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From Law to Lament: Domestic Violence in Kashmir and the Crisis of Implementation with Special Reference to District Srinagar

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ABSTRACT

Domestic violence remains a deeply entrenched and underreported social issue in Kashmir, exacerbated by socio-political instability, economic distress, cultural taboos, and systemic institutional gaps. This study, titled "From Law to Lament: Domestic Violence in Kashmir and the Crisis of Implementation," presents an empirical investigation into the prevalence, causes, and response mechanisms surrounding domestic violence in District Srinagar. Drawing on data collected from police records, the District Legal Services Authority, One Stop Centres, NGOs, and direct interviews with survivors and legal practitioners, the research reveals that despite the presence of robust legislation such as the Protection of Women from Domestic Violence Act, 2005, the implementation remains alarmingly ineffective. Findings highlight major issues including inadequate infrastructure (e.g., absence of shelter homes), lack of awareness among both victims and authorities, limited availability of trained protection officers, and societal stigmas that deter women from seeking help. The study also underscores the compounded impact of lockdowns—both political and pandemic-related—which intensified domestic abuse and further restricted access to legal and social remedies. This article calls for urgent structural reform, stronger institutional accountability, increased community-based awareness, and better coordination between law enforcement, judiciary, and support organizations. Without addressing the crisis of implementation, the law remains a hollow promise—leaving victims unheard, unprotected, and often, forgotten.

Keywords: Domestic violence, Domestic violence survivors, One stop centres, child Protection Officer

I. INTRODUCTION

Domestic violence, a pervasive form of gender-based violence, is one of the gravest violations of human rights affecting millions of women across the globe. It transcends boundaries of age,

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education, economic status, and geography, taking root in patriarchal ideologies and unequal power dynamics within familial relationships. Despite progressive legal reforms and growing global advocacy, domestic violence continues to persist as a silent epidemic—especially in regions with compounded social, political, and economic challenges.

In India, the enactment of the *Protection of Women from Domestic Violence Act (PWDVA)*, 2005 was a landmark step toward providing comprehensive civil remedies to women facing abuse within domestic settings. The legislation recognizes physical, emotional, verbal, sexual, and economic abuse, and mandates a support infrastructure involving protection officers, shelter homes, legal aid, and emergency services. However, the mere existence of such a legal framework does not guarantee protection or justice. Its effectiveness depends on how well it is implemented on the ground—through proactive governance, institutional readiness, public awareness, and cultural acceptance.

The region of Jammu and Kashmir, particularly District Srinagar, presents a uniquely complex landscape in which to assess the implementation of domestic violence laws. The socio-political turmoil, economic instability, and conservative social norms create an environment where domestic violence thrives but remains largely invisible. Women, already marginalized by rigid gender roles, find themselves further trapped by the stigma of reporting abuse, fear of social ostracization, and lack of accessible support mechanisms. The abrogation of Article 370 in 2019, which led to the dissolution of the State Women's Commission, further eroded institutional redressal systems, leaving a void in grievance resolution and survivor support. The COVID-19 pandemic and associated lockdowns added another layer of vulnerability. In Kashmir, where communication blackouts and prolonged curfews were already a part of daily life, women found themselves isolated with their abusers, unable to seek help. NGOs and helplines reported a spike in distress calls, yet the lack of shelter homes and inadequately trained personnel meant that most women continued to suffer in silence.

This article, grounded in empirical research conducted across District Srinagar, seeks to explore the realities of domestic violence in the region, assess the implementation gaps of the PWDVA, and understand the lived experiences of both survivors and service providers. It combines statistical data, qualitative interviews, and field observations to offer a multidimensional understanding of the problem. By highlighting both the systemic shortcomings and grassroots efforts, this study aims not only to expose the gap between law and practice but also to call for urgent reforms, community engagement, and survivor-centered support systems.

II. SITUATIONAL ANALYSIS

As per the study conducted by State Women Commission, J&K, and carried out by Valley's well known Sociologist, Prof. Bashir Ahmad Dabla in 2003 more the 40 percent of women are physically and mentally abused by the husbands or in laws and the reasons for the same are common, either dowry, misunderstandings, interference from in laws, or giving birth to female child which drive a woman to commit suicide.³

In the year 2015 the Minister of state for health and social welfare AsiyaNaqash while responding to the point raised by the legislator Anjum Fazli during zero hour in the legislative assembly stated that the administration is intended to open women police stations in all of the state's districts in order to provide prompt police help to people who were threatened with domestic abuse. The Government established State's Women Helpline 181. The helpline's goal is to connect women who are victims of abuse with the proper authorities—the police, a one-stop centre, or a hospital—through a single standard number, providing them with a 24 hour, emergency response. All of the current communication channels would work with this number. The helpline is provided to offer toll-free, round-the-clock telephone service to women who are victims of violence and are looking for support. The Minister further stated that a one-stop centre would be established, serving as the victims' point of contact, and that it would be connected to police and medical facilities via a helpline. The scheme of establishing one stop centre started by ministry in 2015 was finally implemented in 2021 in Srinagar with the establishment of SAKHI- One Stop Centre at Bemina srinagar

National Crime Record Bureau in its recent report in the year 2020 indicated that violence against women has increased sharply by over 10 percent. "In the year 2018, 3437 cases of domestic violence were registered with the law enforcement agencies and in 2019, 3069 cases were registered with the fall of 10 percent and in 2020 there was again increased 10 percent of cases and among them several cases were related to the murder of women by their immediate family members. The report also mentioned the 487 attempted murder cases, 24 abetment of women's suicides, 9 dowry deaths, 243 rape cases, 349 cases of cruelty against women by their husbands or relatives, 1,639 cases of assault on women and 1,744 cases of assault on women with the intent to outrage their modesty, 30 cases of stalking, including 15 cases of sexual harassment, and 349 cases of cruelty against women by their husbands or relatives. The number of murder cases increased by 25% in 2020, with 149 cases compared to 119 in 2019."

³ A study sponsored by State Women Commission, J&K, and carried out by Valley's well-known Sociologist, Prof. Bashir Ahmad Dabla in 2003.

According to the Union Ministry of Health's National Family Health Survey, which was conducted in October 2020, violence against women has escalated in the recent five years. "In 2019-20, 9.6% of women in the age group 18-49 were victims of domestic violence, compared to 9.4% of women who were victims of domestic violence five years previously." Physical violence during pregnancy among married women aged 18 to 49 years has declined by a tiny margin in the recent few years, from 1.3 in 2015-16 to 1.2 in 2019-20. Spousal violence is 11 % among women in rural areas and 5.9% in urban areas in J&K. Similarly, the proportion of young women aged 18 to 29 who have suffered sexual violence is higher in rural areas (5.0 percent) than in urban areas (1.4 percent)." According to the report, suicide cases were also a substantial component of the crime statistics, with 472 attempts to commit suicide in 2020. According to a senior employee in the criminal branch, their first priority is to halt the abuse of women and children and host of procedures have been implemented in collaboration with various police stations in order to put a stop to such offences.

In the year 2020 the whole world was dealing with the pandemic crisis and everything was shut in the lockdown but Jammu and Kashmir witnessed crisis within crisis. Prior to the COVID lockdown Kashmir was under the continuous lockdown from August 5, 2019 which enhanced the trauma of the people of Kashmir more than the rest of country. People got deprived of their employment, daily wages due to the continuous lockdown for almost 2 years leading to the economic instability and emotional trauma, frustration which takes expression in the form of violence upon the soft targets (women) within the home. In general, family members and friends dissuade women from filing domestic abuse accusations, which might be fatal and result in the victim's death; otherwise, there is an increase in domestic violence instances. Physical abuse has been documented against both children and adults. In trying to protect her children, the mother typically bears the brunt of the circumstance. For the sake of family honour and marriage preservation, educated women prefer to bear all in silence or just desire to leave the relationship. The other side of the pandemic was the increase in domestic violence cases and the situation in these years was worse than before because the women were not able to come out of their homes to register the complaint.

Even the former chairperson of the J&K State Commission for Women, Vasundhara Pathak Masoodi in her statement has said that, "We have seen that the majority of these cases are a direct result of the increased unemployment and economic suffering that families in J&K are experiencing. Moreover, lavish weddings and extravagant spending on pre- and post-wedding functions have sparked a competition in society to out-fashion one another, causing financial and psychological trauma to the bride's family and triggering regular and incessant dowry

demands," She went on to say that the COVID 19 outbreak's lockdown has escalated incidences of violence against women all over the world, and Jammu and Kashmir is no exception.

The abrogation of article 370 which changed the status of Jammu and Kashmir from State to UT by J&K Reorganization Act 2019 abolished the State women's commission in Jammu and Kashmir which was the hope of women of Kashmir. The lack of a Women's Commission has harmed the accountability of law-enforcement organisations, which has boosted the morale of violators, resulting in an increase in unregulated and uninterrupted cases of domestic abuse and sexual violence against women. Former chairperson of Jammu and Kashmir women's commission, Vasundhara Phatak Masoodi said that during COVID-19 lockdown she received lot of distress calls from women from the Valley complaining about domestic violence and she tried to counsel them over the phone. She said it helps a little bit as they feel someone is there to listen to them but this surely indicates a rise in domestic violence cases in Kashmir. The State Commission for women in Jammu and Kashmir where numerous matrimonial disputes were pending was wound up in the year 2019 post the abrogation of article 370 and 35A and the new commission is yet to be formed. The pending cases in the commission were transferred to National Commission for Women which further made the process more cumbersome. The role of the commission was to resolve the matrimonial disputes through reconciliation, it was the toothless tiger but it can be clearly said that the state women's commission was the meaningful source to redress the women issues.

After looking at the rise in cases of domestic violence due to the lockdown in the pandemic Jammu and Kashmir High Court took the suo moto cognizance in May 2020 and ordered the subordinate courts to treat cases of domestic abuse as urgent. Chief Justice, Justice Geeta Mittal and Justice Rajnesh Oswal have sent letters to the J&K government, Secretary, Department of Social Welfare, and Member Secretary, Jammu and Kashmir Legal Services Authority (JKLSA) requesting a report on the steps taken in cases of domestic or other forms of violence against women. The Court also ordered concerned officials to look into the remedial measures adopted by various countries on this subject, as well as reexamine the requirements and procedures that need to be taken to alleviate the suffering of domestic abuse victims in the Union Territories of J&K. The court further ordered the Secretaries of the Jammu and Kashmir Legal Services Authority to obtain a list of all pending domestic abuse cases from various police stations in the Union Territories and courts, as well as to ensure the

safety and well-being of the complainants.⁴

The High Court has issued the following interim directions to address the cases of domestic violence:

- *As part of the COVID-19 response, the Union Territories of Jammu and Kashmir and Ladakh should establish a specific fund to address issues of violence against women and girls;*
- *Increased accessibility to call-in services to make it easier to report abuse in a private manner;*
- *Increased access to legal and counselling services for women and girls via teleconferencing and the internet;*
- *Women designated informal safe zones such as grocery stores and pharmacies where they can disclose domestic violence/abuse without alerting the perpetrators,*
- *Immediate designation of safe areas (for example, unoccupied hotels/educational institutions) as sanctuaries for women who are forced to flee their homes. These shelters must be viewed as open to the public.*
- *Providing immediate public awareness of all of the foregoing steps, as well as the availability of services for seeking relief and redress in cases of domestic abuse.*
- *Campaigns to raise awareness about all aspects of the issues.*

HC in its order also noted that one factor in the mode of lodging a complaint, which has been noticed in India, is the inability of women and children from the economically weaker sections of the Indian society to accessing on-line platforms for assistance. Any measure for assistance to victims of domestic violence must provide for women and children from this group.

The court of Chief Justice Gita Mittal and Justice Rajnesh Oswal expressed satisfaction after a detailed report was filed by social welfare department (SWD) about the measures taken amid the Covid-19 pandemic to mitigate the suffering of women, children, elderly person and transgender and ordered SWD to ensure that programmes established for aiding victims of violence receive widespread publicity so that they are aware of the resources available.

The Social Welfare Department in its report said the following.

