



## Crime and Spousal Violence Against Women in India: Evidences from the Reports of NFHS and NCRB

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**Abstract :** *The institution of marriage or the interest of living together brings men and women to reside under the common roof for meaningful family life. Many factors violate the feeling of understanding, mutual trust, and confidence among married partners. The Indian socio-cultural system has a unique value for women in the family. As a result, they take on specific responsibilities such as balancing the power and control exercised by husbands, following rituals and ceremonies in the family, bringing up children, taking care of the elderly and looking after family respect. Women from all societies know they are overburdened and their services highly exploited without due recognition. They run family insubordination to the husbands. Within a family, accept male domination and gender inequality. Despite the toughest conditions, hardship and vulnerable situations, still wives in India justify anger, aggression, harm, injury and violence caused by married companions. According to National Family Health Survey (NFHS) report 2015-16, 82.3% of women in India are subserviently abused and perpetrated by their nuptial counterparts. One-thirds of the ever-married women population experience physical, emotional and sexual violence from their married or Intimate Partners. The meaning of Intimate Partner Violence (IPV) in India is entirely different from the global context. Unlike in western society, in India, the abusers are the spouses of the women only. This paper vividly discusses Spousal Violence (SV) against women with data reference from NFHS and Nation Crime Reports Bureau (NCRB), India.*

*Keywords: Crime, Intimate Partner Violence (IPV), Spousal Violence (SV)*

### Introduction

According to World Health Organization (WHO, 2002), violence broadly covers all forms of violence against Individuals, Groups and Communities. Violence at the individual level is called Interpersonal Violence, which includes violence between family

members and intimate partners, a significantly prevalent form of Spousal Violence (SV) in India. Violence at the societal level occurs between unrelated individuals who may not even know each other. While the mainly former takes place within the family or home, the latter can happen in the streets and other public



spaces and institutional settings such as schools, workplaces, prisons, nursing homes etc. (UNDP, 2014).

As per United Nations Population Fund, as of October 2021, the world population is 7.9 billion, out of which there are 3.97 billion (50.42 per cent) males and 3.90 billion (49.58 per cent) are females in the world (UNFPA, 2021). India occupies 2.41 per cent of the world's land area. Still, it supports over 18 per cent of the world's population occupying 730 million (52%) males and 675 million (48%) females together, which accounts for a 1.4 billion estimated total population with a decadal growth rate of 15.1% (UNO, 2021). India is a democratic union with federal features consisting of 28 States and 8 union territories (UTs). Politically, India is one of the biggest democracies in the world and economically, one of the strongest developing nations among all the countries. After more than 75 years since India's independence in 1947, women still struggle for freedom in their life. The sex ratio was 940 per 1000 in 2011. This ratio has been showing an upward trend for the last two decades after a continuous decline in the previous century. More than 65 per cent of the population is below the age of 35 in India (GOI:Census, 2021). According to NCRB, crime against women is highly recorded among younger women, and one-third of cases are registered due to SV. NFHS identifies SV as the prime cause of family health issues. The productive age group of women between 18 – 49 age groups, affected by SV has negative repercussions on the development of family, society, and the economy.

### Methodology

An explanatory method of research implicated for the study of crime and spousal violence against women in India, based on the cross-sectional data available in the latest reports of NCRB,

2020 and NFHS, 2019-2021. The NFHS collected sample data for all the 707 districts from the 28 States and 8 UTs of India, covering the sample size of 610,000 households, which implicated both cluster sampling and random sampling methods. The NCRB spousal violence records are available from the crime registers filed 1,12,292 cases under IPC Sec. 498A cruelty by husband or his relatives recorded from all over India.

### Crime Rate Against Women in India

As per NCRB of India, the Indian Penal Code (IPC) protects women against crimes in India. They are Cruelty by Husband and his relatives (IPC Sec. 498A), Murder with Rape, Dowry Deaths (IPC Sec. 304B), Abetment to Suicide of Women (IPC Sec. 305 & 306), Miscarriage (IPC Sec. 313 & 314), Acid Attack (IPC Sec. 326A), Kidnapping & Abduction of Women to compel her for marriage (IPC Sec. 366), Selling and Buying of girls (IPC Sec. 373), Human Trafficking (IPC Sec. 370 & 370A), Attempt to Commit Rape (IPC Sec. 376/511) and Insult to the Modesty of Women (IPC Sec. 509), safeguard women against crimes (NCRB, 2020). The present paper emphasises only IPC Sec. 498A, which prevents SV against women in India.

