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Domestic Violence Against Women: A Systematic Review of Literature

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According to Walter R. Borg, *–The literature in any field forms the foundation upon which all future work will be built.* Any research is based on past literature on the subject, and it is necessary to know the nuances of the research to hope for new findings.

Joph W. Best (1977) claimed that, *–Particularly all human knowledge can be found in books and libraries, unlike animals that must start a new work with each generation men builds upon the accumulated and recorded knowledge of the post.* Keeping in view the stated purposes, the researcher has made an attempt to survey the related literature in the field.

There is no dearth of literature on various aspects of domestic violence. There is a near acknowledgement in available literature that domestic violence is a global problem, though it varies in its nature and magnitude across countries and cultures. So, it is essential to study the overviews from different perspectives of domestic violence against women which include a detailed analysis of the existing social structures, apart from the prevailing economic conditions. Duggal (2014) in his study *–Atrocities on women in India* opines that molestation and rape, sexual harassment, wife abuse and bias against the girl child are worldwide phenomena and India is no exception to them. Male characteristic milieu has reduced the other, namely women, to a plaything of men, whims and fantasies. Gang rapes and custodial rapes, molestation, eve-teasing, bride burning, child and sexual abuse, prostitution, dowry, wife battering, domestic biasness and social injustice take a serious burden on Indian women. Sexual harassment outside the house is one of the major atrocities. When she complains of harassment, no one believes her, and then the second thing she encounters is the doubt casted on her moral fibre.

Sinha, S., (1997) in his study –Problems of a Girl Child comments that the girl child is intentionally deprived of love, tenderness and care which she asks during the vulnerable point of her growth. Considered more to be a liability than an asset, she is treated as inferior to a male child. Female foeticide and girl infanticide are common practices, and proper nutrition and education remain a distant dream for the girl child. From puberty to adulthood, dowry stalks her, and failure to fetch it leads to torture, burning and even death. To avoid such consequences at a later stage of a girl child, parents abort the female embryo. Raising a female child is also a tedious and tenuous job in Indian society, where her security is of prime concern. But there are too many families in which a girl child is believed to be a prized possession, and she is treated with great passion and affection, provided with every opportunity, which helps her to make an honorable social status in every walk of life.

Sahay (1991) in her study –The Place of Women in Indian Society has examined a background overview of India in the 1990s that covers geography and population, family, social system, character relationships, parent child relationship, gender preference and role of elder people in family. In its 1st section he has highlighted the role of the family in discriminating first against the girl child, and second, against the bride of the house. It covers aspects such as abortion, infanticide and selective neglect, health care, dowry-deaths, child abuse, spousal abuse, elder maltreatment, and sibling and filial abuse. Information on these studies was obtained from an extensive literature review, including demonstrations and media articles. The writer observes that in recent years, India has been increasingly open about the problem of battered and abused women, but it is nevertheless wary of acknowledging intra-familial violence toward children. Indian practitioners and researchers realized the many forms of social abuse: child prostitution, child labour, child marriage and child beggary prevalent in society. Elder abuse, which is contrary to the values of Indian culture, is on the rise. Acknowledging its occurrence would be a realization of the impairment of the foundation of India's tradition and values. As in many other cultures, India accepts sibling abuse as part of the growth, and filial violence may even be considered nominal in India.

Mitra, (2000) in his study –Son Preference in India: Implications for gender Development² has analyzed the increased son preference in India. Recent trends in child sex ratio (census data 2011) shows that the child sex ratio of 940 females per 1,000 males has dropped further in the last five decades. Increasing son preference and neglect of daughters is occurring in many states of India despite various schemes introduced by both the central and state governments to encourage education for the girl child. An increase in the purchasing power of the people indicates that people now have more resources at their disposal, which further points at the success of the government scheme. The conditions of girls at social level are tied substantially. Policymakers need to develop appropriate policies coupled with strictly enforceable laws in order to deal with the dangerous trend of son preference, infanticide, neglect, and devaluation of women in India.