“Anganwadi workers are being used to establish ‘one stop centres’ for providing counselling,

⁴kashmirreader.com/2020/05/15/jk-high-court-satisfied-with-govt-measures-for-domestic-violence-victims-amid-covid-19-pandemic/, last accessed on 18 April 2022 at 5:00 pm

legal aid, medical aid, temporary shelters and Helpline 181 for tackling the menace of domestic violence at all times. The report mentioned that J&K has total 28,000 Anganwadi workers and each Anganwadi Centre looks after approximately 400-500 households. They conduct surveys of all families, particularly mothers and children, in their different fields of employment, make house visits as part of their responsibilities, and maintain contact with other institutions, such as Mahila Mandals. All of these things help to mitigate the effects of violence. The report said Department of Disaster Management Relief, Rehabilitation and Reconstruction has designated 10 beds in each district quarantine centre exclusively for domestic violence victims. Additionally, 5 beds in district quarantine centre have been reserved for other victims of violence including children, transgender, elderly and persons with disabilities. Also funds up to Rs 10 lac per district out of SDRF have been allocated for victims of domestic violence while Rs 2 lac per district out of SDRF have been allocated for other victims of violence- children, transgender and elderly persons. The guidelines set by the Ministry of Women and Child Development of the Government of India are being followed in the development of One Stop Centres. As per these Guidelines, first line workers such as Accredited Social Health Activists (ASHA) are involved for furthering the cause of women in distress under these Guidelines. At the ground level, there are around 11,987 such personnel.”

A report regarding litigations concerning domestic violence cases in 20 districts was submitted before court by the Member Secretary, JK Legal Services Authority. After reading the report, the court noted that in many cases, maintenance orders appear to have been issued, but the complainants have not received maintenance payments due to lockdown. The court held that the District Legal Services Authorities should make efforts to ascertain the welfare of those who had sought maintenance and those who had been denied, as those who were not granted may be in need of assistance and directed the Jammu and Kashmir State Legal Services Authority to continue to assist needy people through its programs.

III. RESEARCH OBJECTIVES

The present trend of research both in law as well as in social science involves an empiric study which helps in highlighting the various dimensions and factors related to the topic. The research done is guided by the following objectives:

1. To assess the prevalence and patterns of domestic violence in District Srinagar.
2. To evaluate the level of awareness among victims and authorities regarding the Domestic Violence Act.
3. To identify gaps in the implementation of the PWDVA, 2005.

4. To analyze the role of support institutions (e.g., One Stop Centres, NGOs, Legal Services Authorities).
5. To recommend policy and operational interventions to improve the response to domestic violence in Kashmir.

IV. METHODOLOGY

The study adopts **exploratory and descriptive research designs** **Exploratory** to understand the lived experiences of survivors, the functioning of support systems, and ground-level challenges. **Descriptive** to statistically represent the magnitude, causes, and outcomes of domestic violence cases over a defined period.

A. Study Area

The research is conducted in **District Srinagar**, Jammu & Kashmir, divided into the following zones for structured data collection:

- Central Srinagar
- Downtown Srinagar
- Upper Srinagar
- City outskirts

These zones represent a diverse socio-economic and cultural cross-section of the district.

B. Data Collection Methods

1. Primary Data Collection

a. Structured Questionnaires:

Two sets of structured questionnaires are used:

- **Set A:** For survivors of domestic violence (covering demographics, types of abuse, reporting behavior, awareness of laws, access to support services, and satisfaction with legal remedies).
- **Set B:** For service providers such as police officers, protection officers, lawyers, magistrates, and NGO staff (focusing on challenges in law enforcement, awareness of the PWDVA, institutional constraints, and suggestions for improvement).

b. Semi-Structured Interviews:

- In-depth interviews with selected survivors to gather qualitative insights into their

personal journeys, socio-cultural pressures, and experience with legal institutions.

- Key Informant Interviews (KIIs) with heads of One Stop Centres, DLSA officials, NGO directors, and legal aid providers to understand institutional limitations and implementation gaps.

c. Focus Group Discussions (FGDs):

FGDs with community workers (e.g., Anganwadi and ASHA workers) to assess grassroots-level awareness and outreach effectiveness.

2. Secondary Data Collection

Data is obtained from the following sources:

- Police records on reported domestic violence cases (2018–2022)
- RTI responses from police and judiciary regarding case referrals, resolution, and relief provided
- Records from the District Legal Services Authority and One Stop Centre
- Reports from NGOs working in Srinagar (e.g., Mehram, HELP Foundation)
- National Crime Records Bureau (NCRB) data
- NFHS-5 (National Family Health Survey) reports and state-specific health statistics

C. Sampling Techniques

1. Survivors of Domestic Violence:

- **Sample Size:** 40–60 respondents
- **Sampling Method:** *Purposive Sampling* through referrals by police stations Rambagh, One Stop Centre, DLSA, and NGOs.
- **Criteria:** Women aged 18–50, married or formerly married, who have experienced and/or reported domestic violence.

2. Service Providers and Authorities:

- **Sample Size:** 20–25 respondents
- **Sampling Method:** *Judgmental Sampling* to include professionals directly involved in DV case handling, such as Magistrates, Police officials, Protection officers, NGO representatives, and Legal aid Lawyers.

D. Data Analysis

1. Quantitative Data Analysis:

- Data from structured questionnaires will be entered and analyzed using **SPSS or MS Excel**.
- Descriptive statistics (frequencies, percentages, charts) will be used to describe
 - Types of abuse
 - Awareness levels
 - Patterns of reporting and institutional response
 - Satisfaction levels with legal remedies

2. Qualitative Data Analysis:

- Interview and FGD transcripts will be analyzed using **thematic analysis**.
- Key themes will be extracted to explore:
 - Survivor narratives
 - Perceived implementation gaps
 - Systemic and social barriers
 - Recommendations from stakeholders

V. EMPIRICAL ANALYSIS

A. Demographic profile of survivors

All the respondents on whom the research was conducted were married and were found to be in the age of 25 to 36 years as indicated in (fig2).

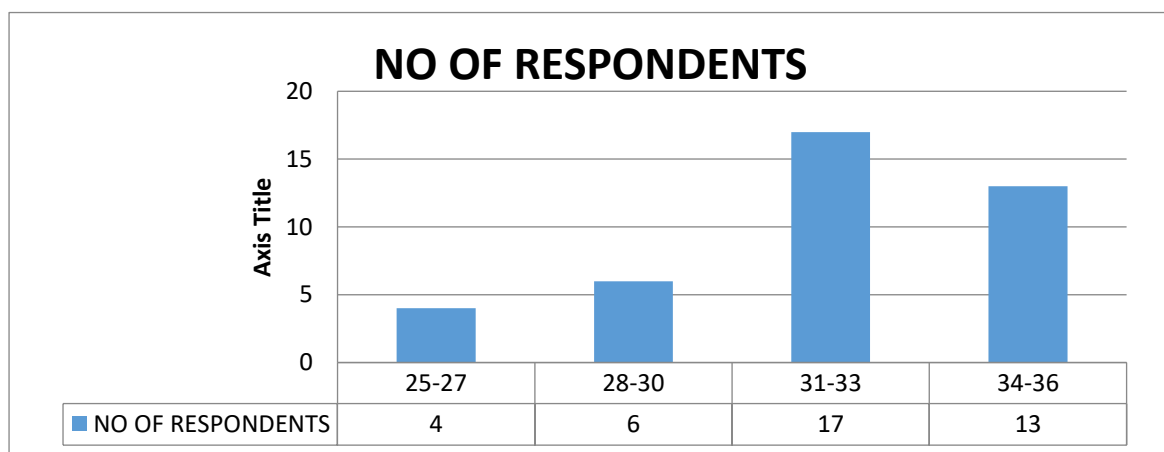


Fig 2

4 respondents were found in the age of 25-27 years, 6 in the age of 28-30 years, 17 in the age group of 31-33 and 13 in the age group of 34-36.

The qualifications of these respondents are indicated in the fig 3.

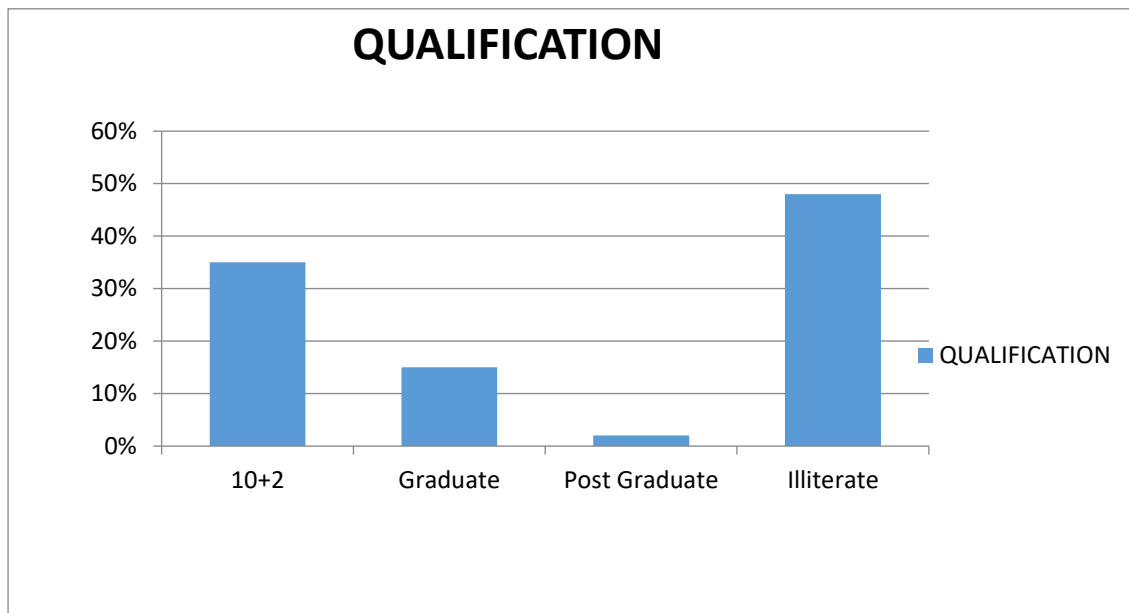


Fig 3

The respondents were both illiterate and literate having different qualifications. 35 percent of survivors of domestic violence had qualified 10+2, 15% were graduate, 2% post graduate and the rest 48% were illiterate. Among these 86% were unemployed and 14% employed as indicated in fig 4.

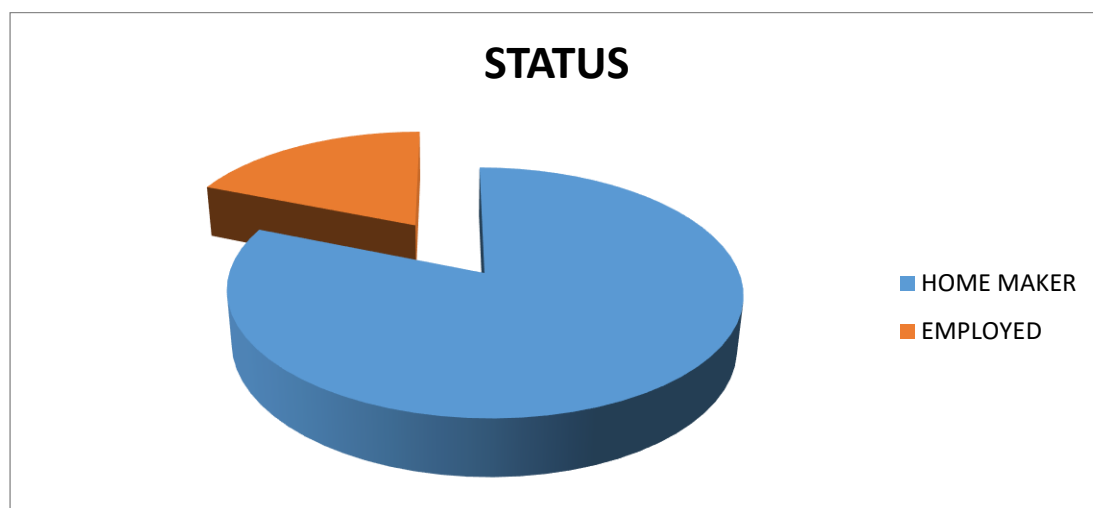


Fig 4

Fig 3 and fig 4 clearly indicates that even literate and employed women earning a good amount of money monthly are subjected to domestic violence.

