

# A Review of Domestic Violence against Women in India during Lockdown

Suman Singh<sup>a</sup>, Rituparna Bhattacharyya<sup>b</sup>, Email: [sumansingh.bhu@gmail.com](mailto:sumansingh.bhu@gmail.com),  
[rituparna.bhattacharyya@acsb.org.uk](mailto:rituparna.bhattacharyya@acsb.org.uk)

The COVID-19 pandemic has forced millions of people all over the world to restrict themselves under various forms of home quarantine. While lockdowns have been imposed for the health and safety of its citizens, it has exacerbated a variety of socioeconomic problems such as escalation of domestic violence (DV); with complaints in India among them. Due to the spiralling of DV cases, in 2005 the Government of India passed the Domestic Violence Act that intensified work around this public health issue. The principal objective of this study is to critically analyse available instances of DV in India during quarantine and deduce the reasons for the same. The findings suggest that the primary reasons for increased instances of DV are unemployment and frustration due to restricted access to and or availability of alcohol after a lengthy ban. Nonetheless, inadequate evidence poses a current challenge to link DV and lockdown. Arguably, the Domestic Violence Act has failed to reduce DV cases not only during lockdown but also pre- and post-lockdown in India. This review suggests for a comprehensive nationwide study, utilising the data available by government organizations that record DV complaints. Alongside, it argues for further rigorous amendment of Domestic Violence Act, 2005.

**Key words:** *Domestic Violence; Gendered Violence; COVID-19 Pandemic; Lockdown; Indian women*

## Introduction

Domestic Violence (DV) against women, a prevalent form of gender-based violence is well recognised as a public health menace (Das, Bhattacharyya, Alam & Parvin, 2020), which has cascaded like a viral disease among millions of households when more than half the world has been under one or the other forms of lockdown during the pandemic (UN Women, 2020). On April 6 2020, Phumzile Mlambo-Ngcuka, Executive Director of UN Women refers to the growing incidents of violence against women (VAW) as 'shadow pandemic' signalling a profoundly ingrained 'culture of misogyny' (Bhattacharyya, 2015; Bhattacharyya, 2016) and 'hegemonic masculinity' across nations. Indeed, DV is one of the most significant human rights violations in the world, with over 243 million victims in 2019 alone.

It is to be noted that in the wake of the growing DV against women in India, the Ministry of Law and Justice, Government of India promulgated the *Protection of Women from Domestic Violence Act, 2005* on September 14 2005. However, India's National Crime Records Bureau (NCRB) reports increase in reported cases of DV of more than three-fold in the category of cognizable offences from 1992 to 2018. According to NCRB, DV is considered as torture or cruelty by husband and his relatives. NCRB statistics demonstrate that DV increased significantly from the 1990s to 2014, after which there is a slight decline in the rate. That is, the rate of DV cases (incidence per million population) increased from 23% in 1992 through to 99% in 2014 to 80% in 2018.

Unsurprisingly but sadly, the National Commission for Women (NCW) reveals that during the COVID-19 lockdown, there has been a twofold increase in gender-based violence. This paper is an attempt to examine the reasons for spikes in cases of DV in India during the global pandemic of COVID-19 (Chandra, 2020a; Chandra, 2020b). In doing so, it aims to generate a potential debate among scholars and policy-makers arguing for further and stringent amendment of the *Protection of Women from Domestic Violence Act, 2005*. The paper begins with a brief overview of DV followed by the methodology deployed for this study. It then goes on to discuss the Domestic Violence Act, 2005 and the nuanced issues linked to the occurrence of DV in India. Following this, it discusses DV in India during the lockdown. Using the threads of analysis, in the final sections, the study discusses the effects of lockdown, while requesting for amendment of the Domestic Violence Act, 2005.