The data in Figure: 1 clearly explains the status of the crime rate against women in India from different States and UTs. Assam (154.3) registered the highest crime rates among all the States, and Delhi (106.4) reported the highest among UTs per one lakh population. 8 States and 3 UTs crime rate is above the national average (India-56.5). In the two Telugu speaking States, Telangana occupies the third position with 95.4, and Andhra Pradesh records the 7<sup>th</sup> position with a 65.0 crime rate against women in India (NCRB, 2020).

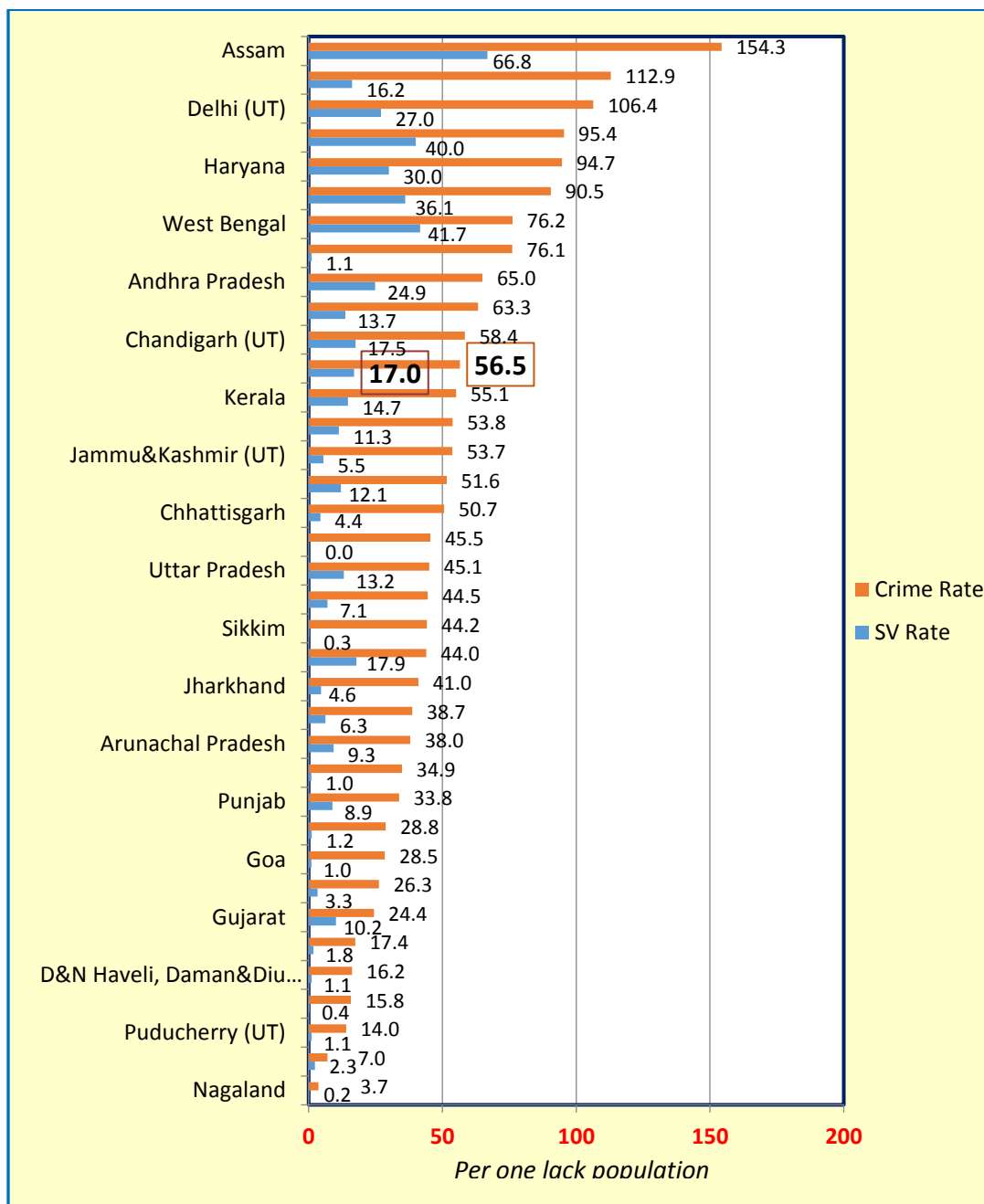


As per the NCRB report (2020), 56.5 women are affected by any form of crime and 17.0 are affected by spousal violence against women in India per 1 lakh general population. The figure clearly explains that 12 (42.9%) States out of 28 and 4 (50%) UTs out of 8 recorded a higher than 50.0 crime rate. The top 5 States occupy in Crime Rate in India are Assam (154.3), Odisha (112.9), Telangana (95.4), and Haryana (94.7). The lowest rate of crime is represented by Nagaland (3.7), Manipur (15.8), Tamilnadu (17.4),