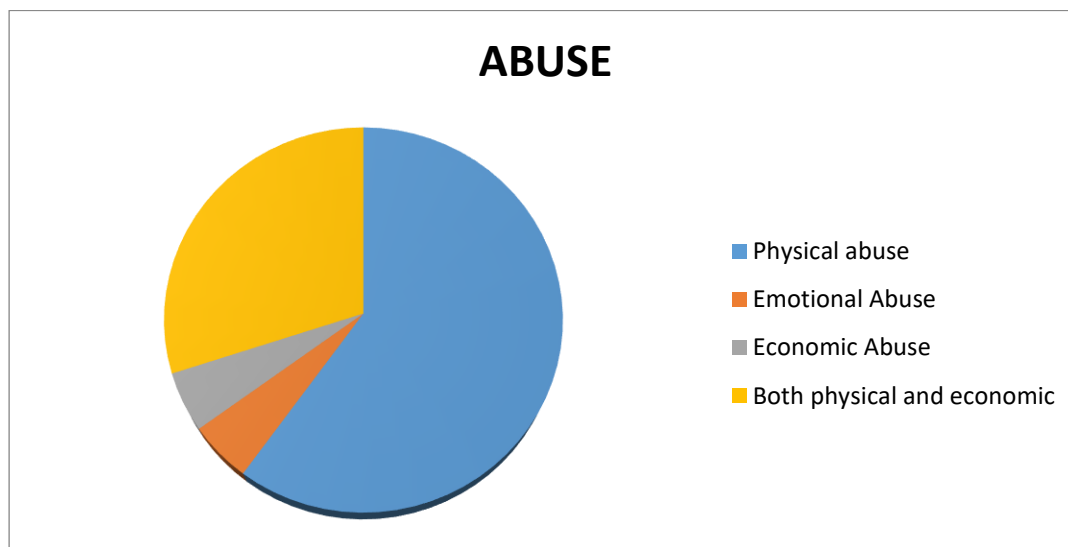
**Fig 5**

Fig 5 is clearly depicting the type of abuse women are subjected to: 60 percent of women were subjected to physical abuse, 5 percent were subjected to economic abuse and emotional abuse each, and 30 percent were subjected to both physical and economic abuse where they were beaten up for dowry and other monetary demands.

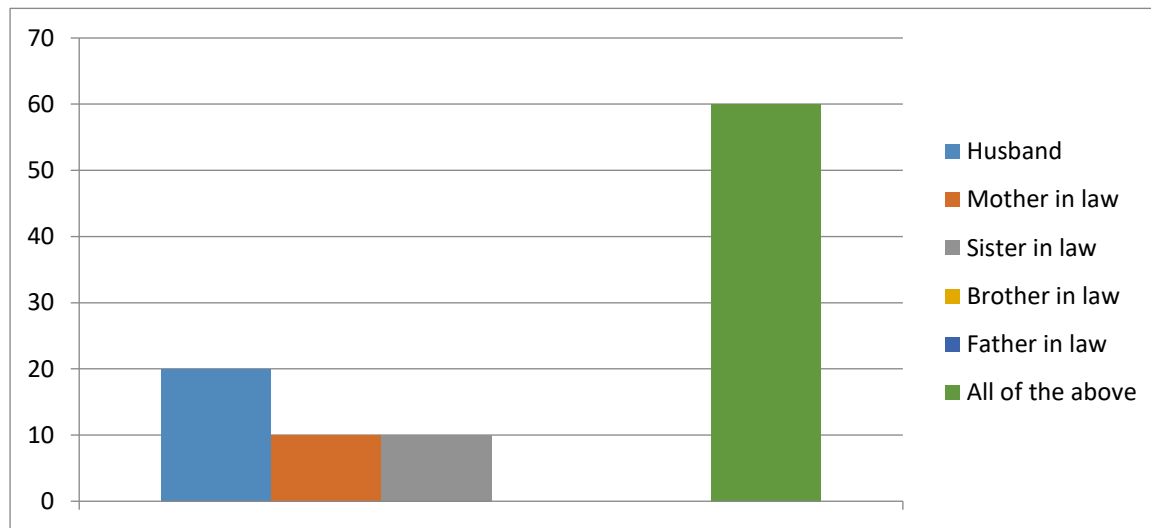
**Fig 6**

Fig 6 represents the chart of perpetrators of Domestic violence. Research found that husband, mother-in-law, sister in law, brother in law, father in law all are responsible for the domestic violence in one way or the other. 20 percent of the respondents had the view that husbands are the main perpetrators of violence, 10 percent of the respondents were of the opinion that mother-in-law and sister in law are the main culprits and the rest of the respondents were of the opinion that all the mentioned people are involved in the violence.

Talking to the respondents about raising voice against the violence at the very first instance: 50 percent respondents had raised their voice against domestic violence at the very first instance and the rest 50 percent had remained silent at the very first violence. 30 percent respondents had not approached to any authority and had remained silent 30 percent had informed to their family members only, 37 percent respondents had approached to the nearest police stations for registering the complaint against domestic violence and 3 percent had approached One Stop Centre at the very first instance of domestic violence as indicated in fig7 below.

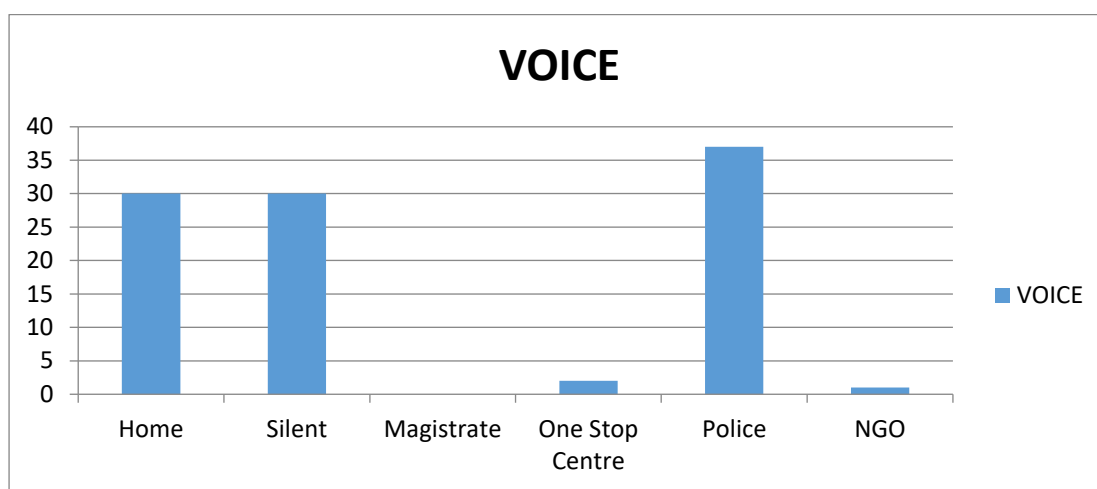


Fig 7

30 percent of the respondents who chose to remain silent on the violence and not approached to any authority in the very beginning had their own reasons for the same which are depicted in fig 8.

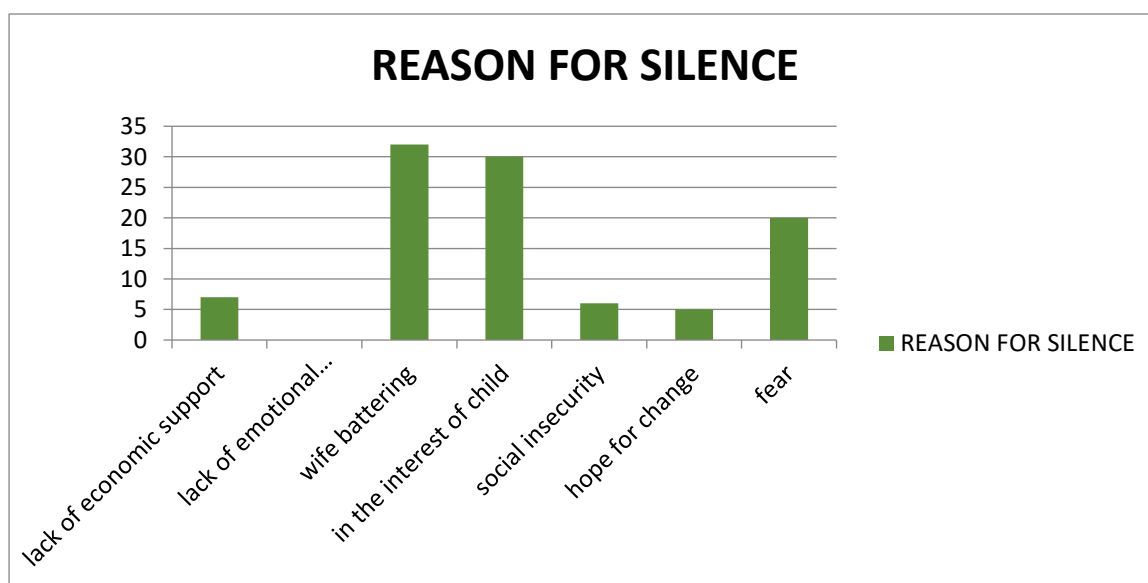


Fig 8

While asking the respondents about the reasons for being silent, 5 percent gave the reason of lack of economic support, 32 percent of victims had chosen to remain silent because they were used to get beaten up, apart from that 20 percent of the victims had the fear in their minds which prevented them to file complaint, 30 percent of the mother victims chose silence for their children, 6 percent for social insecurity and 5 percent for the hope of change.

Coming to the reasons of the domestic violence, the researchers had got the results which are depicted in fig 9 as demand for the dowry (30%), alcoholism (10%), extra marital affair (10%), ego conflict (20%), giving birth to girl (10%) and unemployment (20%). All these factors are contributing to the domestic violence at a good pace. This clearly shows that the problem lies in the mind set and in the living standards of the perpetrators which need to be changed to prevent the domestic violence at the ground root level.

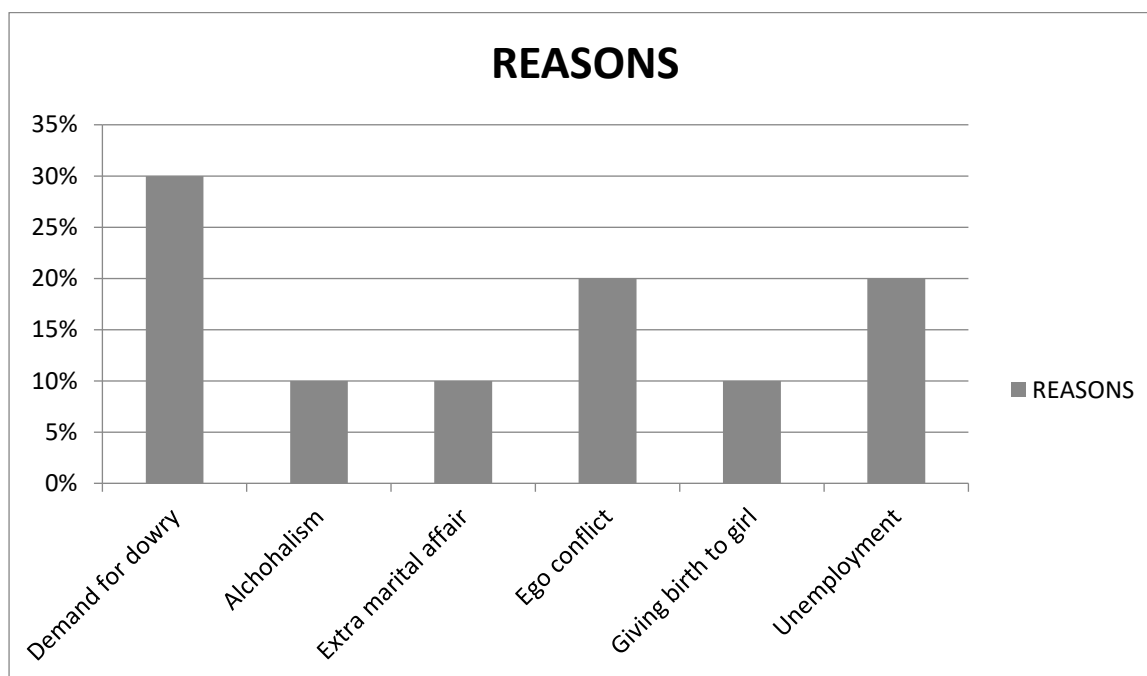


Fig 9

While talking about the impact of domestic violence 20 % of the victims of domestic violence were of the opinion that domestic violence leaves its impact on job, mental health as well as physical health while 80 % were of the opinion that domestic violence had its impact on both physical as well as mental health as shown in fig 10 below and while talking about the impact of domestic violence on children all the respondents hold the same opinion that domestic violence affects the children in all ways be it on education, behavior, psychological.

