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VIOLENCE AGAINST WOMEN: A SOCIO-LEGAL ANALYSIS

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Abstract:

In India, violence against women refers to physical and sexual assault perpetrated on women by their male counterparts. Domestic violence, sexual assault, murder, crime against women trafficking, rape, acid throwing and dowry are all examples of violence against women in India. In India, there have been reports of killings, honour killings, and forced prostitution of young girls. As per the police record the cases relating to crime against woman is increased day by day. Though, there is no dearth of laws for the protection of women in India. Still then the rate of crime is increasing in every minute. The right of women is being violated day by day. In the present study the legal Provision of the constitution has been discussed for the protection of women. These are needed for proper implementation of legal provisions in order to punish to the accused.

Keywords: *violence against women, sexual assault, dowry death, violence against women, cultured, constitutional Provision, acid throwing.*

Introduction:

Despite the passage of time, the status of women is unlikely to change. Time has helplessly seen women suffer in Indian society as a result of discrimination, oppression, exploitation, degradation, aggressiveness, and humiliation. Women continue to hold a critical and vulnerable role in Indian society. Women were revered as Devis or Goddesses, in the Vedas, who were honored as mothers, creators, and givers of life. However, their adoration was mythological at the same time. In a patriarchal country like India, women are completely oppressed and enslaved. Because society believes in traditional attitudes for the burden of household as well as public, physical, emotional, and mental abuse, Indian women have been oppressed and enslaved for ages. However male violence against woman is worldwide phenomena.

About half of India's population is female, and the bulk of them are influenced by socio-

cultural and religious traditions. One gender has dominated the Indian socioeconomic, political, and religious fabric since time immemorial. A woman's position in Indian society is always regarded in relation to a man's. In today's Indian society, violence against women, both within and outside the home, is a major issue.

There is no dearth laws in the country to protect women against violence, but all these failed when it came to the stage of implementation. As a results of which, the rate of crime against women are increased day by day. The Present study feels the need of the study of 'violence against women' in the era of globalization and modernization.

OBJECTIVES OF THE STUDY:

- i. To know reasons of the crime against women are increased day by day.
- ii. To find out the factors that promotes such crime.
- iii. To know the causes of the failure of laws and Provisions to tackle violence against women and criminals.
- iv. To know the process to create more public support
- v. To find the new ways by which women will be aware about their rights and responsibilities.
- vi. To know the latest provisions to punish Juvenile delinquents.
- vii. To know the process by which police will be more effective to provide justice to more.
- viii. To find out more suggestive measure to protect the rights of women.
- ix. The medical Termination of Pregnancy Act-1971
- x. The Hindu succession act-1956.

TYPES OF CRIME AGAINST WOMEN:

There are many types of violence and torture against women in our society such as

1. Criminal Violence, Rape, abduction, murder etc. Social violence, feticide, Infanticide, focusable of the property right of the female.
2. Domestic violence: Dowry death, wife battering, sexual abuse, maltreatment of widows etc.
3. Communal Violence: Caste Instigated violence, dishonoring to women, honor killing etc.
4. Mental emotional violence.
5. Dowry related violence.

CAUSES OF VIOLENCE AGAINST WOMEN:

There are various causes which are fully responsible for increasing the rate of crimes against women. They are male dominance, Socio- cultural factor, expectation of male child, economic factor, lack of education, gender discrimination, masculine attitude, lack of consciousness of women rights, social norms and values etc.

EFFECTS OF CRIME AGAINST WOMEN:

Violence against women has much more impact on the society in general and the individual in Particular. The effects are as follows.

- i. Personal disorganization
- ii. Family disorganization
- iii. Loss of innocent lives
- iv. Loss of human Resources
- v. Health & mental Problem
- vi. Hurdles against personality development.
- vii. Threats to national development

WOMEN & LAW:

Laws concerning women enacted before independence-

- I. The Bengal sati Regulation Act of 1829
- II. The caste removal Act of 1850
- III. The Hindu widow Remarriage Act of 1856
- IV. Prevention of female infanticide Act of 1870
- V. The age of consent at of 1872
- VI. The special marriage of 1872

Enacted laws for empowerment of women offer independence-

- I. Hindu marriage Act- 1955
- II. Hindu special marriage Act -1954-
- III. Child marriage Restraint Act – 1976
- IV. Equal remuneration Act -1976
- V. Dowry Prohibition Act -1961
- VI. The Hindu adoption and maternity Act -1956
- VII. The Hindu maternity and Guardianship Act -1956

Constitutional Provisions for women:

1. Article 14, it is a general Provision of guarantee equality before law.
2. Article-15-provides inhabits the state from discrimination on the ground of sex.

