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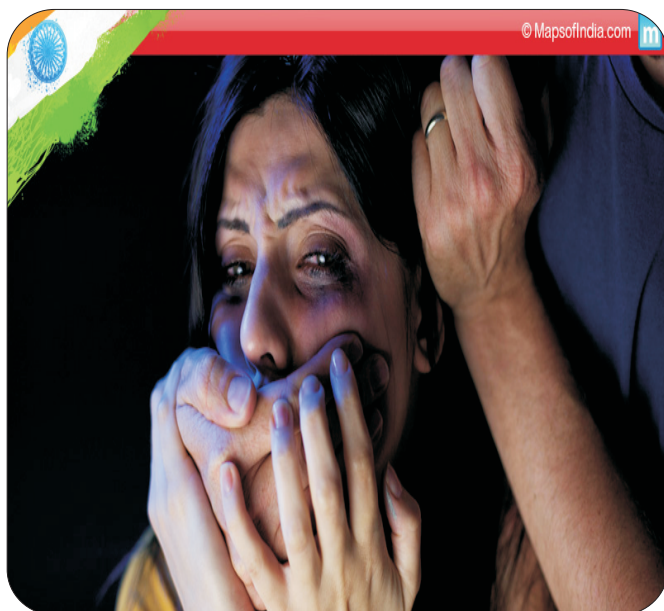


DOMESTIC VIOLENCE AGAINST WOMEN IN INDIA- AN OVERVIEW



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ABSTRACT

The article tries to find the factors leading to domestic violence and discusses various consequences and experiences in relation to it. Abusive language, threat and intimidation, cases of dowry related bride burning, wife beating and violence on pregnant women are the most common forms of domestic violence in India. 20 to 30 per cent of the male respondents in India admit to beat or hit their partners at least once. The health consequences of domestic violence may be non-fatal and fatal as well. These lead to significant economic consequences like non-productively and increase in expenditure to meet the subsequent health care problems. According to the World Bank report, one work day out of every five lost by

women is due to health problems arising out of domestic violence. The National Family Health Surveys (NFHS) conducted by the International Institute for Population Sciences (HPS), Mumbai, indicate that women who are less educated and belonging to the low socio-economic status, justify wife beating on certain situations. There are various reasons for which a woman is bound with her partner for life. These include, fear of being left alone and homeless, security concerns, lack of economic independence, religious, social, personal and emotional beliefs linked to marriage.

KEYWORDS : literacy and employment , Domestic Violence , progressive social isolation.

INTRODUCTION

In India, literacy and employment rate among women have improved considerably over the last decade but the status and role of women at home remain as dismal as before since domestic violence against women still continues unabated. Studies from all over the world have revealed that the greatest source of danger to women lie within their homes, from spouses, parents or brothers. The acts

of hurting, harming, harassing and killing anyone within the four walls of a home by whatever ways is considered as domestic violence. It is the pattern of coercive behaviour that involves physical abuse or threat of physical abuse, repeated psycho-social abuse, assault, progressive social isolation, intimidation or economic coercion and deprivation of essential requirements such as food, money, transportation or access to health care facilities. The prevalence, patterns and consequences of domestic violence are primarily highlighted in this article.

Keeping in view this, the present paper aims at the describing the prevalence of domestic violence among Indian women. Further the paper also tries to examine the common situations in which violence occurs and the reasons that evoke such violent behaviour and paper also analyses the health, psychological and economic consequences of such violence. Finally remedial measures to minimize the occurrence of domestic violence in the community were presented in this paper

REVIEW OF LITERATURE:

Reported data on domestic violence against women in India are scanty. The middle or higher middle class families consider that conjugal strife and wife-battering are the problems which should not be discussed outside the family. It is also treated as a matter beyond the reach of the law. In most cases, the incidents of Violence Against Women (VAW) are reported as suicide, attempted suicide or accidental deaths. Thus, there are many cases that go unreported and the incidence of domestic violence against women in India might be much more than the actual reported cases.

During the period 1987-1989, 120 cases of dowry deaths and 20 cases of intentional injury related to dowry were recorded in 50 district courts in Maharashtra. These included physical violence (59%), mental torture (28%), molestation by family members and perversity (10%) and starving (3%). Causes of death of women were mostly by burning (46%) and drowning (34%). Significantly, it is observed that 58 per cent of the victims were childless and 22 per cent had only female children¹ which indicate that infertile women and mothers of only female children are more vulnerable to domestic violence.

It is revealed that 76 per cent of the 115 women in lower caste households of Punjab were beaten by their husbands and two-thirds of them had reported regular beating².