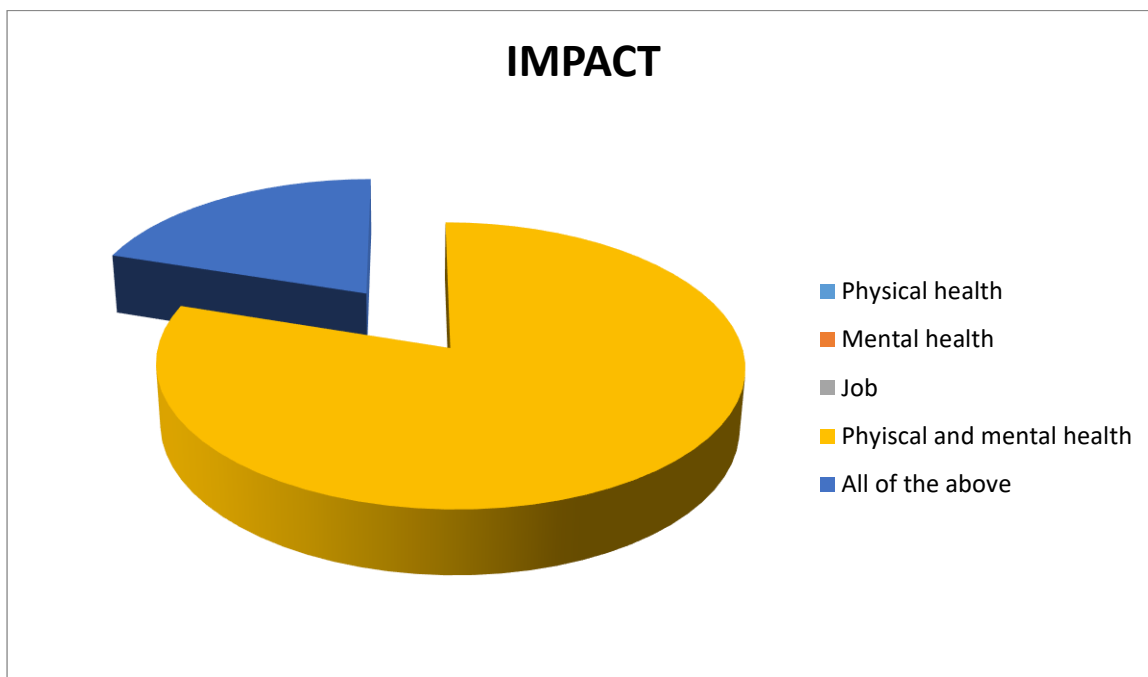


Fig 10

Coming to the legislative part of the domestic violence; when the respondents were asked whether they are aware about the law and the remedies available for the domestic violence. 62.5 % respondents were not aware about the law and the remedies under the law provided for the domestic violence and 37.5% victims were aware about the same. The same has been depicted in fig 11 below.

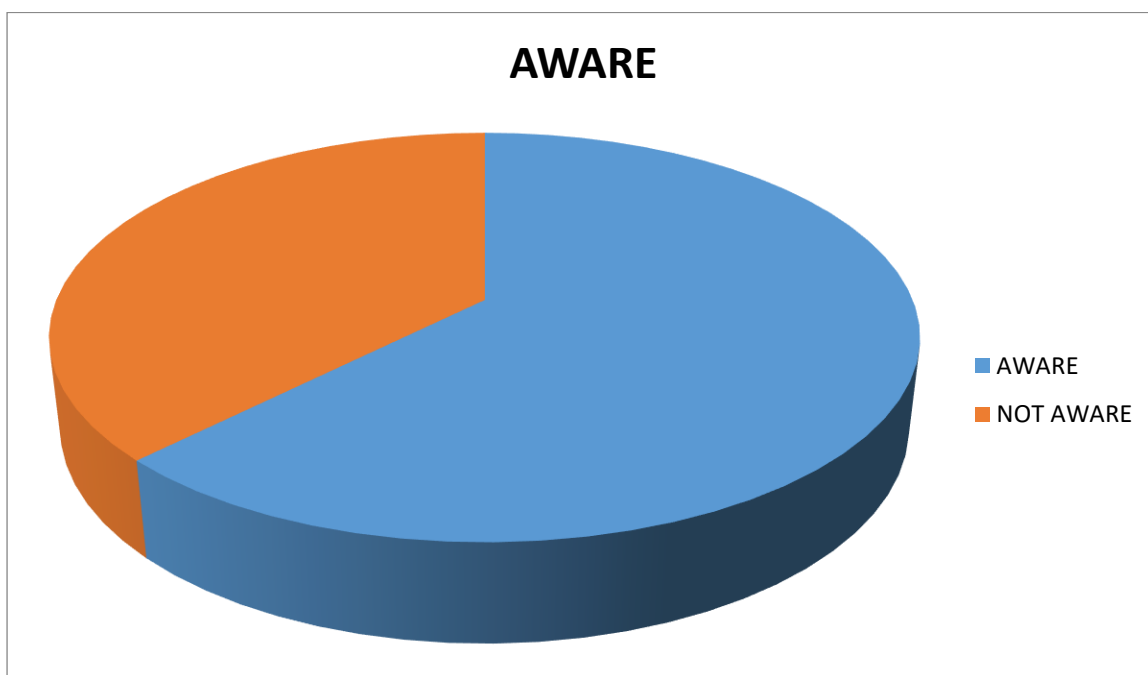


Fig 11

As per the research 57.1% victims of domestic violence were not satisfied with the remedies available under the domestic violence act and 42.9 % victims were satisfied as shown in fig 12. Fig 11 and fig 12 clearly shows that there is not much awareness among the people relating to the law on domestic violence nor there is much satisfaction among the victims of domestic violence relating to the remedies available under the act. There is need of conducting awareness programs at community level relating to the law of domestic violence.

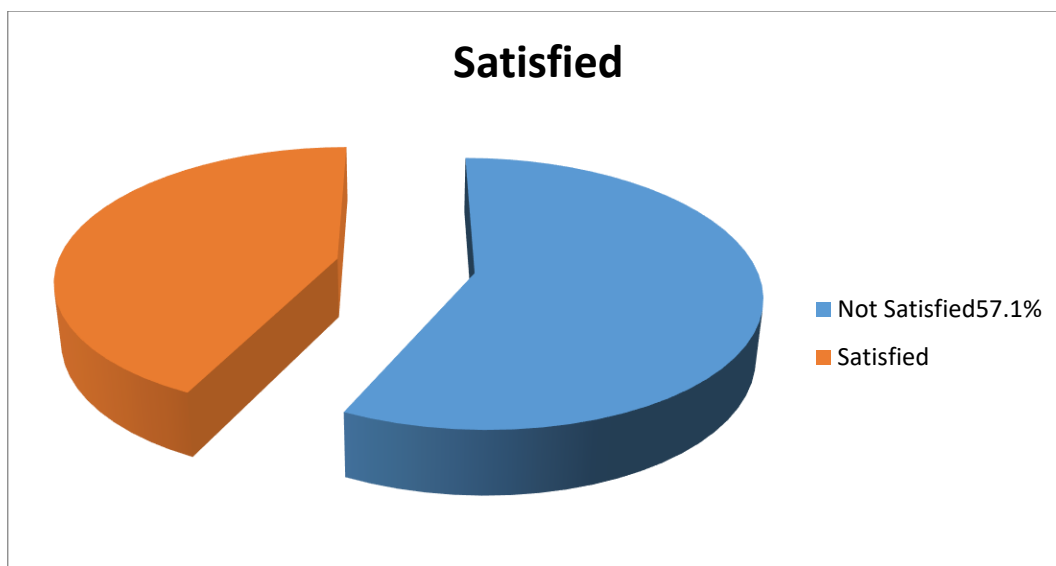


Fig 12

While talking about the attitude of police officers all the respondents gave the similar answer that police officers heard their voice, came to their rescue and helped them to approach to the authorities. On asking about the availability of protection officers 87.5 % victims were not aware about the protection officers who have been appointed particularly for domestic violence cases while 12.5% victims were of the opinion that protection officers are available (fig 13) and they perform their duties as prescribed.

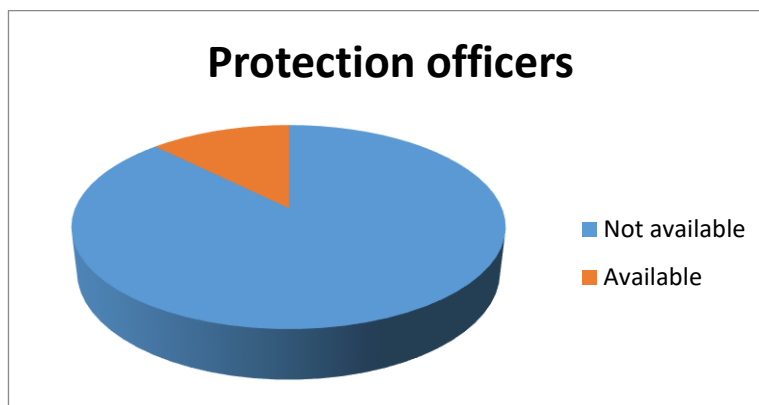


Fig 13

The researchers asked the question of legal aid from the victims of domestic violence. As

indicated in fig 14, 80% women stated that they get legal aid or legal help from authorities while 20% stated that they didn't receive any help or legal aid from the authorities.

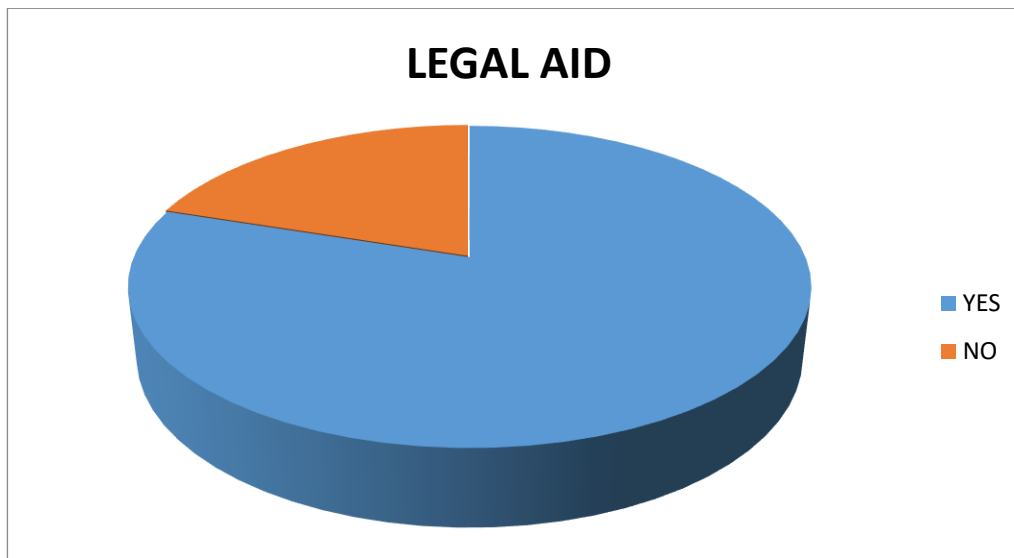


Fig 14

B. Agencies dealing with domestic violence

The researchers conducted the research among agencies dealing with the domestic violence through the questionnaire method. The respondents of second questionnaire were Advocates, Judicial magistrates, police authorities. 86 % among them were males and 14% were females as mentioned in fig 15.

