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## DOMESTIC VIOLENCE IN ANANTHAPURAMU – A CASE STUDY

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### Introduction

In the ancient Indian women held a high place of respect in the society as mentioned in *Rigveda* and other scriptures. Volumes can be written about the status of our women and their heroic deeds from the *vedic* period to the modern times. But later on, because of social, political and economic changes, women lost their status and were relegated to the background. Many evil customs and traditions stepped in which enslaved the women and tied them to the boundaries of the house.

The official statistics showed a declining sex-ratio, health status, literacy rate, work participation rate and political participation among women. While on the other hand the spread of social evils like dowry deaths, child marriage, domestic violence, rape, sexual harassment, exploitation of women workers are rampant in different parts of India. Humiliation, rape, kidnapping, molestation, dowry death, torture, wife-beating etc. have grown up over the years

Globally, one out of every three women faces violence at the hands of their husbands, fathers, or brothers and uncles in their homes. Domestic violence can be described as when one adult in a relationship misuses power to control another through violence and other forms of abuse. The abuser tortures and controls the victim by calculated threats, intimidation and physical violence. Although men, women and children can be abused, in most cases the victims are women. In every country where reliable, large-scale studies have been conducted, results indicate that between 16 and 52% of women have been assaulted by their husbands/partners. These studies also indicate widespread violence against women as an important cause of morbidity and mortality. Such violence may also include rape and sexual abuse.



Psychological violence includes verbal abuse, harassment, confinement and deprivation of physical, financial and personal resources. For some women emotional abuse may be more painful than physical attacks because they effectively undermine women's security and self-confidence. In India, violence within the home is universal across culture, religion, class and ethnicity. The abuse is generally condoned by social custom and considered a part and parcel of marital life. Statistics reveal a grim picture of domestic violence in India. The National Crimes Bureau, Ministry of Home Affairs, Government of India reports a shocking 71.5% increase in instances of torture and dowry deaths during the period from 1991 to 1995. In 1995, torture of women constituted 29.25% of all reported crimes against women.

Official statistics show a steady rise in crimes related to dowry. More than 9, 5000 women are killed every year in India over dowry. While Bihar and Uttar Pradesh still record the maximum number of dowry crimes, Bangalore, India's fastest growing city also shows an alarming rise of dowry harassment and domestic violence. Cases of torture of women over dowry are the highest, accounting for 32.4% of all crimes against women in the country.

Domestic violence has devastating repercussions on the family. Mothers are unable to care of their children properly. Often they transmit to them their own feelings of low self-esteem, helplessness and inadequacy. Violence against women, the most pervasive human rights violation in the world today, has got to be stopped. It needs support not only from the government, but also from the civil society, NGOs and women themselves. There is also a need to improve women's economic capacities that include access to and control of income and assets and also a share in the family's property. The government should strengthen and expand training and sensitization programs.

### **Violence against women**

Violence against women has become a prominent topic of discussion in India in recent years. Politicians and media have placed great focus on the issue due to continuously increasing trends during 2008-2012. According to the National Crime Records Bureau of India, a reported incident of crime against women has increased 6.4% during 2012, and a crime against a woman is committed every three minutes. In 2012, there were a total of 2,44,270 reported incidents of crime against women, while in 2011, there were 2,28,650 reported incidents.



Of the women living in India, 7.5% live in West Bengal where 12.7% of the total reported crime against women occurs. Andhra Pradesh is home to 7.3% of India's female population and accounts for 11.5% of the total reported crimes against women. 65% of Indian men believe women should tolerate violence in order to keep the family together, and women sometimes deserve to be beaten. In January 2011, the International Men and Gender Equality Survey (IMAGES) Questionnaire reported that 24% of Indian men had committed sexual violence at some point during their lives.