### **Overview of Domestic Violence: A Shadow Pandemic**

There is a wealth of literature on DV and VAW displaying that the 'private space' of the household all over the world often emerges as a space of 'contestation' (Bhattacharyya, 2015). This is because the household is often viewed to be a 'haven'—an emotional space where the members of the family hang their hearts, but evidence demonstrates that it has emerged as a site of violence. The causes and dimensions of DV vary from space to space and household to household. There are mainly three overlapping forms of DV— verbal, sexual and physical— sometimes, all taking place at the same time (Das et al., 2020; Thomas 2017; Thomas, 2018; Thomas et al., 2019). The patterns of DV might range from mild verbal abuse through to slapping, hairpulling, kicking, sexual (rape) to violent forms of attack leading to murder (Das et al., 2020). Taking a psychological standpoint, studies argue that contours of DV might be responsible for triggering VAW in the public space. These studies unravel that a child (male) growing up witnessing heterogeneous forms of DV at home starts believing that it is a 'normative standard' to execute VAW. Thereby, the child starts imitating the same not only in the private but also in public spaces such as streets, buses and malls (Bhattacharyya, 2015; Bhattacharyya, 2016). Similar arguments have been meticulously put forward by Pulla (2020) in his lecture on theories of DV. Here, Pulla (2020) argues that DV remained unrecognised as a form of violence until 1960 signalling that the world recognised DV as a form of gender-based violence only 60 years ago (Pulla, 2020).

## **DV and Covid 19 World over**

It is arguable that even though nationwide lockdowns initiated by governments were intended to keep citizens safe, the decision has led to an unfortunate rise in DV. Given the grave situation that Indian women are facing amid the lockdown, it is crucial to understand the reasons behind the concerning trends in DV. This study highlights how trends in the reported incidents of DV change amid the COVID-19 lockdown, and the causes triggering an increase in gender-based DV. For this, different cases of DV amid the COVID-19 lockdown were collected and studied using newspaper articles from Indian media platforms, international news agencies, and several central and state government agencies in India. Reports from the NCW and the National Legal Services Authority (NALSA) were also included. All these data are retrieved from the complaints received through the helpline numbers provided by the Indian government, as well as NCW for women at risk of or being subjected to DV of any kind. Some of the government organizations offering these numbers are *Mitra*, *Sakhi* One Stop Centre (OSC), *Mahila Samakhya* and NCW.

Several countries have reported large increases in the reported incidents of DV during this on-going COVID-19 pandemic. These include France (30%), Singapore (33%), Cyprus (30%) and Argentina (25%) (UN Women 2020). Other Latin American countries such as Mexico, Brazil and Colombia have also observed an increase in DV, along with Australia, Canada, Germany, Spain, the UK and the US (Sigal et al., 2020; UN Women, 2020). We argue that India too has witnessed one of the greatest jumps in DV cases during the period of lockdown. However, there remains a perception, especially in developing countries like India that DV means VAW (Thomas, 2017; Thomas, 2018). This is largely because of the dominant patriarchal culture vis-à-vis women's subservient position across class, caste and religion (Das et al., 2020; Sharma, 2015). It does not mean that there is no DV against Indian men within the households. However, DV against men is highly under-researched. This is due to the deeply embedded patriarchal structure of the Indian society, that tends to ignore DV against men culturally. This review is on DV against Indian women during the days of lockdown triggered by COVID-19 pandemic. Taking these discussions into account, the following section critically discusses the Domestic Violence Act, 2005 and DV in India.

## **Domestic Violence Act, 2005 and Domestic Violence in India**

As stated above, VAW has been increasing in India over the past few decades. India's Domestic Violence Act was enacted almost one and a half-decades ago aimed at creating "more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family and formatters connected therewith or incidental thereto." Among other terminologies, it defines domestic relationship as "a relationship between two persons who live or have, at any point of time, lived together in a shared household, when they are related by consanguinity, marriage, or through

a relationship in the nature of marriage, adoption or are family members living together as a joint [extended] family”. However, reporting of DV remains often skewed for several reasons—fear, embarrassment, taboo linked to the deeply embedded socio-cultural values and also the loyalty that many victims of DV may feel towards their abusers ( Das et al., 2020; Sharma, 2015). Moreover, the methods adopted by many women to resist such DV at home often include drastic steps, such as moving out of their homes or even committing suicide (Rao, 2015). Unfortunately, moving out of homes is not an option that women under COVID-19 lockdown can employ.

Nonetheless, there is an emerging discourse on men falling prey to DV (Bhardwaj, 2015; Pathak, 2006; Kumar, 2014; Ramesh, 2007). These scholars argue that in many cases, married women file spurious cases of DV by taking advantage of the section 498-A, Indian Penal Code (IPC) linked to cruelty by husband or his relatives, Dowry Prohibition Act, 1961, which largely fall under the umbrella of Domestic Violence Act, 2005 (Bhardwaj, 2015; Pathak, 2006; Kumar, 2014; Ramesh, 2007). However, further in-depth research is required to probe male victimization and their relationships with the intimate partner. The following section discusses about the rise of DV cases during the lockdown in India.

