts are needed; a holistic approach to violence is required, rather than a belief that there is any single magic bullet that could lead to dramatic change. Since the framework of the PWDVA largely determines the nature of resource allocation in this area, we would wish to urge, on the basis of this study, that support be also forthcoming for community level action to build up women’s self-esteem and to help in changing the attitudes of youth. To conclude, *the key learning from this study is the need to invest in community-building efforts which encourage women to develop a stronger sense of self-esteem; and using both formal spaces such as schools and informal spaces closer to home to facilitate attitudinal change among men and the youth.*

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## **Annex 1. List of Interviews Conducted**

1. Adult women from Kalyanpuri: 61
2. Adult men from Kalyanpuri: 7
3. Adolescent boys and girls: 35
4. Naseem Khan, Mission Convergence
5. Suneeta Menon, Breakthrough
6. Sister Manju, Chetanalaya
7. Mahila Court Metropolitan Magistrate, East Delhi
8. Protection Officer, East Delhi
9. In charge cum counselor, Snehalaya Shelter Home, East Delhi
10. Legal Counsellor, Delhi Legal Service Authority, East Delhi
11. Senior Police officer, previously in charge of Parivartan programme
12. Two Senior Police Officer, in charge of law and order, Kalyanpuri, East Delhi
13. Senior Police Inspector, in charge Crimes Against Women Cell, East Delhi

**Annex 2: List of Participants at ISST Workshop on “Addressing Domestic Violence in Delhi: Filling the Gap between Intent and Outcomes”, New Delhi, 28 November, 2011**

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Annex 3: Interview Questionnaire

<b>Date:</b>		<b>Interviewer's name:</b>					<b>Form No:</b>	
<b>(1) INDIVIDUAL PROFILE</b>							<b>Add:</b>	
<b>1.1</b>	<b>S. N</b>	<b>Name</b>	<b>Relation to the respondent</b>	<b>Sex</b>	<b>Age</b>	<b>Marital status</b>	<b>Educational level</b>	<b>What work do you do?</b>
			SELF					
<b>1.2</b>	<b>Where have you migrated from/since when are you in Delhi?</b>							
<b>1.3</b>	<b>Ownership of property/ in whose name/ where-Delhi or village</b>			<b>Self</b>		<b>Spouse</b>		<b>Other</b>
<b>1.4</b>	<b>Power to choose</b>			<b>Spouse /other</b>		<b>In consultation with spouse/ other</b>		<b>Self</b>
	<u>Minor</u> (food, cosmetics, children's need, daily use items, other)			→				
	<u>Medium</u> (medicines, clothes, utensils, gifts for relatives, home furnishings)			→				
<b>1.4</b>	<u>Major</u> (buying property, marriage, medical care)			→				
<b>1.5</b>	<b>Where all can you travel by yourself?</b> (within Kalyanpuri, outside Kalyanpuri-around/far, to parents/relatives home)							
<b>(2) ON DOMESTIC VIOLENCE</b>								
<b>2.1</b>	<b>Are you or have you been subjected to any form of domestic violence?</b>		<b>Yes</b>				<b>No</b>	
			Natal home		Conjugal home			

2.2	By whom is this violence performed?	Natal home Parents- Siblings	Conjugal home Spouse- In-laws- Children-
2.3	Since when is this violence occurring?		
2.4	How often does in happen in duration of one month?		
2.5	Is the threat of domestic violence always there?		
2.6	Areas of domestic violence	Private	Public
2.7	Reasons for domestic violence		
2.8	Forms of domestic violence		
2.9	When do you feel safe from domestic violence? (natal-support, childbirth, economic independence)/Since when has violence stopped?		
2.10	Whom do you share the episode of domestic violence with?	Non-Legal	Legal
2.11	How do you resolve a domestic violence issue?		
2.12	What would help you at this stage as you are experiencing the violence? (Job etc)		



2.1 3	Have you experienced solidarity against domestic violence from any side?(family-women, children, neighbours)					
2.1 4	What do you find most effective against domestic violence? (family support, eco independence, education, social support, law)					
2.1 5	How has domestic violence affected your life? Personal-injury, mental peace etc Familial- relations etc Societal –neighbours etc					
2.1 6	Is domestic violence justified?	No	If Yes, what forms and in which circumstance			
2.1 7	Have you ever thought that domestic violence should end?					
2.1 8	How big is the problem of domestic violence in your life?					
2.1 9	Are there problems that are of greater importance than domestic violence in your life?	No	If yes, then what are they?			
<b>(3) ON POLICY AWARENESS</b>						
3.1	Policy awareness	Divorce Law/ Section 125 Cr PC	Domestic Violence Law Section/ 498 A IPC	Prohibition of dowry	PWDV Act 2005	None
3.2	Awareness about organizations, counselors, addressing domestic violence in the area					

3.3	Are you aware of the complaint procedures for filing a domestic violence case?	Yes	Somewhat	No
3.4	Have you ever made use of any of these laws?			
3.5	Would you like to access these laws if need be?			
3.6	<b>Hurdles faced in voicing against domestic violence-</b> Family pressure, Fear of losing family home/residence, Economic dependence, Social stigma, Lack of compensation			
3.7	<b>Hurdles faced in accessing PWDV Act</b> (Family pressure, Lack of economic resources, Lack of police support, Lack of infrastructure (service providers, medical facility, protection officer), Complicated law procedures)s			
3.8	Does awareness of domestic violence law improve your chances against the violence?			
3.9	Do government policies in relation to domestic violence help them?			



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