Gujarat (24.4) and Bihar (26.3). Delhi (106.4) recorded the highest crime rate among UTs, and Ladakh (7.0) had the lowest crime rate. Overall out of 28 States and 8 UTs (36 Governance Divisions) of India, 4 States & 2 UTs recorded a 0.0 – 20.0 crime rate. 8 States indicated a 21.0 to 40.0 crime rate, 9 States and 3 UTs rated between 41.0 to 60.0 crime rate, 3 States and 1 UT showed a crime rate of 61.0 to 80.0, and 5 States and 1 UT recorded more than 90.0 crime rate.



**Figure: 1 Crime Rate and Spousal Violence Rate Against Indian Women - 2020**



Source: National Crime Records Bureau (NCRB), Ministry of Home Affairs



### **Spousal Violence (SV) Against Women in India**

As per NCRB-2020, Spousal violence, a common form of crime against women in India, has always been under-recorded. As explained in Figure: 1, the SV rate in India is 17. There are 7 States, and 2 UTs were recorded above the SV rate of India. As per the data, out of 28 States in India, Assam recorded a 66.8 SV rate, and Nagaland indicated a meagrely 0.2 SV rate. Among UTs, the highest in number, Delhi recorded a 27.0 SV rate and interestingly and contrarily, Lakshadweep recorded a 0.0 SV rate. It does not mean the state with the lowest SV rate doesn't have any form of SV. The fact is that there is a poor recording of SV cases from the lowest recorded States and UTs. SV has been a general phenomenon worldwide. One-third of the women are affected by their husbands or living partners.

The top five highest States with recorded SV rates per 1 lakh population are Assam (66.8), West Bengal (41.7), Telangana (40.0), Rajasthan (36.1) and Haryana (30.0). At the bottom line, 5 lowest recorded SV rate States are Nagaland (0.2), Sikkim (0.3), Manipur (0.4), Meghalaya (1.0), and Goa (1.0). 15 States and 5 UTs recorded a 0.0 to 10.0 SV rate. While 8 States and 1 UT specify the SV rate at 10.1 to 20.0, 1 State and 1 UT recorded 20.1 to 30.0 crime rates, 2 States indicated 30.1 to 40.0 SV rate and 2 States and 1 UT recorded SV rate above 40.0 up to the range of 66.8.

NFHS-5, taken up in 2019-21, confirmed a demographic shift in India. The NFHS-1 launched in 1992 indicated the proportion of women exceeded men. There were 1,020 women for 1,000 men in NFHS-5 compared to NFHS-4 conducted in 2015-16, which revealed only

991 women for every 1,000 men. About 70 per cent of Indian women in the age group of 15-49 face spousal violence. The third round of the Indian NFHS-3 conducted in 2005-06 recorded that 40.6 per cent of ever-married women aged 15-49 years face some form of SV (Sabri et al., 2014). The NFHS-4 undertaken in 2015-16 indicates that SV was recorded at 30.9 per cent and the NFHS-5 resulted in 29.3 per cent for the 15-49 years ever-married women. As per NFHS-4, 11 States and 1 UT indicate a higher percentage of SV out of 28 States and 8 UTs and based on NFHS-5, 10 States and 1 UT have represented a more significant amount of affected SV population. Among UTs, only Puducherry noted higher SV than India in both periods of the NFHS-4 & the NFHS-5.