The statistics on education, life expectancies and participation in paid employment indicate seeming progress in the overall situation of women. In spite of this, for the majority of the women in India, the overall picture of progress is bleak and is getting bleaker. The sex-disaggregated data on education levels, work force participation and life expectancies show male-female gaps. However, they hide more than what they show. The type of paid work open to women, contemporary versions of technology use that convert female infanticide to foeticide, the overwhelming burden of birth control on women, rampant spread of dowry among new communities, the kind of operation of Women's Reservation Bill in Lok Sabha, a wide range in types of and reasons for violence, codification of customary laws going against women's rights etc. are some of the examples.

It is pitiable to report that independence has not brought freedom for a majority of women. Even today patriarchy continues to inhibit women's canvases as it did during the colonial period, of course in new ways. New problems have replaced old and new versions of old problems have surfaced during the last 55 years of independence. It is painful to note that in spite of theoretical constitutional equality for all (men & women), separate personal laws ensure that men and women are not equal. Male guardianship prevails even today and 'married ness' for women translates into subordination in ways it does not for men. Such paradoxes in the formal and informal areas continue to exclude women from an equal footing with men in free India.

According to available statistics from around the world about 33.33 percent of the women have experienced violence in one form or the other, in an intimate relationship at some point in their life. This is just an average based on available national surveys across industrialised and developed countries, published in the report of the W.H.O. in 1997. In India, statistical evidence available about the actual prevalence of domestic violence is scant and the only large scale survey carried out by the National Crimes Record Bureau, Ministry of Home Affairs, Government of India relating to the



crimes against women reveals that a record 71.5 per cent increase in cases of torture and dowry deaths during 1991 to 1995.

Surveys conducted by independent social scientists indicate that physical abuse of Indian Women is quite high. Thus in India the problem of domestic violence against women has become serious and has assumed the form of a social problem. It is a fact that domestic violence against women is universal across the culture, religion, class and ethnicity. Despite this widespread nature of domestic violence, it is not customarily acknowledged and has remained invisible. This hidden nature of domestic violence against women remains so due to the social construction of the divide between public and private affairs. The law has historically considered the domain of the house to be within the control and unquestionable authority of the male-head of the household.

## **INTRODUCTION FOR DV ACT 2005 AT ANANTHAPURAMU ICDS**

Our society is male dominated society. Men and women are equal according to our constitution, but when it comes to equality there shows the difference. Gender inequality is more in Indian society.

Now-a-days, women are aware of their rights, so they fight for it legally. Women is idol of patience, but upto certain limits only. Women have so many roles to play such as mother, wife, daughter, sister etc., She is dependent and fickle by nature. Many problems are faced by her like

Among them the important one is Domestic Violence. Here in Anantapuramu, ICDS is the platform where the problem can be solved. Any problem which is related to women regarding dowry, inequality, harassment from in-laws are solved. Women when vexed and fed up with the atmosphere. She takes the help of Lawyer. Lawyer ask them to approach ICDS. Here all the problems faced by women came from Mahila Police Station, Crime and Law Police Station like I Town, II Town and III town. Every Monday, at Collector's Camp Office is declared as Grievance's Day. From all over the District people come with a complaint or petition and personally hand over the petition to the collector camp clerk or PA, if the case is very serious personally the collector meet them and listen to their hardship. The case one which is related to women and her problem is sent to ICDS.

The (petitioner) women have to write and give a written complaint or petition to the ICDS PD or D.V. Act Counsellor.



1. Madam listens very patiently to the petitioners and her problem.
2. Petitioner's husband is called for counselling. The man who is obedient and kind at heart obey her and approach before the counsellor. She negotiates and solve the problem. But sometimes the respondent or husband who is arrogant denies to come. Then,
3. A registered letter signed by Project Director is posted to the husband or respondent along with Acknowledgement.
4. Sometimes or always the registered letter is not accepted and returns to ICDS or Door Lock. The counsellor calls the women and asks her, "Your husband did not respond to our counselling nor registered letter for attending the counselling centre."

"What shall we do?"

"Shall we give him one more chance?"

If the women deserves patience enough, she accepts but if annoyed she tells the counsellor to send him a Court Notice.