Seventy one point five per cent (71.5%) increase in cases of torture and dowry deaths in women in India during the period from 1991 to 1995 has been reported by the National Crimes Record Bureau, Ministry of Home Affairs, Government of India, 1995. According to Women's Feature Service 2002, New Delhi, in every six hours in India, a young married woman is burnt alive or beaten to death or forced to commit suicide. At least 20 per cent of the married women aged between 15 and 49 years have experienced domestic violence at some point or other in their lifetime and many may have suffered almost continuously³.

According to a study by the International Center for Research for Women (ICRW, 2000), 45 per cent of the women reported to have experienced at least one incident of physical or psychological violence in their lifetime. More than 50 per cent of the pregnant women experienced severe violent physical injuries. At least 50 per cent of the domestic violence victims admitted that their husbands were alcoholic. 82 per cent reported that their husbands' infidelity was a major reason for spousal quarrels and 70 per cent reported that their husbands hit them because they suspected wife's infidelity⁴.

The National Family Health Survey-II reported that almost three out of five women (56%) justified wife beating for at least one out of four specific reasons such as (i) neglecting the house or children (40%), (ii) wife going out of home without informing the husband (37%), (iii) wife showing

disrespect to in-laws (34%), and (iv) the husband suspecting his wife as unfaithful (33%). The results also show that at least one out of five women has been beaten or physically mistreated since the age of 15 and most commonly by their husbands⁵.

CAUSES OF DOMESTIC VIOLENCE:

Various studies have revealed the following common reasons for the occurrence of domestic violence:

- Men's habit of consuming liquor is a common cause for quarrel between the husband and the wife. A drunken husband at home is seldom a pleasant sight for the wife.
- Infidelity/suspected infidelity by the husband or by the wife becomes a cause for spousal conflict.
- Economic inequality between men and women is another reason that creates rifts in families. It is mostly the men who are the bread earners in the family for which they feel that they should enjoy a superior position. This many a times translates into a coercive behaviour to suppress their partners.
- Hierarchical gender relations and established traditions in the family is one of the reasons of VAW. Acts of violence against female members of the household, whether wife or child, are perceived as acts of discipline considered essential for maintaining the rule of male-authority within the family.
- Tendency of polygamy (due to the woman's infertility, family pressures etc.) sometimes gives rise to spousal fighting, which is the most demeaning experience for women.
- In-laws dissatisfied with the dowry, torture the daughter-in-law to give in to their greed.
- Sometimes, the rising awareness among women about their rights is another cause of VAW. When literate and educated women raise their voices at some point of time against such violence, this, in retaliation, provokes and adds fuel to further violence from the male partners.
- Reports of incidents such as preparing a meal late/improper cooking or not disciplining/caring a child may seem trivial but in cases of failure to fulfil such 'duties' becomes an excuse for VAW.

VARIOUS FORMS OF DOMESTIC VIOLENCE

Abusive Language: Several studies on domestic violence revealed that husbands use abusive language even in the presence of their children. Use of abusive language increasing with the length of marriage has also been reported. 53 per cent of the newly weds reported verbal abuse compared to 85 per cent of women married for more than 15 years⁶.

Threat and Intimidation: The abuser uses threatening looks, voice, gestures and actions to keep her in constant fear. He may damage valued objects, hurt pets or punch holes in the wall in the form of warning to show that he can further in order to discipline her. There is a constant threat that violence can happen at any time. The abuser may threaten to commit suicide, take children, hurt a pet, hurt or lie to her family and friends, or seriously injure her.

Dowry Burning and Murder: Women whose families pay less dowry suffer from increased risk of marital violence. The phrase "dowry violence" refers not to the dowry paid at the time of the wedding, but to the additional payments demanded by the groom's family after the marriage. When the dowry amount is not considered sufficient or is not forthcoming in the post-marriage period, the bride is often harassed and abused. This abuse can escalate to the point where the husband or his family burns the bride, often by pouring kerosene/petrol on her or opening the cooking gas hearth and lighting it. The official records of these incidents are low because the family often reports them as accidents or suicides. Annually, as many as 15,000 women are killed by their husbands in disputes related to dowry⁷.

Sati (widow-burning): Sati is the practice through which widows are voluntarily or forcibly burnt alive on their husband's funeral pyre. It was banned in 1829 but had to be banned again in 1956 after resurgence. There was another revival of the practice in 1981 with another prevention ordinance duly

passed in the Parliament in 1987⁵.