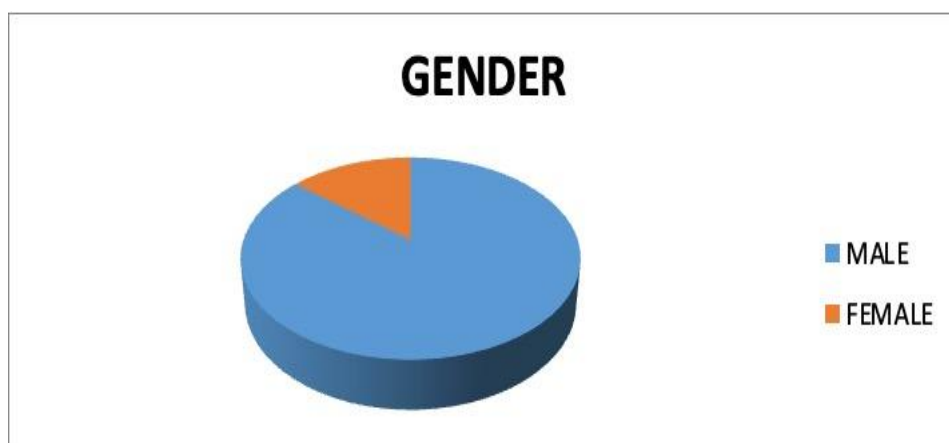
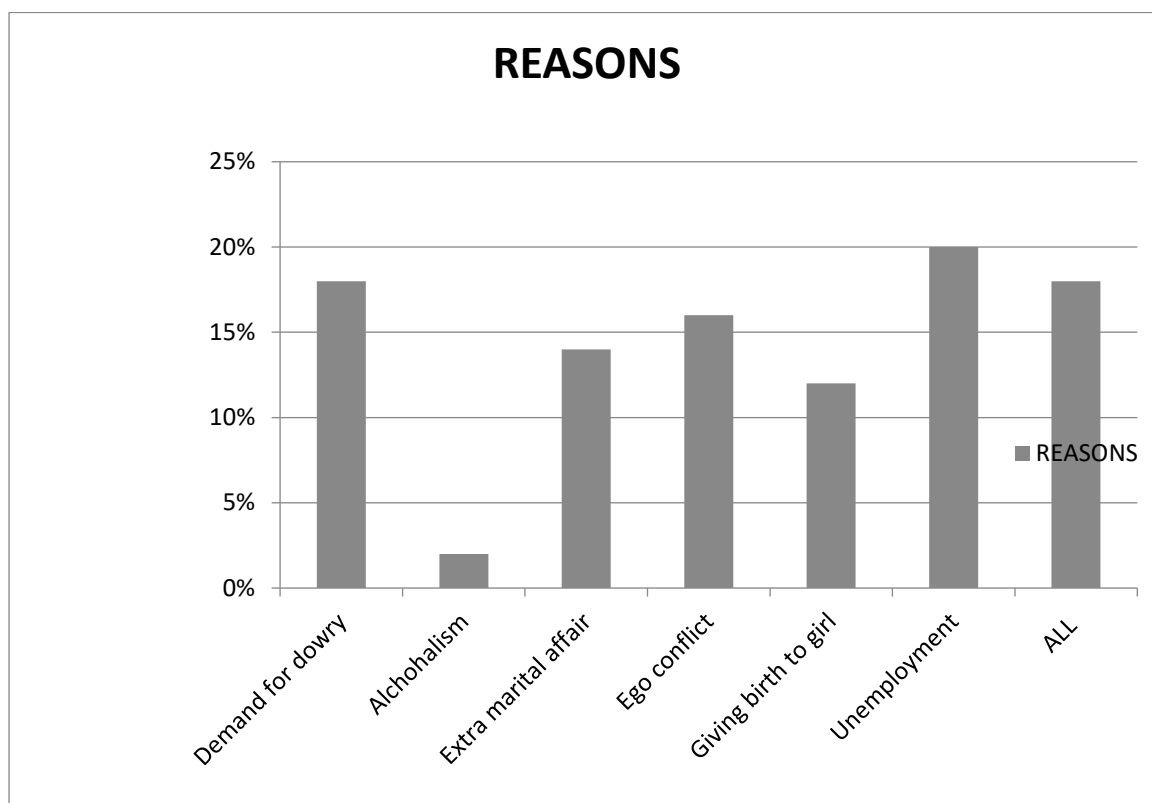


Fig 15

According to them there are different reasons for domestic violence. 18% of the agencies with whom the research was conducted consider demand for dowry as a reason of domestic violence, 2 % consider alcoholism, 14% consider extra marital affair, 16% consider ego conflict, 12 % consider giving birth to girl child, 20 % consider unemployment and 18% consider all the above factors as a reason of domestic violence as indicated in fig 16

**Fig 16**

While talking to them whether literate or illiterate are the victims of domestic violence, they were of the opinion that both are the victims of domestic violence.

The judges, advocates and police officers all gave the answers in negation on the question of providing residence order to the victims of domestic violence. The police officers, judges and advocates were of the opinion that no doubt there is a provision of residence orders under the Domestic Violence Act. But the authorities in J&K didn't provide residence orders due to the lack of infrastructure of shelter homes in the area. The police officers even told that if the residence orders were passed by the court they would make sure the order is properly implemented and the victim is given proper protection but the major problem lies that there is no shelter home in Kashmir and the victims approaching them for their assistance hesitate to went back to matrimonial home due to the fear of violence and back to natal home due to the feeling of burden on parents.

On the question of providing legal aid and assistance to the victims of domestic violence fig 17 gives the clear picture. 90% respondents gave the answer that legal assistance is being provided to the victims of violence while 10 percent hold the view that proper legal assistance is not being provided and the reason for the same is lack of knowledge among the people about the legal aid.

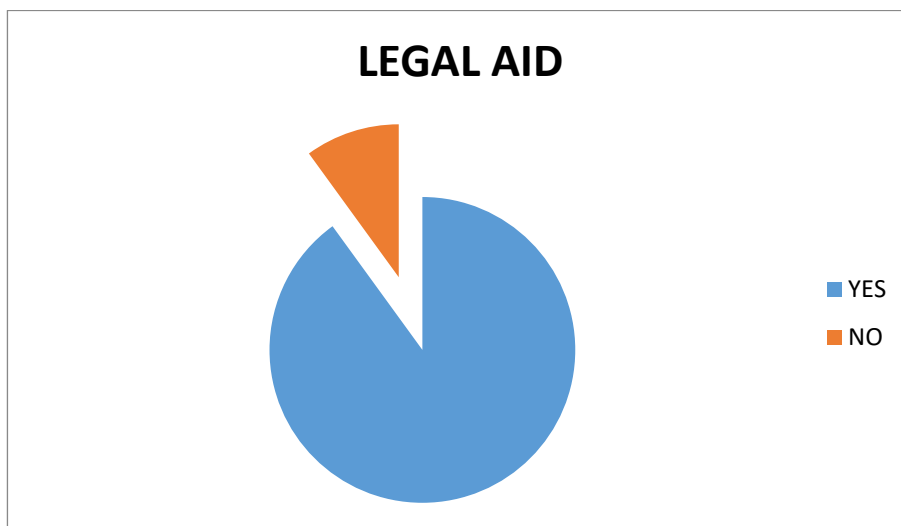


Fig 17

While asking the question that whether they are satisfied with the powers entrusted to them under the DV Act, 57.1% answers positively that they are satisfied with the powers entrusted to them especially the magistrates while 42.9% especially police officers were not satisfied and were of the opinion that they must be provided other powers for dealing domestic violence as indicated in fig 18.

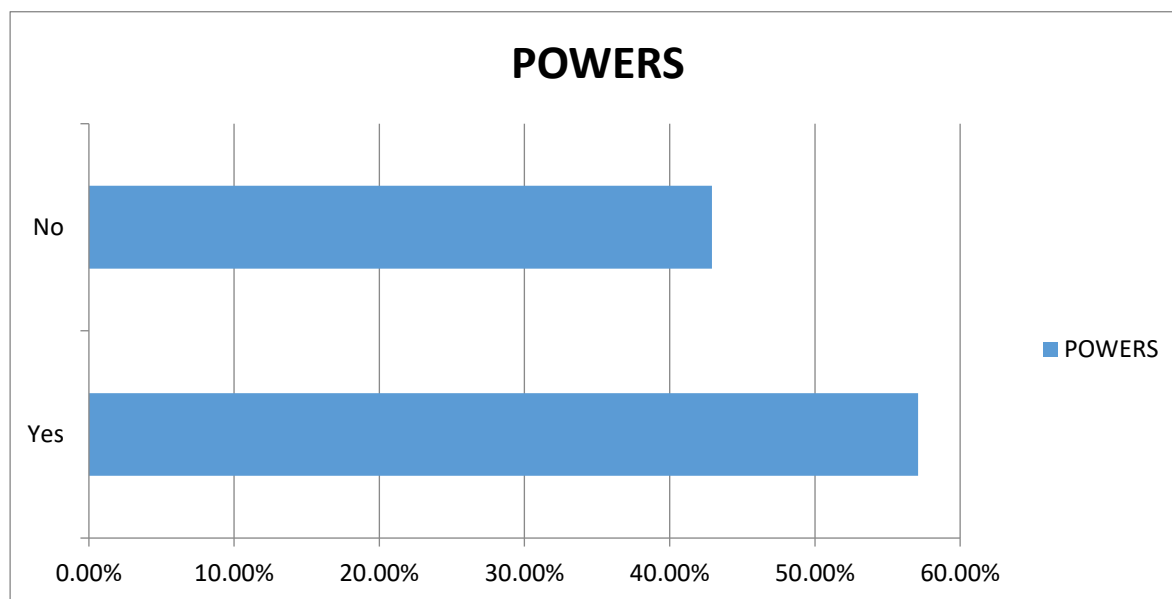


Fig 18

The authorities on the point of sufficiency of remedies available to the victims of domestic violence had the different opinion 42% authorities were of the opinion that the remedies available under Domestic violence Act.

are not sufficient for the victims of violence while 58% were of the opinion that the remedies available under the act are sufficient. As shown in fig 19.

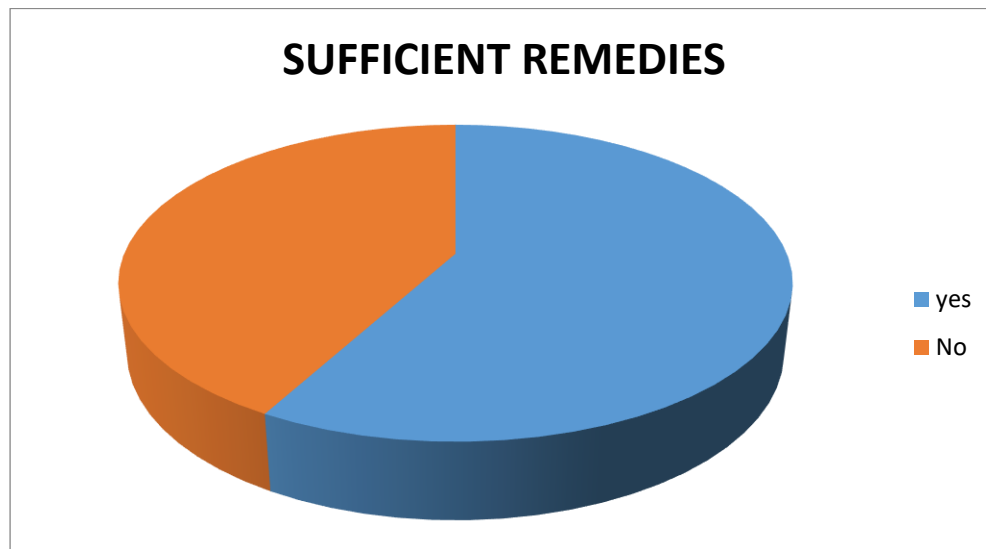


Fig 19

The authorities were asked about the question of attending general awareness campaign relating to domestic violence and 28.6% answered that they have attended the general awareness campaign relating to domestic violence while 71.4% answered that they have not attended any such program. The same has been indicated in fig 20. This clearly shows that general awareness campaigns should be organized so that authorities get aware about the laws and the powers entrusted to them under the law and also the general people get aware about the law relating to domestic violence.