Johnson (2001) in his study –Enhancing knowledge on violence against women|| has examined that in India, as in all nations around the world, violence against women occurs daily. Patriarchy plays a part in this fury. In more or less Indian women, the possibility of violence occurs throughout their lifetimes, particularly after marriage. This article discussed more than a few kinds of violence against women some of which, females in India experience. Included in this discourse of violence are the part of women’s status, dowry, and the influence of Western capitalist economy

Velzeboer and al. (2003) in –Sexual Violence against Women: Penal Law and Human Rights Perspectives (2009)|| examined the pathways by which gender norms may influence marital violence in low-income communities of Chennai, India. As part of a multi sited international behavioral HIV intervention trial, 48 in-depth interviews and 14 focus groups with adult males and women were guided in two randomly selected low-income residential areas within the metropolis. Interviews are recorded, transcribed, translated, coded and examined to identify recurrent themes. A multi-layered conceptual framework is applied to examine individual, relational, community and societal level determinants of marital violence in this scene. Participants noted that husbands hold the decision-making power in economic, social and sexual domains. Light rules of violence have been present, and respondents reported that husbands regularly resort to physical abuse. Marital conflicts are intensified by the presence of community level stressors such as poverty and unemployment. Participants perceive violence to be a necessary tool that helped discipline wives and ultimately enforce gender norms. Although many respondents feel wife-beating is the norm, yet the acceptable intensity of violence varies. Interventions that reconsider gender based roles and empower men and women to let down the

threshold of socially acceptable violence should be encouraged by various agencies at the grassroots level to ease the effects of violence.

Uma (2005) in her study –Violence against Women: Human Rights Perspective|| has examined that domestic violence is a kind of gender-based violence intended for subordinating women. The global dimensions of domestic violence are of grave concern, both in terms of their reach and extent. Domestic violence is perhaps the most pervasive of all social evils—no country or society can claim to be free of it, but the patterns and trends vary across regions and countries.

Kaarthikeyan (2005) in his study –Human Rights: Problems and Solutions|| has explained that the discrimination against women is violation of basic human right of equality and this main difficulty for the women’s participation in social, economic and cultural prospects on equal basis with man. It hampers the prosperity of society as well as family.

Veer (2005) in his study –Crime against Women has revealed that wife battering is the most dominant violence against women. Its hampers the development of potentialities amongst women, thereby, restricting their future prospects. Usually, the mother-in-law instigates the son to torture the daughter-in-law only to humiliate her and even resort to physical violence.

DOWRY HARASSMENT AND VIOLENCE AGAINST WOMEN:

Also, there are studies that call for more stringent punishment for domestic violence acts such as dowry harassment, bride burning, etc. In this line of thoughts, few of the most well-known studies are of the following:

Mehra and Rama (2005) in their study –Dowry—an Obstacle to Women Empowerment|| explain that dowry, a monstrous social evil, gains context in the patriarchal order. It is the primary form of all types of domestic problems that are dominant both in urban and middle class families. While the middle class does out of compulsion, the urban/high class does this willingly. The groom’s family tries to obtain resource through dowry, making up for all the capital they have invested in their son. And, as a consequence, they pose a huge price tag to sell off their son in the marriage mart. The bride’s family on the other hand, attempts to protect resources. And the real trouble occurs, when the bride’s family is aware of the dowry demands, but they knowingly put their daughter in the hands of greedy family, just to shunt away from their obligations.

Dhamija and Sushanta (2006) in their study –Women empowerment through Education: Role of Universities|| have noticed that women make up forty eight percent of the Indian population, however, when we often sermonize human rights, we often forget that women, as human beings, are likewise entitled to fundamental rights, and they not give importance to their fundamental human rights. Even after 58 years of independence these women continue to exist in a nation of neglect and victimization.

Behera (2006) in his study –Crime against Women|| has noted that in whole societies, to a larger or lesser degree, women and young girls are subjected to sexual, psychological, and physical violence. This issue of harassment cuts them off from equal opportunity of income, culture and class.

Prema (2006) in his study –Combating Violence against Women: some Initiatives|| has brought to light that India counts among cultural and traditional countries since ancient times. In an Indian society, most give preference to patriarchal systems, and thus to the male child. Sons are regarded as a means of societal security. Throughout life, a woman remains under male domination; subject to the confines of her house. The India women, due to their second position in society, have historically suffered harassment, exploitation and discrimination. She has become the victim of several social evils like child marriage, sati, polygamy, purdah system, female infanticide and restriction of widow-remarriage. Gender discrimination and violence against women have induced a heavy outcome on the sex ratio in India. The child sex ratio (figure of females per 1000 males) shows a decline from 945 in 1991 to 927 in 2001.