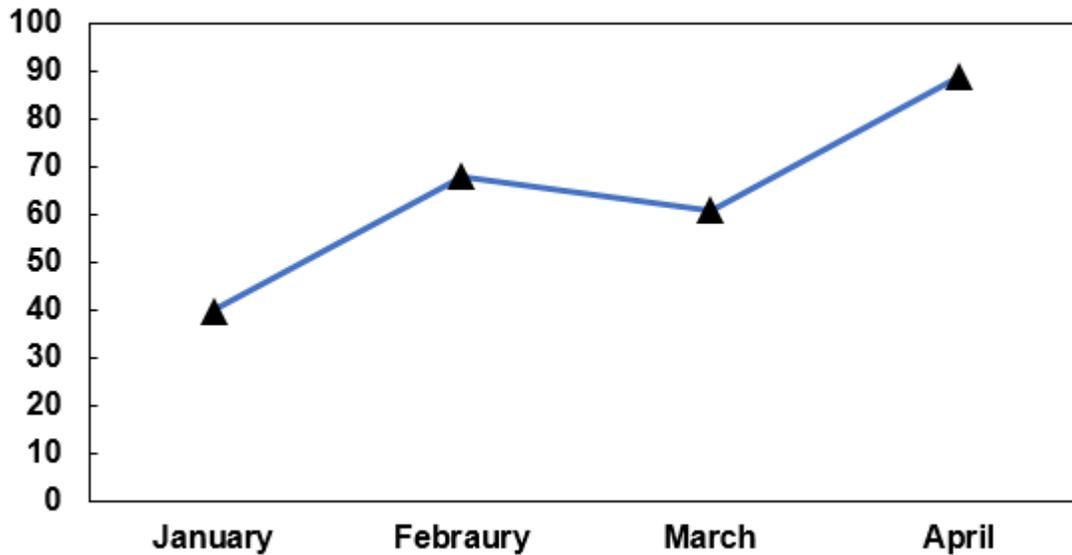
### **Domestic Violence in India during Lockdown**

Since March 23, 2020, India had imposed four phases of continuous lockdown until May 31, 2020 (Shukla, 2020). Since June 8, the country started reopening in phased manner labelling it as ‘Unlock 1’, and since July 1 Unlock 2 has begun; however, there are still local containment zones in places across the country (EPW Engage, 2020; Gupta, & Stahl, 2020; Moutafis, 2020; Tandon, 2020; Vora et al., 2020).

Sadly, India’s National Commission for Women (NCW) received 257 distress calls on VAW in the first week itself (Chandra, 2020a; Chandra, 2020b; Vijayalakshmi & Dev, 2020; Owen, 2020). The number of such calls between March 23 and April 16, 2020 (the first three to four weeks of the lockdown) was 587, a 48% increase compared to the 396 complaints received during February 27 to March 22 (Rukmini, 2020). By the end of the first five weeks of India’s nationwide lockdown, a grim 92% increase in the number of reported DV complaints was reported by the NCW (Pant, 2020).

Additionally, various state governments also have their specific complaint channels. Due to the availability of multiple complaint channels, data on DV during the lockdown has been found to vary from one report to another. For instance, according to NALSA, only 727 reports of DV were received across the country during the lockdown period (Mahapatra, 2020). However, as per another source, 616 such cases were reported in Tamil Nadu alone. Arguably, in any case, the overall national trend was of an increase in the number of reported DV cases during the lockdown. As an example, from March 2020 to April 2020, there was a 46% rise in the proportion of DV cases reported to India’s *Sakhi* OSC (see, Figure 1) (Melly Maitreyi, 2020).

**Figure 1: Percentage of Domestic Violence Complaints made to *Sakhi One Stop Centres* in India from January 2020 to April 2020**



**Source: Collected by the Authors from *Sakhi One Stop Centres***

The nature of DV varied significantly from one case to another. In one incident, a girl was being forced to marry against her will with her parents beating her. Another case was of a brother complaining to the NCW about his sister being physically abused by her in-laws in Tripura. In yet another case from Rajasthan, a father called out attention to his daughter not only being beaten by her husband since the start of the lockdown, but also being denied food (Vijayalakshmi & Dev, 2020). There were also incidents of women not being allowed to enter their homes by their in-laws. Further, Jammu and Kashmir reported as many as 19 cases related to harassment for dowry during the lockdown period (Bhat, 2020).

Even as DV complaints were filed in many states, comprehensive data were only available for a few (Table 1). Among the states for which reporting data were available, Punjab witnessed the highest number of DV complaints during the lockdown period, followed by Tamil Nadu, Karnataka and Uttarakhand.