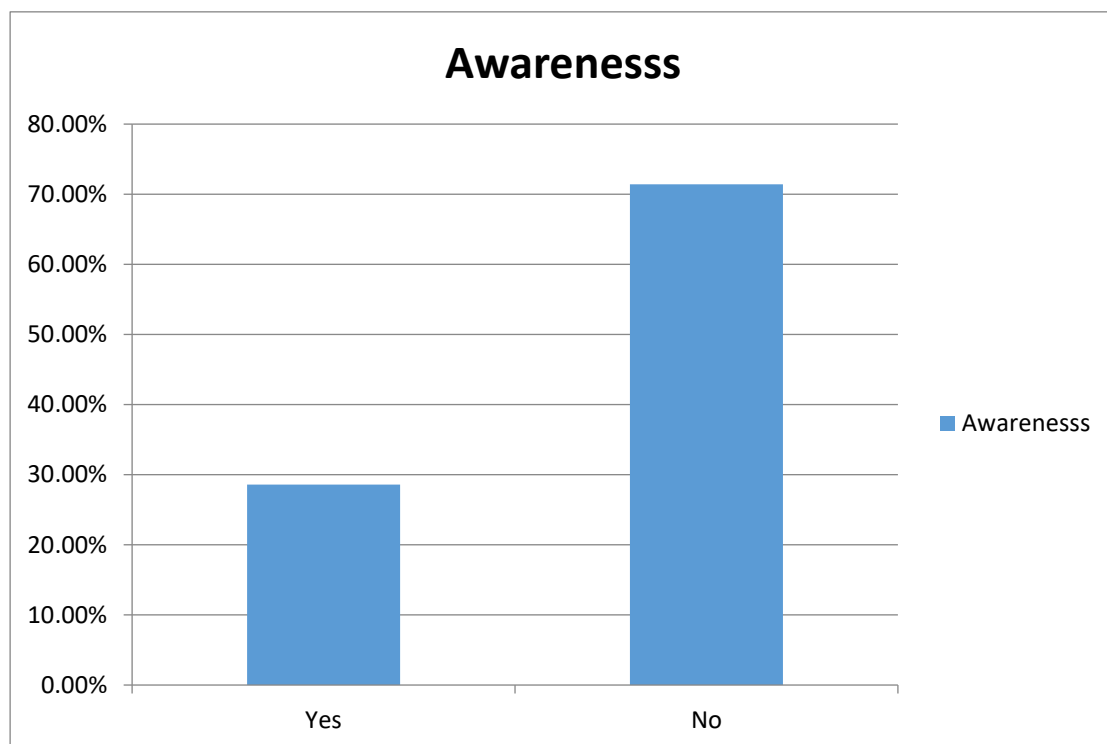


Fig 20

Agencies were asked the question whether the agencies/ protection officers are easily available. 86.7% answered that agencies are not easily available even they were not aware about the protection officers while 14.3% answered that they are easily available. The data shown in fig 21 shows that there should be the proper implementation of the laws and the steps should be taken by the government to ensure that agencies are easily available.

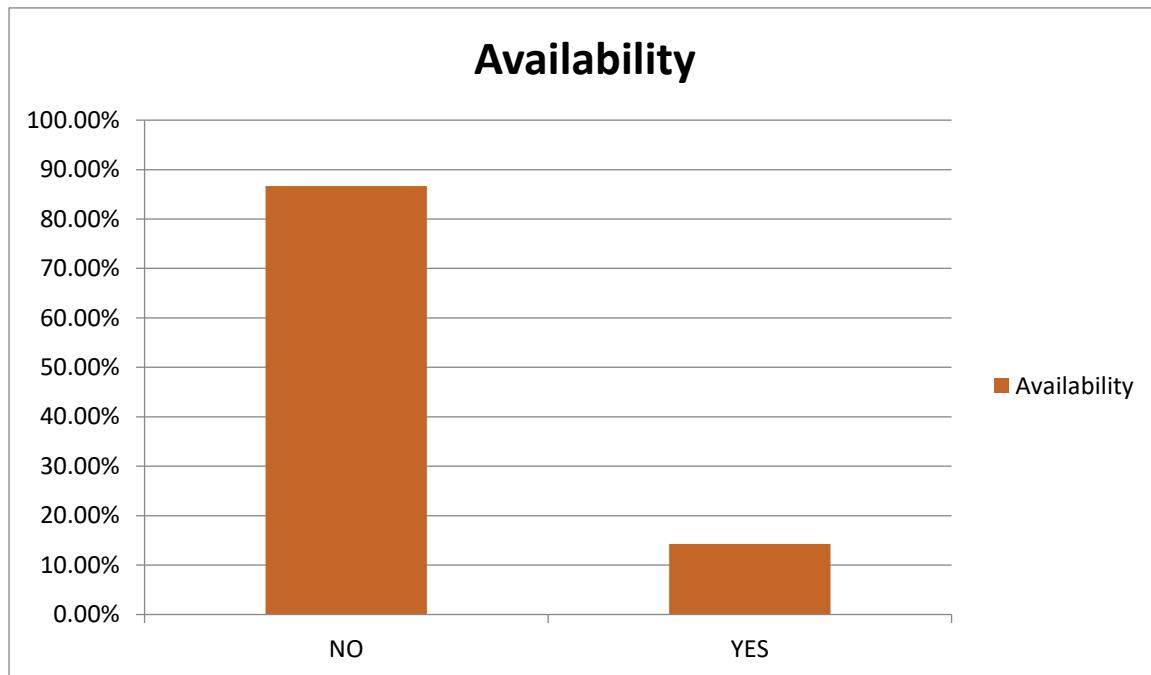


Fig 21

The agencies were asked the question that whether there is an easy access between service providers and court. 87% respondents answered that as per their opinion there is not an easy access between service providers and court while 13 % answered that there is an easy access between service providers and courts as depicted in fig 22.

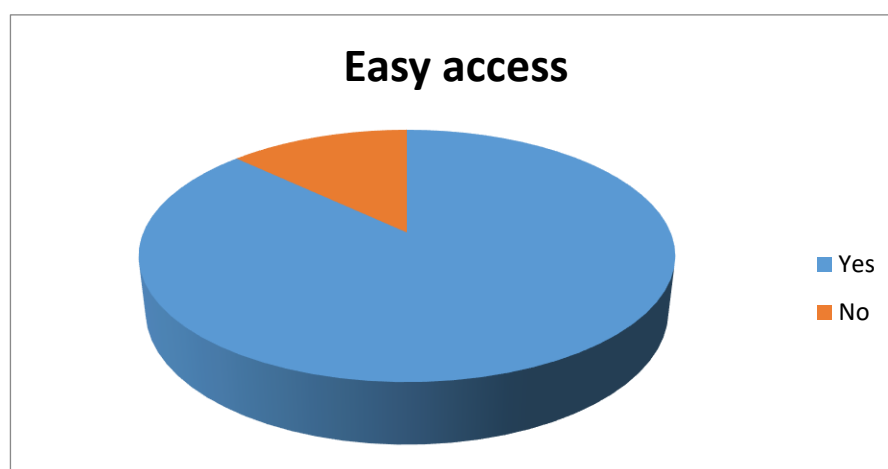


Fig 22

Talking about the connection between the Domestic Violence Agencies and grievance redressal cell. 92 percent of the respondents were of the opinion that there is a need for that connection between the two as indicated in fig 23 below while 8 percent of the respondents mostly from the police end were of the opinion that there is no need of that.

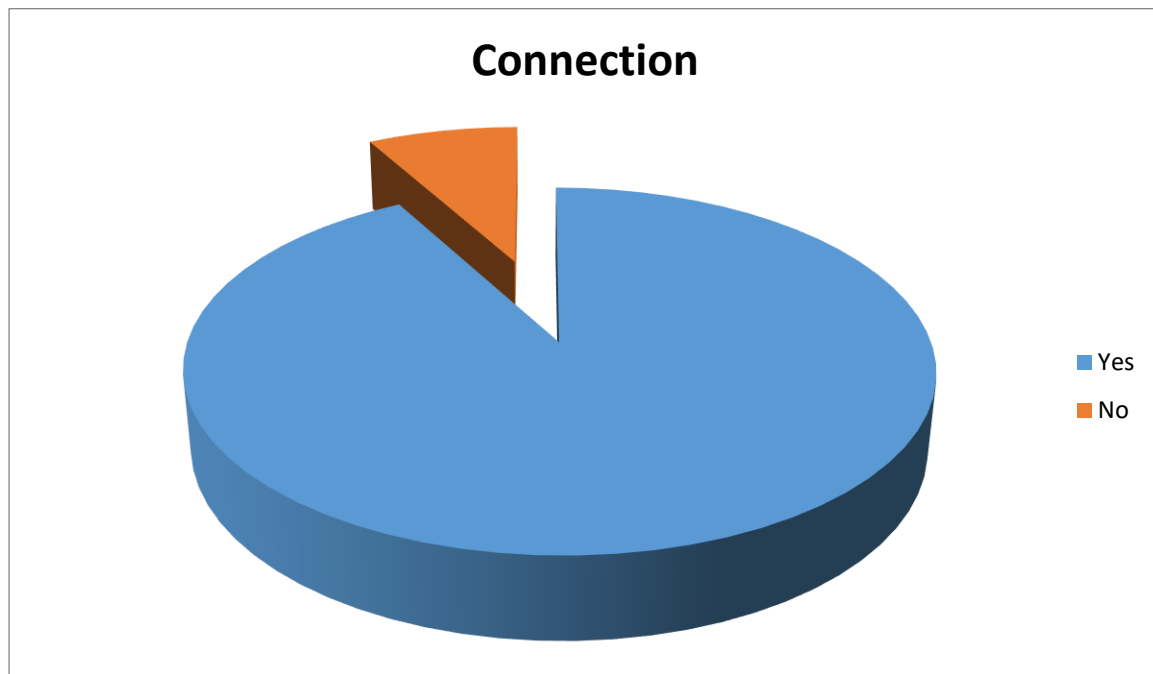


Fig 23

The next question asked to the agencies was related to the mechanism provided under the Domestic Violence Act. 18.6% respondents were of the opinion that the mechanism under Domestic violence act is appropriate to prevent domestic violence while 81.4% were of the opinion different from that as indicated in fig 24 below. Moreover only 10% respondents were agreed to that the present law relating to domestic violence i.e. the protection of women from domestic violence is properly implemented while 90% were of the opinion that the act is not properly implemented as indicated in fig 25 below.