Saxena (2008) in his study –Crime against Women and Protective Laws|| has examined that rape, molestation, bride-burning, wife-beating, prostitution, abduction criminal offenses against women seems never ending. All laws, whether productive or general, feel like the proverbial pack of cards in the face of social realities underlining the fact that legal philosophy in action is altogether dissimilar from the law as it is in the books.

It is in this context, the above study is a vital analysis of the existing laws on crimes against adult females. It takes note of the important legal developments that have taken place in recent times. It discusses the cases determined by several tribunals, and then it tries to build along the ground of empirical survey, case law, statistics, the general decadence of our criminal

justice system, judicial delays and the corrupt law and order machinery, which have reduced the protective laws to a farce. The record of apprehensions and convictions is pathetic. Can laws with an acquittal rate of 90 percent be described as efficient? This book puts forward proposals for drastic modifications in the administration of the criminal justice scheme. This script will be useful for the academicians, research students, sociologists, law scholars and all those who are interested in women's studies or want to bring about effective changes in the jurisprudence.

Ramakrishnan (2008) in his study –Time to Prioritise Women’s Issues|| speaks about freedom and education of adult females. However, every day in some part of our globe, women are being brutalized. They are being assaulted and mutilated. Like will inequalities in wealth, the definition of women’s rights varies from place to place. Even the most basic of human rights, the right to not be sexually violated are trampled, and various atrocities are perpetrated against women.

Sahoo and Pradhan (2009) in their study –Who is Human and Who is Right?, Uday India: The Weekly That Empowers|| have inspected that there are studies that view domestic violence against women as a fundamental violation of human rights, generating unfavorable outcomes on women’s physical, psychological, economic and social wellbeing, apart from creating a state of intolerance within Indian families. There are a few other studies about the inefficacy of available legal structures and institutions in India and the importance of the PWDVA in enabling the women to seek redressal from multiple forms of violence within the domestic space.

Bhattacharya (2009) in his statistical study –On Adverse Sex Ratios in Some Indian States: A Notel has highlighted certain facts about the sex ratio in the number of females per thousand males of the population in some Indian places, particularly those in the NE of the state. The lands in the north-east are ethnically, linguistically and culturally distinct from the other places of India. The study examines that female children survive better in the north-eastern states than elsewhere in India, in older age women seem to do worse than human beings in these lands. A number of clarifications are proposed for the observed behavior of the sex ratios in these places.

McQuigg (2010) in his study –How could human rights law be used by the courts to assist victims of domestic violence?|| has recognized that domestic violence constitutes human

Right's matter. This manuscript seeks to explore how human rights law may be used in the field of domestic violence as a medium of proceedings policy. The technique applied is a comparative assessment of the approaches taken towards gender issues by the Constitutional Courts in three countries that have famously dynamic judiciaries – India, South Africa and Canada. A routine of the obstacles to the strength of human rights law are likewise studied.

Kaushal (2010) in her study –Protection of Women from Domestic Violence Act-2005 Appraisal has critically evaluated the law PWDVA 2005. Thought this Act domestic violence against women has been acknowledged both internationally and nationally as human rights violations. The paper is divided into three major parts. The beginning section of the paper devotes a brief discussion to the Indian Penal Code, Criminal Procedure Code and other some important laws, which are available for the protection of women from violence under Indian constitution. The next component deals with the importance of accepting a new law on domestic violence and, the last part of this article significantly examined the Act 2005, with special preference to its capability to protect women's rights.

Ghosh (2011) in his study –Violence against married women in India – can the data tell us anything has studied the reach and bounds of legal steps to suppress domestic violence against adult females in India. India has formulated various laws in the past to address the subject and recently a new comprehensive law has been added to the list. This new law has become an option for many urban victims. However, a critique of the operation of old and new laws on domestic violence proves that legal measures to suppress domestic violence have serious loopholes. They could neither guarantee any reduction in the extent of such violence, nor could they expedite the justice delivery system in India. Most of the Indian traditions continue to be served to ensure gender justice in a patriarchal order.