**Table 1: Number of Reported Domestic Violence Cases During the Lockdown in Some Indian States.**

State/Union Territory	Period	Number of reported cases of domestic violence	Authority
<b>Punjab</b>	Since March 22, 2020	At least 30 cases per day (approximately 900 in a month)	<b>Punjab State Commission for Women</b>
<b>Tamil Nadu</b>	March 25 – May 14, 2020	616	<b>Tamil Nadu State Government</b>
<b>Karnataka</b>	March 23 – April 21, 2020	162	<b>Karnataka State Government</b>
<b>Uttarakhand</b>	March 24 – May 15, 2020	144	<b>National Legal Services Authority (NALSA)</b>
<b>Haryana</b>	March 24 – May 15, 2020	79	<b>NALSA</b>
<b>Jammu &amp; Kashmir</b>	March 24 – April 24, 2020	65	<b>Government Sources</b>
<b>Chhattisgarh</b>	Per month of lockdown	60-65	<b>Chhattisgarh Police</b>
<b>Delhi</b>	March 24 – May 15, 2020	63	<b>NALSA</b>
<b>Maharashtra</b>	March 24 – May 15, 2020	12	<b>NALSA</b>

Sources: Ratnam (2020); Joy (2020); Bhat (2020); Mahapatra (2020); Uttarakhand witnesses highest number of domestic violence amid lockdown, Delhi on number 3 (2020, May 17). *Times Now*. Retrieved on May 17 2020 from, <https://www.timesnownews.com/mirror-now/in-focus/article/uttarakhand-witnesses-highest-number-of-domestic-violence-amid-lockdown-delhi-on-number/593038>; Raipur Police launches "Chuppi Todd" campaign as domestic violence cases surge amid lockdown. (2020, May 3). *ANI News*. Retrieved on May 4 2020 from, <https://www.aninews.in/news/national/general-news/raipur-police-launches-chuppi-todd-campaign-as-domestic-violence-cases-surge-amid-lockdown20200503025811/>

Evidently, the general state-wise trends for DV during the lockdown correlate with the nationwide trend of an increase in the number of complaints. In Chhattisgarh, reports of DV increased from 40 in January and February to 60-65 per month in the lockdown period (that is, over 60% increase). Similarly, the

Haryana State Commission for Women reported a 78% increase in DV complaints in the during the first five weeks (between March 22 and April 28, 2020) of the lockdown in the state (Pant, 2020). Nevertheless, some states exhibited anomalous trends in DV reporting. The states of Rajasthan, Madhya Pradesh, and Telangana reported a decrease in the volume of DV complaints received during the lockdown period (Ratnam, 2020). In fact, the decrease observed in Telangana was as high as 50% (Deepak, 2020). However, this does not imply that the actual number of such incidents decreased as the data only include the cases that were reported by the victims.

Some reports have also claimed an inverse relationship between the number of COVID-19 cases and DV reports. Maharashtra, the Indian state with the highest number of COVID-19 cases reported the least number of DV cases. On the other hand, Uttarakhand, which was among the lowest number of COVID-19 cases during the initial phase, reported the highest number of DV cases during the lockdown period (Mahapatra, 2020). However, more data would be required to understand this behaviour and draw any conclusions.

### **Effects of lockdown**

The rise in the cases of DV could be due to many reasons. One reason is the sudden announcement of a lockdown. Arguably, due to no prior knowledge of the lockdown, women most vulnerable to DV could not move away from their dangerous family members. A related effect was that women who would otherwise run to their neighbours or parents to seek help in the event of DV could no longer do this due to the lockdown.

### **Unemployment During the Lockdown as a Cause for Domestic Violence**

Narinder Singh Rawat, a consultant at the Government of India's NITI *Aayog*, cites that the increased "interaction time", the insecurity related to economic possibilities and the general atmosphere of uncertainty and fear, as the significant reasons for an increase in DV (Rawat, 2020). Indeed, employment is an essential factor that prevents or reduces DV as spouses stay away from each other for a large part of the day. Due to the COVID-19 lockdown, people have been 'forced' to stay in their homes with their spouses.

Although, lockdown resulted unemployment does not discriminate gender. even if only temporarily, several women have become both economically and physically endangered. This has been visible even when women managed to stay in their parents' homes, away from their abusive husbands. For example, in one case, a brother beat up his sister because of the increased burden of feeding another person in the household (Joy, 2020). Moreover, in many households, women hand over their earnings to the men in the household and since they are not able to do so because of the lockdown, cases of men engaging in DV have increased (Joy, 2020).