5. A case is filed against the husband and sent to the Court for further trials and hearings. The court release summon against both the petitioner and respondent. The petitioner is called to the ICDS and handed over her summon and her husband's is sent by registered post.
6. Before filing case the counsellor asks the petitioner whether she is in the position to hire a lawyer. If not ICDS support by DLSA-Legal aid. It means the Government provide a Government advocate or lawyer to the women for combating her case.
7. Special attention and care is given to D.V. Act cases. The D.V. Act Counsellor attends Collector's Camp Office on Monday as it is a grievance's day and Tuesday and Wednesday to the court for hearing the D.V. Act cases. She also have to travel to Gooty and Hindupur for attending the D.V. Act cases at Court. She follows up the cases and try to bring it to an happy end. Cases gone through ICDS does not encourage divorce, at any cost the petitioner have to either compromise or settle the case.



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Every case have three options:

1. Compromise
2. Judgement
3. Withdraw

If the petitioner decides to separate she can avail the five sections.

1. Section 18- Protection
2. Section 19- Residence
3. Section 20- Maintenance
4. Section 21- Custody
5. Section 22- Compensation

There is no restriction that she has to choose any two or three, she can opt all at a time.

When the case is registered in the court, sometimes it is withdrawn by the petitioner. Some cases are settled by mutual understanding i.e., it is called ADFC (After DIR Filed Compromise) and finally after months or years some cases judgement is given.

The team of Women's Studies Centre approached ICDS PD and studied 20 cases on Domestic Violence. There were above 600 cases but due to dearth of time only 20 cases could be taken. Following are a few cases with complain as well as settlement, judgment from the court, or withdrawal. Different types of cases were taken.

### **CASES REGISTERED ON DOMESTIC VIOLENCE IN ANANTHAPURAMU ICDS**

**Smt K. Anapurnamma**, (petitioner of the D.V. Act Case) her husband and children were staying at Suryanagar D.No 15/470. Her husband was working as Deputy Registrar in JNTU and retired in 2006. They had six daughters. Out of six daughters three were married and three more daughters yet to be get married. Her husband was torturing her and her daughters very severely, he was doubting them. Her health was not well. 3 months back she underwent histectomy. She was suffering from illness. She adjusted with her husband these many years because she wanted her daughters to get married.



Her husband didn't sleep the whole night and harassed them to go out of the house. Their life was full of sorrow, depressed and insecure. Her daughters were in private jobs and they helped her financially.

## ORDER

The petitioner filed this complaint under section 12 of Domestic Violence Act 2005 through Form Nos 1 and 2 along with Enquiry report of the Project Director (Protection Officer), Anantapur praying for maintenance and compensation and for accommodation and other reliefs.

The respondent had to pay monetary relief of Rs.25,000/- to Petitioner (His Wife) to meet the expenses incurred and losses suffered by her including medical expenses to be payable within three months from the date of this order. And further Domestic Violence she was entitled for maintenance of Rs.2, 000/- P.M.

In the result, the petition was allowed partly.

## OPINION:

Smt K. Anuradha tolerated harassment and torture given by her husband right from her marriage upto the age of 54. She tried her level best to adjust with her husband but of no use. There was no change in his behaviour, which was unbearable by her. At last she thought of her liberty and future of her daughters and went legally. No Indian women ever go against her husband because in India there is a slogan "MEERA PATHI MEERA PARAMESWAR HAI", bearing that sentiment in mind they first try to accommodate themselves with a new man called husband and lastly revolt/rebel/take legal action.

In Anuradha's case she got justice legally not socially (or) morally. If one proceed legally they should have lots of patience till the case ends and final judgement is given. Normally case in a court is costly affair - stamp fees, case registration, fees towards lawyer etc., But cases recommended by ICDS have an advantage i.e., they provide legal aid to women.

## CASE - 2.

**Smt Bandi Bhagyamma** got married to B. Yellappa, B. Kothapalli village, Bukkaraya Samudram Mandal their married was arranged on 15-04-1993. In the year 17-09-1994 she gave birth to male child, second issue was a girl baby born on 06-07-1996. From the very beginning she and her



husband lived happily and independently with their profession of tailoring and farming. After a few years of marriage her husband was infected by HIV in the year 2002 and died on 05-11-2005. From the day her husband died she continued tailoring and nurtured, brought up her two children all alone.