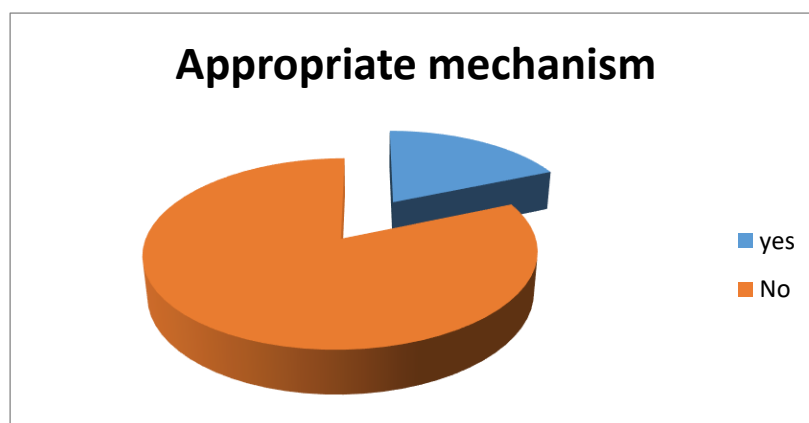


Fig 24

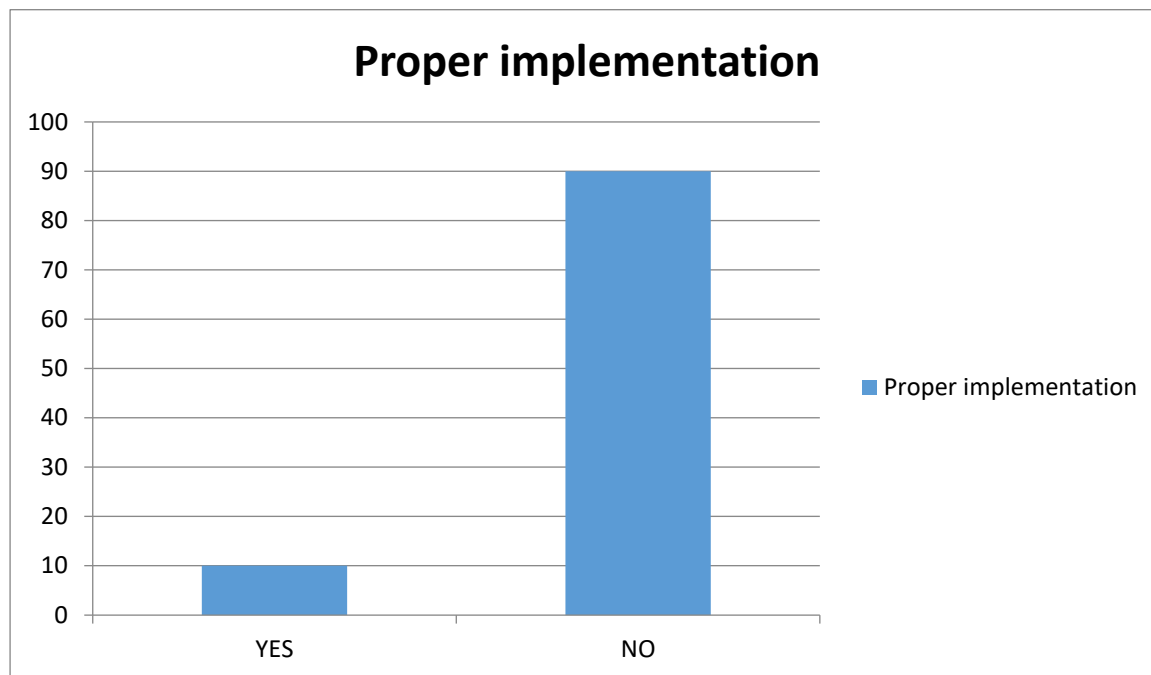


Fig 25

After asking all the above questions, researchers tried to know from the agencies of the domestic violence that whether the law relating to the domestic violence needs to be changed? The researchers observed that 87% respondents were in the favour of bringing changes and the rest 13 % mostly from the police department having insufficient knowledge about the law were satisfied with the already existing domestic violence law. The one who were in the favor of changing the domestic violence laws have the following reasons for the same

1. Women are using the existing law relating to domestic violence as a tool to blackmail the innocent husbands in some of the cases. In order to live separate from the family women are misusing the legislation and get the residence order, monetary relief and other reliefs from the courts to live their life as per their own wishes.
2. The existing law lacks awareness and is less stringent. Awareness relating to the law should be increased especially among the agencies so that there will be the proper implementation.
3. Most of the provisions in the legislation are only in written form available on the bare act but donot exist in practicality. Either such provisions should be scrapped so that there will be no false hopes to the survivors or domestic violence or proper measures should be taken to bring those provisions in existence in reality.

The agencies suggested that in order to make laws more effective there should be the proper awareness among the people as well the authorities relating to the legislation on domestic violence. There must be proper women protection officers in every area and after the proper investigation FIR must be lodged by the police and report should be sent to the court so that courts can work in a delicate manner. This will not only help to create a balance and prevent the misuse of the act by the women who drag the innocent husband in the courts in order to get the monetary benefits but also leads to the proper implementation of the act.

Conducting research in the area of domestic violence is not easy at all. The data on Domestic Violence with the agencies is privileged and no one gives the access to the data without the prior permission of the higher authorities. The researchers had to file RTI under the provisions of RTI Act 2005 to know about the following.

1. Cases of domestic violence reported in all the four zones of District Srinagar from the March 2018-March 2022
2. Statistical data relating to the number of cases forwarded from police stations to the magistrates.
3. Statistical data of the cases resolved by the police authorities/ protection officers in various police stations of District Srinagar from March 2018-March 2022.
4. Statistical data of the relief provided by the police authorities and the courts to the victims of domestic violence during the tenure mentioned above.

The RTI Report revealed that Fifteen Hundred seventy eight (1578) cases has been reported in different police stations of District Srinagar from March 2018-March 2022. Among these Eleven hundred forty eight (1148) cases of domestic violence has been forwarded from police stations to magistrate during the tenure of 4 years from March 2018-March 2022 and 43 cases has been resolved by the police authorities at the police stations by counseling both the parties. The RTI report revealed the shocking fact that police authorities did not provide any relief to the victims of domestic violence other than forwarding their cases to the court and counseling the perpetrator of violence in a bid to prevent violence against women. It further revealed that the courts provide maintenance order, residence order, and monetary relief.

VI. DISTRICT LEGAL SERVICE AUTHORITY

As per the data collected from the District Legal Service Authority there has been a rise in number of domestic violence cases reported to the DLSA especially during the period of COVID 19 which is indicated in fig 1 below. In the year 2018 number of reported cases were

8 which were increased to 25 in the year 2019 followed by 61 cases in the year 2020, 64 cases in the year 2021 and 24 cases in the year 2022 up to the month of march.

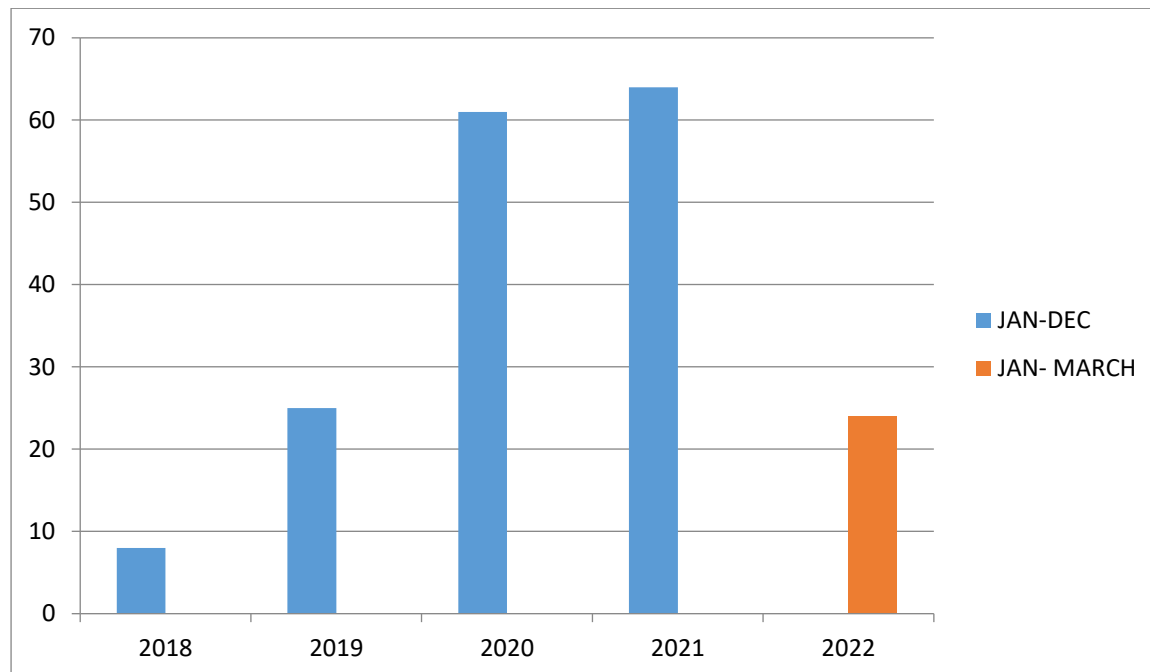


Fig 1

The figure clearly indicates the huge rise in cases of domestic violence during the lockdown period and the reason behind the same has been found as the unemployment, Ego conflict, drug addiction, lack of money to purchase the drugs and non-availability of drugs during the period of lockdown. The frustration of all these factors along with other common reasons like dowry, giving birth to girl child went upon the women resulting in rise in domestic violence cases.

As per the research conducted District Legal Service Authority at the very first instance had tried to resolve the matrimonial dispute at their own through ADR mechanism like mediation, conciliation and where the matter is of such a nature which could not be resolved through ADR, they referred the case to the magistrate along with the legal assistance to the survivors of violence.

VII. ONE STOP CENTRE

One Stop Centre has been established by the Government of India under the centrally sponsored scheme Nirbhaya fund started by ministry in 2015. One Stop Centres are also known as Sakhi Centers. Its aim is to facilitate the women who are victims of violence including domestic violence with a wide range of services like police facilitation, medical aid, legal aid, legal counseling, psycho social counseling, and temporary shelter under one roof

free of cost. In the state of Jammu and Kashmir the scheme of establishing One Stop Centre has been implemented in 2021. In the state of J&K such centers took help from Anganwadi workers who work at the ground level. They inform the people about these centers and also help them to reach there. As per the administrator at Sakhi-One Stop Centre Srinagar Syed RuksanaAlam calls to the helpline number 181 post august 2019 were sharply declined due to the communication blockade and it had risen during the lockdown period after the restoration of cellular networks. As per the administrator at Sakhi-One Stop Centre Srinagar Syed RuksanaAlam calls to the helpline number 181 post august 2019 were sharply declined due to the communication blockade and it had risen during the lockdown period after the restoration of cellular networks. As per her the One Stop Centre receives almost 7-8 calls in a day and sometimes even more.

VIII. NGOS

The researchers went to Mehram, Non Profitable Organization in Srinagar founded by three Kashmiri women: Shehryar Khanum who is a businesswoman, Arshie Qureshi a research scholar; and Sabreen Malik, a lawyer. The nonprofit Mehram supports women and impoverished families while also providing emotional, legal, and financial help to women with violent husbands. Mehram has helped roughly 124 women since its founding in July of last year, including those who were victims of domestic abuse, six cases of extortion, eight incidents of harassment, and four cases of unfaithful husbands. Along with providing additional funds for bridal trousseau, Mehram also regularly offers financial support to 45 families and distributes it to over 200 families if needed.

The researchers went to the other Non Governmental Organization namely HELP FOUNDATION located in the Gogji Bagh area of the Srinagar. The organization had launched the helpline known as “BE KAS WAN” for women in distress last year. This name “BE KAS WAN” is a Kashmiri phrase which means “TO WHOM I WILL ADDRESS”. The organization has received 26 calls on the helpline. These 26 calls received from the women are inclusive of harassment and domestic violence cases. Among these twenty six calls, three cases of women are subjudice. Twelve women have been provided support legally, emotionally, psychologically. In the absence of the shelter home to be provided by the government as per the provisions of the Domestic Violence Act, the organization provided shelter home to few women who came to them for help and have been abandoned by their families. They provided such facility on the basis of humanity in their own premises at their own expenses without getting any support and funding by the government for the same. The

NGO is doing their every bit to empower the women and come to their rescue when there is a need to do so.

IX. FINDINGS OF THE STUDY

The findings of the study indicate a continuous rise in cases of domestic violence. This is supported by data collected during the research. According to the official records of the National Crime Records Bureau (NCRB), 3,437 cases of domestic violence were registered in 2018. This number declined by 10% in 2019, with 3,069 cases reported, followed by another 10% increase in 2020.

Focusing on the Union Territory of Jammu and Kashmir, a study conducted by Lubna Yunus on domestic violence in the Srinagar district revealed that the police recorded 9 cases of violence against women in 2010, followed by 48 cases in 2011, 51 in 2012, 53 in 2013, and 41 in 2014. The researchers expanded their investigation to assess the number of cases reported between March 2018 and March 2022. During this period, the District Legal Services Authority received 8 cases in 2018, 25 in 2019, 61 in 2020, 64 in 2021, and 24 in 2022.

Additionally, police stations across Srinagar received a total of 1,578 domestic violence cases from March 2018 to March 2022. Of these, 1,148 cases were forwarded to the magistrate, while 43 were resolved at the police station level through counseling of both parties. Notably, the year 2020—during which a national lockdown was imposed due to the COVID-19 pandemic—saw a spike in domestic violence cases, highlighting how the lockdown made women more vulnerable to abuse within their homes.