## **Role of Alcohol in the Rise in DV**

Alcohol consumption has been closely linked to gender-based DV by several studies (Berg et al., 2010; Vijayalakshmi, 2016). Over 160 million people and more than 27% of the men in India consume alcohol (Ambekar et al., 2019). Therefore, when alcohol sales were banned for the first six weeks of the lockdown in India, DV was expected to decrease. In fact, where the cases of DV decreased during the lockdown (such as Telangana), the restriction on sale and purchase of liquor is being cited as a reason for the drop (Deepak, 2020). However, alcohol has proven to be a ‘double-edged sword’ amid the lockdown. As reported by some complainants, banned access to alcohol increased frustration among many men, who then engaged in DV against the women in their family (Joy, 2020). At the same time, the number of DV reports was expected to increase after the government relaxed the ban on liquor sales during the lockdown on May 4, 2020 (Saluja, 2020). Indeed, many women called in to register complaints against drunk husbands beating them, their children, or both. In one case, the complainant from Delhi even urged that liquor shops be closed again because her husband did not engage in DV during the lockdown days before the opening of liquor shops (Saluja, 2020). Thus, combined with rising unemployment, alcohol use is further exacerbating the situation of Indian women during the pandemic.

## **Towards Amendment of the Domestic Violence Act, 2005**

Arguably, the existing evidence is insufficient to connect between lockdown and DV. This is because, while this study attempts to collate and interpret all publicly available statistics on DV in India during the lockdown period, there are still several concerns. First, the lack of a universal reporting system and non-availability of publicly available government data for the lockdown period hampers a more comprehensive analysis. Second, in any such study, the accuracy and extent of reporting is always a matter of extreme importance. Reporting of DV cases amid the lockdown could have been adversely affected by the proximity of the victims with their abusers. Previous evidence suggests that due to fear of their abusers, many women tend to avoid reporting cases of DV (Bhattacharyya, 2015). Besides, as per India’s National Family Health Survey (2015-16; NFHS-4), only 14% of the Indian women who have faced physical or sexual violence reported it to seek help during the survey period. It is even more alarming to know that this percentage reduced from the previous survey period when 24% of women had sought help (IIPS, 2017). Three additional pieces of data will make this study more informative: (1) the change in the number of DV complaints before and after the day alcohol sales began amid the lockdown (May 4, 2020); (2) data from the many other Indian states and union territories about the change in DV complaints; (3) data from a universal system of maintaining records where complaints and cases registered with the police, the NCW, *Sakhi* OSCs, and other national and state-level reporting pipelines are collated and then reported.



Notwithstanding, the study foregrounds that the existing Domestic Violence Act, 2005 has failed to plummet the number of DV cases. We, therefore, urge for further stringent amendment of the act based on views of the victims (both females and males) of DV.

Alongside, it must also be noted that during the lockdown period, over 60,000 prisoners were released from jails all over the country to decongest them and prevent the spread of COVID-19. Although no reports have directly linked this release of prisoners to changes in the number of DV incidents, it would be crucial to investigate this relationship as and when more data are made available.

### **Conclusions**

Despite the limitations of this study, it is unequivocally clear that incidents of DV in India increased during the COVID-19 lockdown as evident from the observations published various outlets. The primary reasons for this increase were unemployment, restricted access to alcohol during the first six weeks of the lockdown, and the sudden availability of alcohol after May 4, 2020. Given this situation, immediate actions must be taken to protect women from violence during the ongoing lockdown. Even though some corrective steps have been implemented to help the victims of DV during the lockdown through the installation of helpline and dedicated WhatsApp numbers, there is still an enormous scope to improve upon these measures. Thus, prompt and persistent attention from authorities is a must, particularly in a country like India, where women's safety is a massive issue even under normal conditions. This review indeed provides a basis for a more rigorous and in-depth study on DV, a deepening public health threat in India.

### **Author Bios:**

Dr Suman Singh, is an Associate Professor, Department of Geography, Institute of Science, Banaras Hindu University, Varanasi, 221005, Uttar Pradesh, India

Dr Rituparna Bhattacharyya is Research Consultant; Editor-in-Chief, Space and Culture, India & in Teaching and Development, Alliance for Community Capacity Building in North East India, 57, Newington Drive, NE29 9JA, United Kingdom.



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