THE CRIME UNDER THE IPC:

1. Rape UIS -376 IPC
2. Kidnapping and abduction for specific purposes (UIS 363 - 373 IPC)
3. Homicide for dowry Death or their attempt (Sec – 302/304) B IPC)
4. Torture – Bothe mental & physical (Sec – 498-A IPC)
5. Molestation (UIS-354 IPC)

CASE LAW RELATING IN CRIME AGAINST WOMEN:

1. Bride torture at Nursing Pur on 01. 07.2014 reported by The Surya Prava.
2. Dowry Death at Cuttack on 01.07.2014 reported by The Surya Prava.
3. Misbehavior to women at Karangia in Bhadrak District on 22.07.2019 reported by The Samaj.
4. Handicapped girl is being raped in Bhadrak reported by the Sambad 2021.
5. Wife Killed by husband due to property dispute on 27.8.2020 at Sore Balaswore reported by The Sambad.
6. Sexual harassment to a student of math at Hari village'
7. False Promise for marriage in Bhubaneswar 01. 8. 2014 reported by The Surya Prava.
8. Raping of girl child at Patna block reported The Samaj news paper.
9. Kidnapping of minor girl child in B.B.S.R. 14.08 reported by The Dharitri Newspaper.
10. Molestation to a women at Pandua, DKL on 15.08.2014
11. Murder related dowry at Jagasinghpur District on 18.08.2014.
12. Delhi man held for stalking as reported by The samaj Nov. 13.2021 by Times of India.
13. A gang rape has alleged against a 16year old girl by Bassi Police Station as reported "Times of India" 17. Dec. 2021
14. The employer of a hotel in Puri was arrested on 14.12.2021 for allegedly filming women tourist in bathroom. As reported by the Samaj'' on 14.12.2021
15. Case filed an only 113rd crime against women in Kerala.
16. A 28 years man committed rape to a woman having 85 years old at Jajpur District on 02.09.2019 reported by Sambad, Odisha .

SUGGESTION TO PREVENT CRIME AGAINST WOMEN FROM FAMILY:

1. Family should educate their daughter not to believe anybody.
2. Family should support their victimized daughter (mentally & physically)
3. Family should conscious about the rights and responsibilities.
4. Parents should aware about the legal Procedures and provisions for the protection of women.
5. Parent should educate their daughter and son regarding gender equality.
6. Parent should educate their children regarding the values and dignity of women .
7. A change in parental attitude is also necessary in providing moral support to their victimized daughter.
8. Community should take immediate action against the culprit.
9. Community should arrange a counseling center as well as community and registration center to know what sorts of crimes are commented in that area.

10. Community should give severe punishment to the criminals.
11. Community should launch awareness programmes on women to know their rights and responsibilities.
12. Community should arrange workshop on gender equality
13. Community should arrange self employment Programmes to make them economically and socially independence.
14. Law enforcement mechanism including police, Judiciary and other components which needs to be revised, sensitized and strengthened.
15. Female Police officer should be given special training for investigating crime against women.
16. Judiciary should strictly enforce all relevant legal provisions and take step to speedy redressed of grievances with special focuses on violence against women.
17. Government should setup new forensic department in each District and in a block level to find out criminal activates against women.
18. New counseling and information center should open in each level.
19. Government should take server action to punish the criminals.
20. Gender sensitization programmes is necessary to ensure equality and removing discriminatory Practices in the society.

Conclusion:

There is no dearth of rules, regulations, Acts and provisions for providing Socio-legal protection to women. But still then the ground reality is rather distressing. After Delhi gang rape so many Acts and provisions have been enacted to control crime against women. But it is said to say that crime against women are increased day by day. It is now realized that laws were not enough to combat the evils. What is actually needed is the awakening of collective consciousness, change of heart and mindset of the people.

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2. John, Dr. Annie. Violence against Women: Need to Awaken the Conscience of Humanity. Magarashtra: Dayanand College of Law, 2013.
3. Nigam, Shalu. Domestic Violence Law in India Myth and Misogyny. India: Rotledge, 2021.
4. <http://ncrb.gov.in/index.htm>