Wife-beating: Violence inside the home which includes beating with a stick (or any other object used as a weapon), slapping, kicking, punching and biting. Rape is also widespread in states like Uttar Pradesh, Haryana and Rajasthan. It affects women throughout from wealthy urban households to poorest rural households irrespective of religion, class and caste. Studies from India show that 20 to 30 per cent of the male respondents admitted to have beaten and hit their wives/female members in the family at least once. According to the NFHS (1995)⁸ conducted by the International Institute for Population Sciences (HPS), Mumbai, out of 90,000 Indian women studied across the country, more than half of them justified wife-beating under certain circumstances such as neglecting house and children, going out without telling their husbands, showing disrespect to in-laws and suspicion of infidelity.

Violence on Pregnant Women: Jejeebhoy (1998) while studying the association between wife-beating and foetal and infant death in rural India, reported that the health consequences of domestic violence in terms of pregnancy loss and infant mortality are considerable⁹. It ranges from miscarriage to low birth-weight infants to maternal morbidity and mortality. The report further reveals that battered pregnant women are twice likely to have miscarriage and four times likely to have a low birth-weight baby than non-battered pregnant women¹⁰. The children born to battered women are 40 times more likely to die before the age of five than children of non-battered mothers¹¹.

Thrown out of House: The most common form of domestic violence is driving the victim out of her home or forcing her to go to her parents' place. Women ejected from their homes in such circumstances often have nowhere to go. It is because of this threat of being thrown out without any viable options of living, millions of women today continue to silently tolerate and suffer extreme violence at the hands of their relatives, sometimes, even to the point of death. According to a study, 35 percent of high caste women in abusive relationships mentioned that their husbands threatened to expel them from the house compared to 62 per cent of lower caste women. Such reported violence declined with the increasing education of both men and women¹².

HEALTH CONSEQUENCES

Domestic violence has long-lasting adverse effect on women's reproductive health; including unwanted pregnancy, complications during pregnancy including miscarriage, unsafe abortion, sexually transmitted infections (STIs) including HIV, and maternal death. According to the World Bank, in developing countries, rape and domestic violence together account for 5 per cent of the healthy years of life lost in a woman's reproductive age.

The health consequences of domestic violence are considered as a burden on health care systems and a drain of resources. VAW is also an obstacle on the socioeconomic development of a nation. This lowers educational attainment, affects maternal health, and produces adjustment problems in children. An increasing amount of research also indicates that the acceptance and experience of domestic violence has adverse consequences on women's health and subsequently on the health of their children.

The non-fatal outcomes of domestic violence are disturbances in both physical and mental health. The physical health problems stemming out of VAW include injury from lacerations to fractures and internal organ injuries, unwanted pregnancy, gynaecological problems, miscarriage, headaches, permanent disabilities, asthma, and self-injurious behaviours like smoking and unprotected sex.

Similarly, in the mental health front, victims suffer from depression, fear, anxiety, low self-esteem, sexual dysfunction, eating problems, obsessive-compulsive disorder and posttraumatic stress disorder. The fatal outcomes of domestic violence may be suicide, homicide, maternal death and HIV/AIDS¹³.

ECONOMIC CONSEQUENCES

Domestic violence has also significant economic consequences like reduction in family income, increasing health care costs, job absenteeism, non-productivity and costs related attending to the rule of the law. Gender-based violence also compounds other effects of economic exploitation. In India, domestic violence is used as a bargaining instrument to extract huge amounts in the form of dowry from in-laws, once the marriage has taken place. According to a World Bank report, one workday in every five lost by women in India is a result of health problems arising from domestic violence. The costs that a woman may have to incur as a victim of domestic violence are medical services related to physical, psychiatric, or psychological care; physical and occupational therapy or rehabilitation; necessary transportation, temporary housing, child care expenses, loss of income (if she is employed), attorney's fee in addition to the costs incurred in obtaining a civil protection order; and any other losses suffered by the victim as a proximate result of the offense¹⁴.

AWARENESS GENERATION AGAINST VAW

During the last two decades, there has been a growing public awareness against VAW. Women activists have mobilized and pressed for significant changes in the criminal code and police procedures in order to address various acts of domestic violence. Throughout the eighties, protests were organized by women's organizations against dowry deaths, custodial rapes, abductions of women, sati, amniocentesis used for sex determination of children, sexual harassment of young girls and women in public places, trafficking and prostitution.