This petition came on this day for final hearing before the honourable judge in the presence of Sri P. Narasimhulu, Advocate for the petitioner/ Complainant and of Sri C. Gangadhara Reddy and Sri M. Narayana Swamy, Advocates for the respondents/accused, having heard them, having persuaded the material on record and having stood over for consideration till that day, the Court made the following:

### **ORDER**

This petition was filed U/s 18,19 and 20 of Domestic Violence Act, 2005 by the petitioner against the respondents to take appropriate action against the accused/respondents by issuing proper orders and to protect her interest properties and personally also.

As per Section 19, the Magistrate got power to issue Residence Orders.

- (a) Directing the respondent to remove himself from the shared household;
- (b ) restraining the respondent or any of his relatives from entering any portion of the shared household in which the aggrieved person resides;
- (c) Restraining the respondent from alienating or disposing off the shared household or encumbering the same;
- (d) Restraining the respondent from renouncing his rights in the shared household except with the leave of the Magistrate; or
- (e) Directing the respondent to secure same level of alternate accommodation for the aggrieved person as enjoyed by her in the shared household or to pay rent for the same, if the circumstances so require;

### **OPINION:**

**Bandi Bhagyamma** W/o Late Bandi Yellappa was forcibly thrown out of her husband's house by her in-laws, without giving a single pie and left all alone with two minor survivors (two children). She endeavoured hard for her right through legal court and at last, after two years she succeeded to get her property and regained her lost respect and prestige through the help of police, who legally threw her in-laws out of the house



which was rightfully of Bhagyamma's. She has to struggle and suffer for her own property which was subjugated by in-laws.

### **CASE - 3**

#### **Smt. Bhimaraju Vani,**

D/o Srinivasa Prasad, a house wife, was 26 years old. Her marriage was arranged and she got married on 09-05-2007. The dowry towards bridegroom was Rs.4,00,000/-, Gold worth Rs.1,00,000/- bracelet to the bridegroom, Rs.10,000/- cash for Suiting and shirting. The expenditure regarding my marriage was Rs.2,50,000/-.

#### **Conclusion:**

B. Vani did not go to the court and only requested for protection order and she received it. B. Vani filed her petition at ICDS but did not indulge and took the aid of court and case. She requested only for protection from her husband and in-laws and very easily she achieved it.

### **CASE - 4.**

**Mrs. Archana**, W/o Mr. Ravi Kumar, residing in Bangargerri, Gooty, town of Anantapur, was married to Mr. Ravi Kumar, S/o Mr. K. Prasad (Asst. Line men, A.P. Transco) on 01.05.2009 at her parents house. They performed the marriage in a well manner by giving him Rs.50,000/- and 8 tolas of gold. After her marriage for one month, her husband and her in-laws were good with her and after that they used to harass her like anything. Her husband and her in-laws abused her. Her father-in-law Mr. K. Prasad (Govt. Employee) her mother-in-law Mrs. Narayanamma, her brother-in-law Mr. Hari, Mr. Ramesh and her sisters-in-law Ms. Lalitha and Ms. Sravanti together used to abuse her.

Hence, Archana approached ICDS and requested them to kindly understand her pathetic situation and her bitter experiences with her in-laws and husband. She urged and pleaded to do justice by taking necessary action against her husband Mr. Ravi Kumar, her father-in-law Mr. Prasad( Govt. Employee ), her mother-in-Law Mrs. Narayanamma and sister-in-law Mrs. Lalitha, Mrs. Sravanti and brothers-in-law Mr. Hari and Mr. Ramesh under Domestic Violence Act. This particular case was solved by **COMPROMISE**



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## **CASE – 5. HEMALATHA**

As per the reference cited above, Smt. N. Hemalatha W/o Bala Krishna who has given complaint and after examining the complaint, we have visited the house of victim Mrs. Hemalatha's mother-in-law. There we enquired with Hemalatha's mother-in-law, brother-in-law and his wife and also with neighbourhood. None of them have given positive report about Mrs. Hemalatha. Not a single complaint of Mrs. Hemalatha's was proven in the enquiry. All of them reported negatively.