As per the NFHS-4 (2007), the top five States which have an enormous amount of SV are Manipur (53.2 per cent), Bihar (43.7 Per cent), and Andhra Pradesh (43.4 per cent), Telangana (42.4 per cent) and Tamil Nadu (40.7 per cent). There are three South Indian (both Telugu speaking) States representing a high percentage of SV in India. The numbers of NFHS-5 (2021) describe a pretty different picture. Shows a lot of reduction in SV, especially during the COVID period, which means that the pandemic has a significant impact on SV. The top five SV representing States are Karnataka (44.4 per cent), Bihar (40.0 per cent), Manipur (39.6 per cent), Tamil Nadu (38.1 per cent) and Telangana (36.9 per cent). Both NFHS-4 & NFHS-5 commonly representing States are Manipur, Tamil Nadu and Telangana. It can be noticed again that 3 States from South India represent among the highest SV. Overall, it indicates that SV in South India is more elevated than in North India.



**Table: 1**  
**Trends of National Family Health Survey (NFHS)**  
**Ever Married Women Age 15-49 Years, who Experienced Spousal Violence**  
**(SV)**

State/ UT	NFHS-4 (2015-16)	NFHS-5 (2019-20)	NFHS-4 & NFHS-5 Variance Trend
Karnataka	20.6	44.4	23.8
Ladakh (UT)	8.5	18.1	9.6
Sikkim	2.7	12.1	9.4
Assam	24.5	32.0	7.5
Maharashtra	21.3	25.2	3.9
Uttarakhand	12.7	15.1	2.4
Himachal Pradesh	5.9	8.3	2.4
Jammu&Kashmir (UT)	9.4	9.6	0.2
Rajasthan	25.2	24.3	-0.9
A&N Islands (UT)	18.4	17.2	-1.2
<b>INDIA</b>	<b>31.2</b>	<b>29.3</b>	<b>-1.9</b>
Uttar Pradesh	36.7	34.8	-1.9
Jharkhand	34.0	31.5	-2.5
Tamil Nadu	40.7	38.1	-2.6
Bihar	43.7	40.0	-3.7
Puducherry (UT)	34.6	30.5	-4.1
Delhi (UT)	26.8	22.6	-4.2
Kerala	14.3	9.9	-4.4
Goa	12.9	8.3	-4.6
Odisha	35.2	30.6	-4.6
Madhya Pradesh	33.0	28.1	-4.9
Telangana	42.9	36.9	-6.0
West Bengal	33.1	27.0	-6.1
Arunachal Pradesh	31.0	24.8	-6.2
Gujarat	20.2	14.0	-6.2
Mizoram	17.1	10.9	-6.2
Nagaland	13.1	6.4	-6.7
Tripura	28.1	20.7	-7.4
Lakshadweep (UT)	8.9	1.3	-7.6
Punjab	20.5	11.6	-8.9
Meghalaya	28.8	16.0	-12.8
Chandigarh (UT)	22.5	9.7	-12.8
D&N Haveli, Daman&Diu (UT)	30.0	16.8	-13.2
Andhra Pradesh	43.4	30.0	-13.4



Manipur	53.2	39.6	-13.6
Haryana	32.0	18.2	-13.8
Chhattisgarh	36.8	20.2	-16.6

Source: NFHS-4(2015-16), NFHS-5(2019-20),

MoHFW (Ministry of Health and Family Welfare)

The lowest SV representing States or UTs as per NFHS-4 are Jammu & Kashmir (9.4 per cent), Lakshadweep (8.9 per cent), Ladakh (8.5 per cent), Himachal Pradesh (5.9 per cent) and Sikkim (2.7 per cent). According to NFHS-5 lowest SV indicating States or UTs are Jammu & Kashmir (9.6 per cent), Goa (8.3 per cent), and Himachal Pradesh (8.3 per cent), Nagaland (6.4 per cent) and Lakshadweep (1.3 per cent).

### Discussion

India is not exceptional for the unequal treatment meted out to women, or the gender bias remains in India. India's women continuously suffer due to a lack of awareness about their rights. SV, commonly caused by men against women, called Intimate Partner Violence (IPV), is the most prevalent form of crime. According to Kishore and Jhonson (2006), early marriages, spousal age disparities, illiteracy and oppressive practices and customs, high infant mortality rate, variation in sex ratio, low literacy rate, dropout rates of women from education, poverty, poor social network, social marginalisation, limited access to resources, low wages rates (Duvvury et al., 2013) are the reasons for SV against women. In most of the States in India, patriarchy continues to inhibit women's daily life even today. The foremost reason for gender imbalances in many underdeveloped and developing countries (Rashad & Sharaf, 2016) is SV against women.