Sikweyiya (2011) in –Perceptions about the safety and risks in gender-based violence research: implications for the ethics review process studies the problem of gender-based violence (GBV) that poses greater than minimum risk to researchers and participants. This query needs to be understood, particularly in light of hesitancy of Institutional Review Boards in approving research on GBV. The safety and dangers of carrying out GBV studies and the implications for the ethical review process have not been a focus for many researches. This

qualitative study collects information through in-depth interviews with 12 experienced GBV researchers from various countries and a desk review. This report explored the efforts of the WHO by in the context of safety, and this information raised a number of security concerns about GBV research. Nevertheless, in the interviews there were very few cases of problems, which can be attributed to the precautions applied. This report indicated that the notion that GBV studies carry greater than minimum risk when ethics precautions are adopted is based on conjecture, not evidence. It spotlights the demand for empirical evidence to support assertions of risk in research.

Datta (2012) in her book -Nine Degrees of Justice: New Perspectives on Violence against Women in India inspected that from an early focus on rape, dowry and salty, feminist struggles against violence on women in India have crossed a wide terrain to include events that were invisible in the 1980s. In Nine Degrees of Justice, second and third generation feminists share their perceptions of violence against women through a serial publication of thought provoking essays that showed that justice for women has not even hit double digit numbers (hence nine degrees). How do women in the armed conflict move from being victims to actors? How can we begin to talk about lesbian suicides and violence among women loving women? How do we ensure that women deliver a right to choose when love is outlook as a offense? These are some of the questions negotiated in the book and might help gain more perspective in the course of the current research.

Shukla (2012) in his study, -Violence on Women has examined that violence against adult females in general and domestic violence in particular is one of the gravest problems contemporary India is confronting. It is viewed as a problem that touches the lives of millions of women in every area of their life: at social, economic, political and educational strata and in explicit and subtle patterns.

Bhatia (2012) in his study -Domestic Violence in India: Cases Under the protection of Women from Domestic Violence Act, 2005 has examined the overview on Act 2005 was executed in India in 26 October 2006. The Act soon gives rise to the cases. This article is grounded in a preliminary study using questionnaire-based interviews of litigants in Delhi who were unable to get justice under the previous laws on domestic violence affected in lawsuits

under the Act. Master data, taken from all the Delhi Metropolitan Magistrates Courts at that time, concern the background of those who practiced the law, the litigation process, implementation of the law and the forms of violence addressed. The clause tries to evaluate the effectiveness of this new law. In addition, qualitative assessment of the perceptions of different kinds of violence by complainants and respondents provides deeper insights into ongoing and potential contests over gender-based violence.

Singh (2012) in his study –Violence against Women and Children: Issues and Concerns|| has examined that violence and crimes against women have been a worldwide phenomenon, and particularly in Indian society because it is deeply rooted in the traditions of Indian civilization. Most crimes against women in India have been categorized under IPC for example: kidnapping, rape, torture, dowry deaths, sexual harassment, mental and physical harassment. India’s rising gender specific laws indicate that cases of women violence and harassment are increasing rapidly.

Waghmode (2013) in his article –Domestic Violence against Women: An Analysis|| has examined that Violence against women is partly a consequence of gender relations that assume men to be superior to women. Men consider themselves as superior & thereby a subordinate status and treatment is given to women. Thus, gender based violence is almost rendered normative. Violence includes physical aggression, marital rape, and psychological violence. In the extreme, but not unknown cases, death is the result. These manifestations of violence take place in a husband-wife relationship within the family, and the government and various voluntary organizations are making efforts towards stopping violence against adult females. This study is an overview about domestic violence and here the author has made sincere efforts to examine the statistical information on violence against adult females.

ChatterjeeJoyee S. and Charlotte Lapsansky’s (2013) study –Masculinity matters: using entertainment, education to engage men in ending violence against women in India|| is based the R.W. Connell’s notion of hegemonic masculinity’ that is used to study the function of male gender norms in perpetuating violence against adult females. The researchers talk about the implications for entertainment-education (EE) programs that try to encourage gender equality by modelling alternative forms of masculinity and sparking critical dialogue around gender-

equitable masculine norms. First, theories that contextualize masculinity and media are reviewed to establish a strategic basis for engaging men through EE. Next, a case study is undertaken on media campaigns by Breakthrough, a human rights organization that has made a bit of media and EE initiatives to address violence against adult females.