Mr. Bala Krishna harassed Mrs. Hemalatha not only physically but also psychologically. He forced her to bring more money from her parents. He was also a suspicious man. He suspected Mrs. Hemalatha for everything and abused her. The neighbours revealed this to inquiry committee. In spite of this, Mrs. Hemalatha loved him and she silently bore all these harassments and maintained good character. At this juncture, Mr. Balakrishna filed for divorce in the court and court served her legal notice (OP No. 50/07 dated 23/01/2009.) When she did not receive this notice, she made a big havoc. When we asked him regarding the court notice, his lawyer who came with him replied that he had withdrawn.

When we went for inquiry to their house, it was found that, there were no food grains, no proper utensils to cook the food and the house was of Iron sheets shed which was very dark and in very bad condition to live.

After enquiry, they found that, Mr. Balakrishna wanted to give divorce to her by harassing her both physically and mentally. For this plan, he had his relatives and parents cooperation. After giving divorce to Mrs. Hemalatha, he wanted to marry again. But, Mrs. Hemalatha needed him very much and have the hope that he will become normal and care for her child. This was her hope and plea for her husband.

We put forward to you all these facts revealed in our enquiry.

## **Conclusions**

On the basis of data analysis and major findings the following conclusions may be drawn –

1. The women of younger age who were married at a lower age were at higher risk of being physically abused in contrast to those who were of higher age group and married at later age. As against this women



of higher age group were more likely to be abused emotionally and economically as compared with women of younger age group.

2. The educational level and occupational status of women victims disclosed that women who had no education and those highly educated were more prone to domestic violence as compared with those who were moderately educated.
3. The social class background of victims of domestic violence revealed that women belonging to families living below poverty line and lower class run higher risk of being physically abused as compared to women belonging to middle classes and upper class. However, emotional abuse was more frequent in upper class and upper middle class families.
4. No marked difference was observed in the percentage of domestic violence in families having large number of members and families having less number of members. However, as compared to joint families the incidence of violence was comparatively more in nuclear families.
5. No clear-cut association was found in religious background and domestic violence against women. There was no marked difference in the percentage of victims of violence between different religious groups.
6. The perceptions of domestic violence against women were found to be different in different areas. This may be due to the level of education, family value orientation, life situation and availability or non-availability of alternatives.
7. The most common forms of domestic violence reported by the majority of the respondents were slaps, beating, pushing, kicking, sexual coercion and assaults. The perpetrators of physical violence were mostly husbands of the victims.

Majority of the victims of physical violence were mostly from rural areas and from lower class and lower middle class families of urban areas.

8. The cases of emotional violence were mostly reported from urban areas of the states covered by the study. More percentage of victims



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of emotional abuse was found in upper class and upper middle class families.

9. It was observed that economic abuse was executed along with other types of violence and not separately. The percentage of victims of economic abuse was more in rural areas and lower class families as compared to middle class and upper class families.
10. No uniform trend of frequency of violence was observed in the present study. However, the data analysis revealed that violence was more frequent in nuclear families as compared to joint families and in lower class families as compared to middle class and upper class families. Similarly, victims of violence were more frequently abused in rural areas as compared to urban areas.
11. The respondents from urban and rural areas of the five states reported a large number of reasons for domestic violence caused to them. Dowry was, however, not a major cause. Alcoholism of husband was reported as a major cause of violence by victims from rural areas and those belonging to lower class families.

In urban areas of victims from upper class and middle class families reported suspected extra-marital relations, suspected love affairs before marriage, unemployment of husband and repeated demand for money from the family of orientation of the victims were the major causes of domestic violence against women.

12. There was no resistance to and fighting back of violence by victims from upper class and upper middle class families but victims from lower middle class and lower class families resisted to and fought back the perpetrators of violence.

However, majority of the victims could not resist or fought back due to a number of limitations.