On 11 December 2001, Ministry of Human Resource Development, Government of India, published and circulated "The Protection against Domestic Violence Bill, 2001". This bill was introduced in Parliament on 18 February 2002. It seeks to redefine the meaning of domestic violence to include mental and emotional torture, thus, correcting the fallacy that domestic violence is mere wife-beating. Besides, the bill permits prosecution of all those in the family who victimize women, be they related to her by blood, marriage or adoption. Also states response in the form of passing the amendment 498A to the Dowry Act of 1983 establishing All Women Police Stations or setting up family counselling cells, marked the beginning of attempts to provide some options to women staying outside the family but facing domestic violence.

Following the recommendation of the Fourth UN World Conference on Women in Beijing in 1995, the Government of India promised several measures for the advancement of women's rights in India. The Department of Women and Child Development of the Ministry of Human Resource Development began working on a National Policy on Women, which was meant to bridge the gap between the equal de-jure status and unequal de-facto position of women in the country. In January 2000, while hearing India's first periodic report, the Committee on the Elimination of Discrimination Against Women (CEDAW) recommended to develop a national plan of action to address the issue of gender-based violence in a holistic manner. It was the first international human rights instrument exclusively and explicitly meant to address the issue of violence against women. The National Commission for Women was established in January 1992 under the 1990 National Commission for Women Act. As a statutory body, its aim is to check incidents of violence against women and to promote social, legal and economic equality for women.

DISCUSSION

Domestic violence exists in the Indian society in the form of severe oppression against women. This expression of violence is the most disgraceful component of oppression practiced against women since time immemorial. However, it is difficult to measure the extent of incidents of violence and also the degree of domestic violence due to the absence of proper studies at various levels. This is more so, since many such incidents largely go unreported or underreported due to various reasons. Thus, the statistics on VAW might be significantly much higher than the figures reported from time to time.

The World Bank report states that such a situation often drives women to take extreme decisions. For example, victims of domestic violence are 12 times more likely to attempt suicide than women who have not suffered such abuses¹⁵.

Most of our social structures and institutions are based on a patriarchal system that provides men an advantage to shape the society, which may be biased against women in some spheres of life. The cause of domestic violence is the 'crave for supremacy'. They use violence because they believe it works. The batterer begins and continues his behaviour because violence is an effective method for gaining and keeping control over the opposite partner. It also hardly affects the former against any adverse consequences as a result. At the same time, there are many complexities signifying why a woman is unable to leave her partner under such circumstances¹⁶. Many abusive partners apologize after the abusive incident, or promise to change style to which most women believe and expect a change in the behaviour to occur. A majority of them apprehend that nobody would believe them that their partners are abusive because of various reasons pertaining; to social status, community trivializing the abuse and doctors not addressing the results of visible abuse.

It has been observed that the abusive partner tends to isolate the battered woman receiving any outside support from family, friends and co-workers. He may also go to the extent of threatening her for seeking custody of her own children, to hurt/kill her or other family members, to commit suicide, or to expose her as a liar. Hence, she develops an intense fear of becoming homeless and helpless in the absence of any support coming from family, friends and close relatives. The situation is worse when women are not employed and don't have any property in their names and lack access to cash or bank accounts. Thus, in the absence of any economic support, they are left with a feeling that they have no other way to support themselves or their children once they leave their homes.

She also suspects that the batterer would become more violent and it might be fatal if she attempts to leave. It is seen that many battered women are killed after they live separately (especially when the abuser has a high socio-economic status) because the abuser cannot cope with the thought of her letting her out of his control. It is often observed that women who grew up in a violent or abusive home, for instance, where a mother is beaten and tortured before their growing children, generally perceive the abuse as a 'normal' part of the family life and they are less likely to escape from their present situation. An important reason that inhibits women from leaving home or getting a divorce is their personal beliefs about marriage connected to religious, ethnic or social customs. They feel themselves responsible to make their marriage work.

Most victims go through the stages of leaving and returning to their partners many times before deciding to leave their husbands permanently. But the overall fear they experienced in the past still persists in their minds. The nature of support and assistance the battered women receive from their respective families, friends, police, NGOs, courts, medical personnel, educators, therapists and other community agencies, determine how safely they can stand on their own after leaving their partners' home.

The underlying fact is that people use violence to exercise their power and control over others

and this behaviour is reinforced each time the person gets away with the use of violence. Domestic violence is a choice the abuser makes to systematically and deliberately gain power and control over the opposite partners. Abusers come from all groups and backgrounds and from all personality profiles. The degree of abusive behaviour may emerge from the batterer's deep sense of low esteem, for which he feels powerless and inadequate from within. He rationalizes his actions by blaming his partner, the world or some circumstance or something else. He may show extreme jealousy and possessiveness and even cruelty to animals. His own children may also face the brunt of his 'violent temper'. Witnessing violence against mothers can be a mental trauma for the children. They often try to intervene to protect the mother and in the process, get themselves physically abused or hurt. Children often learn the violent behaviour they witness, both as children and as adults. As a result, they may lose self-confidence, be afraid/angry, blame themselves for what is happening or feel guilty and may imitate such behaviour as adults in similar situations.