Daruwalla (2013) in his study –Violence against Women with Disability in Mumbai, India: A Qualitative Study^l has carried the survey on violence against women by conducting open-ended interviews with 15 women with disabilities who have reported violence in a preceding study. Emergent themes include a lack of acceptance by the families, the systematic formation of a dependent self-image, and an anticipation of limited accomplishment. The emotional violence against women is once again traced back to social traditions and cultural prospects, which contributes to the exclusion and vulnerability. Fury in the natal home was an issue that has been relatively uninvestigated.

Dreze (2013) in his study –An Uncertain Glory: India and its Contradictions^{ll} has examined that the regional disparity in this regard with the north-eastern states exhibit the worst record of violence against women, including the violence within homes. The consequences of such sustained violence and prejudice, particularly on reproductive health and women's ability to contribute to national development in India have also been highlighted. The association between marital violence and women's property, status, particularly inheritance rights on land, has also been discussed, and it is suggested that freedom from domestic violence should be an inbuilt component of assessing developmental progress in India.

Bhate-Deosthali, Rege&Prakash (2013) in their study –Feminist Counseling and Domestic Violence in India^{ll} have concluded that victim counselling often fails to address critical issues, such as gender socialization processes and the misuse of power that tolerates violence against adult females, and focuses mainly on the intra-psychic nature of single women. This book offers one of the first systematic documentations of feminist psycho-social interventions in India. It deals with the problem of violence against women keeping in mind a historical perspective because family values, society, culture and marriage are responsible for abuse. By using widespread container samples, it discusses the methods, rules, techniques, skills and processes adopted by feminist organizations across the nation, and their role in women's

empowerment. The volume can serve as a practical reference guide to practitioners such as social workers, counselors and para-counselors, health activists, grassroots workers, protection officers and inspection and repair suppliers. It is likewise useful to scholars and students of psychology, sociology, women's works, legal philosophy and public policy.

STUDIES ON PUNJAB:

In the context of the state of Punjab, most literature focuses on the social and cultural aspects that have been followed in the state. Since the social system is patriarchal, women have been at the receiving end, and thus malpractices that range from female foeticide to bride burning and domestic violence are highly prevalent in the state. In this line of thought, the most prominent studies are those of Kaur (1984), Sarkaria, M. Kaur (2009) and Varghese and Rajan (2010):

Kaur (1984) in her study -Violence against Women: The State of Punjab-Part Vll has examined that Punjab refuses to acknowledge the violence against women as a current phenomenon as it has got long historical antecedents as seen in popular proverbs, beliefs and social common sense.

Sarkaria (2009) in her study -Lessons from Punjab's 'Missing Girls': Toward a Global Feminist Perspective on 'Choice' in Abortionll has examined the problems of sex-selective abortions in Punjab. Part II of this study outlines the ways in which gender stereotypes intersect with political and economic factors to fuel the problem of gender-selective abortions in Punjab. Part III provides an overview of the law prohibiting female feticide and its apparent weaknesses. Part IV of this study discusses non legal factors which are responsible for sex discrimination. The Part V synthesizes the legal and non legal aspects in sex selection abortions.

Varghese &Rajan (2010) in their study -Punjab-UK Migration, Transnational's and Ambivalence--Report submitted to the European Commission as part of the 'Transnationalisation, Migration and Transformation: Multi-Level Analysis of Migrant Transnational's' projectll have examined that the problem of domestic violence against adult females is too widespread within Punjab and in the Punjabi Diaspora. The awareness level of

women seeing their legal rights is alarmingly low, as shown by the fact that in 2009 only three cases of domestic violence register under the PWDVA.

These studies highlight the social problems of women within the larger perspectives of financial independence and legal awareness. Studies such as Gupta 1987, Bhullar 2011, Ramaiah et al (2011), Dagar, R. (2002), Padhi (2009) and Faith, (2008) attempt to co-relate unfavorable gender indices with the domestic violence against women. These studies have established strong links with developmental factors such as infrastructure, economic considerations etc. with social mindset. For this, case studies from various districts of Punjab have been taken to analyse the issue explained in the following studies.