13. It is observed that very less number of the victims approached parents, relatives and friends for seeking their help in abusive situation. Therefore, the general contention that victims of violence would report their miseries to nearest relatives and friends is not supported by the findings of this study.
14. The data revealed that domestic violence affected the mental and physical health of the victims in different ways i.e. mental stress,



depression, sleep disorders, anxiety physical fatigue etc. It was observed that among the victims of mental and/or physical disorders the percentage of women from urban areas was more as compared with women in rural areas.

15. Attempts were also made to find out the long-term impact of domestic violence on the victims. More number of the respondents had long-term impact of violence on their life in the form of permanent mental disorders, disorganized personality, reduced social contacts, hesitation and feeling of shame in mixing with relatives and friends and permanent physical disorders. In majority of the cases domestic violence also affected their family life, sex-life and the life of their children adversely.
16. A large number of respondents were not sufficiently aware of the present relief available under law to the victims of violence. Those who had some knowledge were not satisfied with the benefits of these relief measures while others found the present relief insufficient to protect the interest of the victims.
17. The respondents were confused about the measures to be suggested for reducing the evil of domestic violence. However, many of them believed that by introducing a comprehensive law on domestic violence, by orientation of family members and by launching a drive on national level this evil could be reduced to some extent.

## Recommendations

In the light of the objectives and finding of the present study and the discussion with women's organisations and social activists the study team would like to make the following recommendations to reduce the incidence and impact of domestic violence against women.

1. A massive awareness campaign involving the community, religious leaders, women's organisations, National Service Scheme (N.S.S.), NGOs, and opinion makers at all levels is necessary to counter the present trend of violence against women in general and domestic violence in particular.
2. Domestic violence against women is an area where rights of women are not fully secured by laws and there are laws which are either discriminatory against women or provide a weak enforcement and punishment mechanism which do not deter the recurrence of crimes



against women. Hence, it is necessary to see that the legal provisions against perpetrators of domestic violence are strictly enforced and no one is left without punishment.

3. Moreover, the entire gamut of laws related to abuse and harassment of women need a comprehensive and through review in the light of the present trends and requirements.
4. Since there is no separate law relating to domestic violence against women and since the victims hesitate to go for relief available under the Indian Penal Code the cases of domestic violence against women are increasing. As of today, there are certain criminal laws that address the domestic violence against wife, but, none of them address violence against, sisters, daughters, mothers and mother in- laws. The present criminal law does not address a woman's needs for
5. It is learned that the Central Government is introducing a new scheme for women in difficult circumstances during the 10th Plan period. The study team would like to suggest that women who are victims of domestic violence should be covered under the proposed scheme.
6. A carefully planned mass media strategy is of critical importance for women's employment in general and domestic violence against women in particular. This can be done through media intervention. The Government of India should provide adequate resources for implementation of such a comprehensive media strategy for social change.
7. The Central and State Governments should conduct regular training programmes of law enforcement officers, judges, other court personnel and prosecutors to identify and respond more effectively to the cases of domestic violence against women in particular and crimes against women in general.
8. The Central and State Governments should develop, enlarge and strengthen social support services programmes for the women who are victims of domestic violence to them without any cost.
9. Very few victims of domestic violence approach to medical professionals for treatment. Very few, again, disclose that the mental or physical injury is caused due to domestic violence. It is, therefore, necessary to give proper training to our medical personnel in dealing with and treating the cases of domestic violence against women. The



training should cover the collection and preservation of evidence, analysis, providing expert testimony and treatment.

10. The State Governments should carry out the implementation of comprehensive strategies addressing domestic violence against women that are sensitive to the needs and safety of the victims and hold offenders accountable for their crimes.
11. The Central and State Governments should encourage developing and supporting projects to implement community driven initiatives to address the needs of victims of domestic violence.
12. The State Governments should enforce the prohibition in more wide spread and effective ways in their efforts to minimise the incidence of domestic violence against women
13. Most of the victims of Domestic Violence are uneducated, backward and economically disadvantaged. The legal aid and advice should be made available to them without any cost.

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