Many theories have been formulated to explain why some men use violence against their partners. The reasons are economic inequality/hardships, women's rising independence and alcoholic behaviour etc. However, though these factors may be present, they may not always be the actual causes of violence. Removing these associated factors will probably end men's violence against women.

The results of National Family Health Survey (NFHS, 1995) conducted by the Department of Family Welfare, Ministry of Health and Family Welfare, Govt, of India) at the International Institute for Population Sciences (HPS, Mumbai) did not show a marked difference of opinions on domestic violence between women of different ages. But views of the respondents differed between educated and uneducated women, and between urban and countryside women. The results further indicated that those who were less educated justified wife-beating in certain situations like cooking a bad meal or neglecting home and children etc.¹⁷ Health consequences of domestic violence are severe. It may have long-lasting damaging affects on women's reproductive health and lead to other serious health problems causing permanent physical disability. VAW has severe economic consequences such as reduced family income, increased medical costs and loss of working days and so on¹⁸.

Historically on a global level, domestic violence against women has not been treated as a 'punishable' crime. Moreover, it is either not reported or under-reported. Such violence has been on the rise due to lack of punitive measures such as economic penalties for men guilty of battering their partners or for other punishments. Rarely batterers are put to trial in spite of being accused of physically assaulting their partners.

REMEDIAL MEASURES FOR VAW

Ending physical and sexual violence requires a long-term commitments and strategies involving all sections of the society. Incorporating this holistic approach, several valuable recommendations have emerged from various studies.

Firstly, safe mother-hood programmes should be organized which are sensitive and responsive to the conditions and needs of battered women during pregnancy and the post-partum period. There should be provisions for medical and psychological services including provision of counselling for severely injured women. Health workers need to play an important role in identifying and providing care to the battered women because they may be the first and the only contacts for the inflicted women victims. The victim's immediate need for shelter and economic support should be organized at local government levels. They can be encouraged to seek help from voluntary organizations, specifically those concerned with domestic violence in the community. For the children of victims of domestic

violence, shelter homes must be made available with the provisions of child care facilities. Existing preventive and supportive services and programme interventions also need to be expanded for the victims of domestic violence especially in the rural areas. Since the women officials posted at Police Stations are primarily located in urban areas there is a non availability and non-accessibility of immediate help to victims in rural areas.

Attempts should be made to strengthen women's economic capacities by improving women's access and control over income and assets, recognize her shared right in the family home and matrimonial property. It is important to address domestic violence through educational and sensitisation programmes such as community education, education in schools and colleges, educating health/ medical practitioners, organizing programmes for the batterer and spreading public awareness on VAW through media.

Last but not the least, there should be a comprehensive law that should address domestic violence against women of all ages and irrespective of the marital status so that victims could seek immediate legal assistance.

CONCLUSION

Social attitudes play a big role in abetting abuse against women by excusing the abuser from taking any responsibility. A common attitude is that 'she provoked it', which implies that it is her fault or there is something wrong with her behaviour. A difficult task lies ahead in terms of changing the attitudes of the society and making them more responsible and sensitive towards the needs of the women. Only fundamental social change that eliminates women's subordinate status will bring an end to such violence. The changes needed include eliminating laws that discriminate against women and children, promoting women in leadership and decision-making processes, improving access and sense of entitlement to education, and increasing women's access to economic resources, health information and other rights of women. Moreover, there are some shocking statements from women who justify wife-beating as an expression of affection on the husband's part.

The affects of violence can be devastating to a woman's reproductive health as well as to other aspects of her physical and mental well being. In addition to inflicting injury, violence increases women's long term risks against a host of other health problems including physical disability, drug and alcohol abuse and depression. Women with a history of physical or sexual abuse are also at increased risk of unintended pregnancy, sexually transmitted infections (STIs), and adverse pregnancy outcomes. Victims of violence who seek counselling and care from health professionals and other kinds of health providers often have needs that providers do not recognize, do not ask about, and do not know how to assess from such victims of violence. Strategies to combat VAW are urgently needed. In addition to taking care of the immediate needs of the battered women, concrete steps should also be taken to increase women's empowerment through education, employment and economic independence, etc.

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