Gupta 1987, Bhullar 2011, Ramaiah et al. (2011) in their study –Selective Discrimination against Female Children in Rural Punjab, India, Gender Discrimination, Sex Ratio Imbalance in Punjab, –Declining Child Sex Ratio in India: trends, Issues and Concerns have examined that Punjab province has a well-developed infrastructure, including channel and tube well irrigation systems, roads, transportation, electricity, health services, and schools. With all, the gender ratio in Punjab and sex differentials in the food and health care received by children has also been projected as results of gender based violence against adult females.

Dagar, R. (2002) in his study –Identifying and Controlling Female Foeticide and Infanticide in Punjab has studied the problem of decreased sex ratio in Punjab. The adverse sex ratio is accompanied by other unfavorable gender indices like wife beating, rape, bigamy, sexual abuse and dowry abuse. The study establishes that the districts which experience adverse sex ratio also showed a higher incidence of violence against women.

Faith, (2008) in his study –Consultancy Services for Carrying out Study of Gender Empowerment and Declining Sex-Ratio in Punjab has stated that problem of gender selection is extremely complex and cannot be perceived in a void or as an isolated phenomenon. It should be treated as a multifaceted phenomenon emerging from cultural and spiritual practices as well as from economic considerations and overall structures, failing which, it is likely to persist in one form or another.

Padhi (2009) in his article –On Women Surviving Farmer Suicides in Punjab has highlighted the problem of gender discrimination with detailed interviews of 32 women in three districts of Punjab. Coming up to the reality of women caught in the vortex of the agrarian crisis, one painfully comes to terms with the newer hardships that the structures of marriage and family pose for them. Their reality and struggle compels the framing of new questions for the women's movement and the seeking of new forms of redressal and strategies to overcome their plight. According to him the developmental problems of Punjab, particularly the discontents of green revolution are also seen as engendering gender discrimination and violence against women in Punjab.

This section examines the problem of violence against women in Indian Punjab. In India gender discrimination against girls or females are more normative rather than an aberration. The increasing level of addiction to alcohol and drugs by men in Punjab also seems to be contributing to the increasing amount of violence against women within homes. Dowry is another important issue that perpetuates violence against women in Punjab and the increasing dowry-deaths in the state show that husband and his family abuse and harass a woman to the extent of death either by violence or suicide.

The available literature, thus, reveals that the prevalence of violence against women, particularly domestic violence, is widespread with substantial regional variations. South Asian societies are in the clutches of this long standing problem. Punjab is identified as a state inherently violent towards women, yet the regional variations have escaped scholarly attention. The case is the same with the prevalence of the problem across class and communities, alongside the subtle ways in which violence occurs within families as time progress. The conflict in the nature, forms and redressal of domestic violence against women between two areas with varying development status has also not been investigated in earnest to see if relatively higher development indicators have any imports at all near the prevalence of domestic violence in South Asian societies.

KNOWLEDGE GAP:

There is no lack of literature on the issue because domestic violence is a burning issue throughout the globe and the victims of domestic violence are facing lots of difficulties for

justice. There are be a number of international organizations, global platforms, regional agencies and state governments that are taking joint initiatives to take over the problem. A number of scholars have worked on it by writing books, articles and reports through their own experiences. Proposed studies take cases from ground zero and also analyses through the prism of legal framework. In India, Punjab is a well known state for gender based discrimination, but there, due to the lack of literature proposed problem was not properly researched. It was the unfortunate that due to the lack of awareness of the laws in Bathinda District (specific area for research in Malwa Region) only one case has been registered under the Act 2005 since the commencement of the Act. There is a gap between the definitions of law and implementation of the same, which has been a major contributing factor. Literature available on the domestic violence only gives the theoretical approach, but when attempts were made to probe deeper into the issue, wide gaps were discovered. A huge number of victims are ignorant about the legal provisions, works of social activists, legal machinery, women cell, etc. So there should be more literature with relevant addresses contact numbers which will help the victims. No literature is available in the format of advertisements to help out the victims of domestic violence. These examples are available which refer towards the knowledge gap on the matters of domestic violence at the international, regional, national and local level.

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