Interviews with approximately 50 domestic violence survivors aged between 25 and 36 revealed that domestic violence affects both literate and illiterate women. It is prevalent across all sectors, though the incidence is higher among homemakers and less-educated women, and lower among financially independent, educated women. However, the study also found that even educated men in well-respected and high-paying jobs may either perpetrate domestic violence or act as silent bystanders while their wives are mistreated by in-laws. Although such cases are fewer compared to those involving unemployed or less-educated husbands, they nonetheless represent a troubling reality.

Women in marital institutions face not only physical abuse but also emotional and financial violence, often at the hands of their in-laws. These women frequently suffer from mental health issues as a result. To understand the root causes of domestic violence, it is crucial to examine how the institution of marriage and family has evolved over time.

It is also observed that many victims of domestic violence are reluctant to speak out. Even when neighbors attempt to intervene, women often remain silent to avoid social scrutiny, fearing that exposure could jeopardize their marriages. Silence is also maintained due to fear of further violence, concern for their children, and the stigma associated with being a domestic violence victim. Common causes identified include unemployment, giving birth to daughters, and dowry-related demands.

The study highlights a significant lack of awareness about domestic violence laws—not only among women but also among some police officers, who are unaware of the full extent of their responsibilities and powers under the Domestic Violence Act. This lack of awareness hinders victims from accessing the legal remedies available to them. Even in cases where women are aware of their rights and have sought help under the Act, many report dissatisfaction with the remedies provided.

Under the law relating to Domestic Violence, there is a provision of protection officer necessarily a woman who is supposed to assist the magistrate in the cases of domestic violence, provide the necessary facilities to the victims of domestic violence and entrusted with other functions under the act, but in reality protection officers are rarely available. In the state of Jammu & Kashmir CDPO'S are given the powers of protection officers but the situation on the ground level is that the police authorities are not even aware that there is some protection officer within their department whose job is to look into the cases of domestic violence. The law has provided the provision of having female protection officer with the intent that female victims feel comfortable in narrating their story to other female who shall have some authority at her disposal to protect the victim from further violence but the situation is that there is hardly any appointment of female in the police stations as protection officers and where it is available there is hardly an easy access to protection officers. District Srinagar no doubt has Women Police Station at Rambagh, but for the whole district one women police station is not enough.

The domestic violence act 2005 provides for the shelter homes to protect the survivors of domestic violence but on ground the situation is different. There are no shelter homes in Kashmir as a result of which victims are forced either to lock with their abusers or take the rented accommodation which is even more difficult because in our society renting an accommodation to a women without brother, father or husband is deemed to be unacceptable and this becomes one of the main reason for the women to resort to silence and take the abuse to which she is subjected.

Domestic Violence Act 2005 mentions about the service providers where NGO plays a significant role. The researchers therefore conducted the research in two NGO's namely Mehram and Help Foundation. At Mehram the researchers found that for a Kashmiri women suffering from gender-based violence, Mehram, a tiny NGO founded for and by women in Kashmir, has proven to be an important haven. The organization has been founded by three Kashmiri women: Shehryar Khanum who is a businesswoman, Arshie Qureshi a research scholar; and Sabreen Malik, a lawyer. The nonprofit Mehram supports women and impoverished families while also providing emotional, legal, and financial help to women with violent husbands. While talking to them they revealed that divorce is often avoided by women who worry about losing custody of their kids and facing financial hardship. Their goal is to produce long-term sustainability. They also provide them loans so they may start some little businesses. They are helping the women and families in need, financially as well as provide emotional, legal, and other support to women with abusive husbands. They were of the opinion that financial hardship is increasingly being used as a justification for violence. Families are genuinely disintegrating because there isn't enough money to keep them going. They even said that "How will we get a man to pay maintenance if he says he's willing to do so but hasn't had a job in two years?" While talking to them about the implementation of legislation relating to domestic violence they answered that there is a biggest problem with the implementation of act. They gave an example that Kashmir lacks a shelter home for women experiencing domestic violence which is one of the important and the basic remedy a woman wants to avail because in Kashmir parents genuinely offering emotional support to women is quite uncommon and going to the police or a court is viewed as blasphemous. In the absence of shelter home to be established by the government, they are providing shelter to destitute women in their premises at their own expenses. It was found that Mehram has helped roughly 124 women since its founding in July of last year, including those who were victims of domestic abuse, six cases of extortion, eight incidents of harassment, and four cases of unfaithful husbands. Along with providing additional funds for bridal trousseau, Mehram also regularly offers financial support to 45 families and distributes it to over 200 families if needed.

The organization has filed a petition in the court on the grounds that the government in Jammu and Kashmir has not put the Protection of Women from Domestic Violence (DV) Act, 2005, into effect. Minister of State for Health and Social Welfare, AsiyaNaqash, made an announcement in October 2015 that Social Welfare Department will build shelter homes for victims of domestic violence in both of the state's divisions. she said that if their in-laws or

parents don't welcome them because they refused to give in to their pressure, the victims of domestic violence can stay in these refuge homes. Along with security, these shelters can offer these victims medical and legal support, enabling the prosecution of the violent offenders. They said that even though the Act entered into force in J&K more than ten years ago, the state government has failed to adequately execute and administer the Act. They had claimed that in addition to failing to meet its legal requirements, the government has also failed to demonstrate the necessary dedication to its duties and commitments under international and constitutional law with regard to the development of shelter homes. In addition to calling for the proper implementation of the mandatory provisions of Chapter III of the Protection of Women from Domestic Violence Act they have called for the proper appointment and operation of Protection Officers, and instructions for setting up adequate infrastructure throughout Jammu and Kashmir to create shelter homes for victims of domestic violence. They have asked the Chief Secretary through PIL to give instructions on how to educate police personnel and members of the judiciary about gender-based violence and also asked for granting "residence order" under Section 19 of the DV Act, 2005, to those who have been wronged. In response to a Public Interest Litigation seeking to establish shelter homes for homeless women in Jammu and Kashmir as required by the Domestic Violence Act of 2005.

The researchers went to the other Non Governmental Organization namely HELP FOUNDATION located in the Gogji Bagh area of the Srinagar. While talking to the officials there the researchers came to know that the organization is dealing with the children and women in general and mostly with the children. They provide and create opportunities in education, vocational skills, trainings and capacity building to these vulnerable groups to make them independent, confident and to develop in them the leadership skills. Their focus has been on providing quality education to the children, empowerment of women and mental health counseling for the youth who have been victims of the situation.

The organization had launched the helpline known as "BE KAS WAN" for women in distress last year. This name "BE KAS WAN" is a Kashmiri phrase which means "TO WHOM I WILL ADDRESS". The organization has received 26 calls on the helpline. These 26 calls received from the women are inclusive of harassment and domestic violence cases. Among these twenty six calls, three cases of women are subjudice. Twelve women have been provided support legally, emotionally, psychologically. In the absence of the shelter home to be provided by the government as per the provisions of the Domestic Violence Act, the organization provided shelter home to few women who came to them for help and have been

abandoned by their families. They provided such facility on the basis of humanity in their own premises at their own expenses without getting any support and funding by the government for the same. The organization in such cases first prefers reconciliation by bringing parties together and by counseling them. If the cases turn to be more serious which can not be reconciled they provide all the assistance to the victims and help them to approach the court and get them the required relief. While enquired about the rest of the calls they responded that they were not further proceeded due to the degree of fear of social stigma among the survivors of violence. They don't want their personal life to get highlighted in the public domain and few opted to remain silent due to their children.

The help foundation in a couple of years has provided right set of skills and training. They have established Kashmir Art embroidery training centre across the valley and some of them have evolved as production centre for Ari and Sozni embroidered products. They have initiated SHEHJAR Skill Development And Livelihood Programme with the support of HHRD in 2020 where they are providing catering skills as a means of livelihood and create opportunity for women empowerment. Apart from the catering skills they also provide training in tailoring and cutting, Ari work, Sozniwork, Tilla work, Zari work and the marketing facilities for their manufactured products through ecommerce web portal under this project. The NGO is doing their every bit to empower the women and come to their rescue when there is a need to do so.

The researchers further observed that the scheme of establishing One Stop Centre under centrally sponsored scheme Nirbhaya fund which was started by ministry in 2015 was finally implemented in 2021 in Jammu and Kashmir by establishing One Stop Centre also known as Sakhi Center at Bemina Srinagar. The researchers has found that the center took help from Anganwadi workers who work at the ground level. It informs the people about their center and also help them to reach there. As per the administrator at Sakhi-One Stop Centre Srinagar Syed Ruksana Alam One Stop Centre receives almost 7-8 calls in a day and sometimes even more.

X. CONCLUSION

The prevalence and persistence of domestic violence in Kashmir, particularly in District Srinagar, reflect a deeply rooted societal and structural problem. Despite legal frameworks like the Protection of Women from Domestic Violence Act, 2005, and institutional mechanisms such as One Stop Centres and helplines, systemic issues—ranging from lack of awareness, inadequate infrastructure continue to inhibit meaningful relief for victims. The

reality on the ground tells a story of inadequate implementation, lack of shelter homes, missing protection officers, and women forced to choose between silence and survival. The abrogation of Article 370 further dismantled institutional safeguards like the State Women's Commission, widening the gap between rights promised and rights realized. Lockdowns—from political have deepened the vulnerability of women trapped in abusive households with limited access to support systems.

The empirical data collected, underscores the compounding impact of unemployment, economic distress, cultural expectations, and institutional inefficiencies on the vulnerability of women. The silence of victims—driven by fear, social stigma, and financial dependency—exacerbates the cycle of abuse. Moreover, while NGOs and legal aid agencies are playing a crucial role, their reach and effectiveness remain constrained by government apathy and logistical limitations.

It is evident that domestic violence in Kashmir is not merely a legal issue but a societal malaise embedded in traditional norms, patriarchal structures, and ineffective governance. Addressing it requires more than just laws—it demands a coordinated social, educational, and administrative revolution.

XI. SUGGESTIONS

1. Strengthen implementation of existing laws: Ensure strict enforcement of the DV Act, 2005, with full operationalization of all its provisions including shelter homes, residence orders, and monetary relief. Mandate regular training of police, magistrates, and protection officers on the DV Act.

2. Increase appointment and accessibility of protection officers: Appoint trained female protection officers in every police station with visibility and accessibility for victims. Ensure that police are aware of their presence and roles.

3. Establish government-run shelter homes: Expedite the construction and operation of shelter homes in every district, ensuring privacy, safety, and basic amenities for victims. Provide temporary housing support to victims in crisis via public-private partnerships.

4. Community-based awareness campaigns: Launch mass awareness programs using local languages and cultural idioms through TV, radio, schools, religious sermons, and mohalla committees. Normalize discourse around domestic violence and encourage reporting without shame or fear.

5. Educational and religious reforms: Integrate gender sensitization and human rights education into school curricula. Engage religious leaders to raise awareness from the pulpit, emphasizing non-violence and mutual respect in families.

6. Enhance legal aid and ADR mechanisms: Provide fast-track processing of DV cases and mandatory ADR attempts through DLSA and NGOs. Strengthen legal aid units at the grassroots and ensure victims are not turned away due to procedural or resource gaps.

7. Economic empowerment of women: Promote women's economic independence through skill development programs, microfinance schemes, and employment linkages. Encourage start-ups or cooperatives run by survivors with government-backed incentives.

8. Monitoring and evaluation: Establish a dedicated monitoring cell to review the status of DV cases, support systems, and implementation of court and government orders. Use periodic surveys and social audits to assess ground-level effectiveness and gaps.

9. Digital and helpline expansion: Expand and publicize helplines like 181 and emergency mobile apps. Provide safe digital reporting options especially for victims in remote areas.

10. Empower and support NGOs: Provide funding and logistical support to NGOs working on DV issues. Include them in state-level advisory and monitoring bodies for policy formulation and implementation.

These suggestions, if effectively implemented, can play a transformative role in not only curbing domestic violence but also in rehabilitating victims and preventing further abuse. The battle against domestic violence must be multi-pronged, involving law, community, education, and empathy.