IPC Sec. 498A is a criminal law protecting married women from their spouses and the spouse's relatives from

the cruel acts against women in India (NCRB, 2020). Among different forms of crime caused against women, the SV inflicted by their husbands is underreported. The social stigma, financial dependency, embarrassment from the community, lack of support from family to approach legal authorities, fear of retaliation, and victim-blaming to following a complicated bureaucratic procedure. Understanding the extent of underreporting SV against women in India helps find the actual state of the prevalence of spousal crime.

The NCRB (2020) report collates the crime statistics from all the States across the country. Under Section 498A of the IPC, it considers the crime rate as the number of cases reported by the women's population in lakhs. On the other hand, the recently launched NFHS-5 (2019-2020) is an independent, reliable, nationally representative data source that collects self-reported SV responses (NFHS-5, 2021).

Many issues keep women to be silent about SV. Therefore, both NCRB and NFHS could not register appropriate information about SV. The main reasons are social stigma, respect for the family in the society, financial dependency on husbands, children's education and health etc. Hence, comparing the state-level percentages of NCRB (2020) data with the NFHS-5 (2021) analysis on married women aged 18-49 years who have undergone and experienced SV will help determine the extent of the under-reporting of SV incidents.





The domestic violence act vividly discusses violence against women (GOI, 2007). The underreporting of SV was filed as a complaint under IPC sec. 498A denotes systematic under-reported incidents of SV. Reporting under Section 498A is as low as 0 in Lakshadweep and Nagaland, whereas NFHS-5 statistics suggest otherwise. The most significant under-reporting seems to be occurring in Bihar, Karnataka and Manipur, where SV prevalence is around 40 per cent or higher. In comparison, reporting is less than 8 per cent. Assam, Andhra Pradesh, Kerala, Telangana, Tripura, and West Bengal have higher case filings than the self-reported incidences of SV.

The NCRB must be given more attention to resolving the issue of underreporting than the NFHS. It can be analysed from the data. Unlike NFHS, the NCRB covers the cases filed by the women beyond the age limit of 18-49 against husband and their relatives. In contrast, NCRB deals with only cruelty inflicted by husbands and relatives.

SV against women is a most reprehensible human rights violation. It does not know boundaries, geography, culture, caste, wealth, etc. It is a universal phenomenon found in developing, developed and underdeveloped countries (Rashad & Sharaf, 2016) in varying forms and magnitude. Various factors lead to spousal violence against women (Pandey et al., 2009) operate at individual, relational, community and societal levels. At the individual level, the reasons for SV are the Spousal Age Gap and the long spousal relationship (Sabri et al., 2014). SV against women can be conceptualised as a 'relational vulnerability', reflecting women's subordinate status within hierarchical gender relations and dependencies.

Today's most persistent human rights violence is violence against women and girls that occurs through their life cycles (UNICEF, 2000), causing vulnerability from the cradle to the grave. Many societies still treat women as chattels in today's advanced civilisation. The highly unequal societies (Kelly, 2000) are prone to SV. The crucial elements of violence against women are poor education, economic dependence, limited political power, limited access to fertility control, harsh social conventions and inequality in the eyes of the law. The definition of violence against women follows the human rights approach, treated as "structural violence" due to poverty and unequal access to health and education affecting their development. Universally no univocal definition explains violence against women, as it differs from one culture to another culture. The operation definitions of many research work considered cross-cultural applicability (Heise et al., 1994) to explain the SV against women.

### **Conclusion**

Violence affects women of all socio, cultural and economic backgrounds (Chaurasia et al., 2021). It is a serious social and public health issue in this nation. Acts of violence against women have been devastating. The women who have been abused, assaulted, stalked or raped are not the only ones profoundly affected by these crimes; the victims' children, family and friends also suffer from witnessing the violation or hearing the screams or seeing the physical and emotional signs of abuse. There is a need to prevent Spousal Violence against women, the most common kind of violence prevalent everywhere. The critical component in any sustainable human development plan (UNO, 2021) and a crucial priority for the post-Millennium





Development Goal (MDG) framework (UNDP, 2014) observed SV as the widespread general form of violence to be tackled immediately. The United Nations recognised SV against women as a fundamental abuse of women's human rights. It is a fundamental violation of their human rights that severely affects women's well-being. Their capabilities are socially deprived due to SV, significantly burdening economic growth and development and having a consistent impact on public health (Modi et al., 2014). Phenomenally economic productivity of women is deeply affected at the family to national level.

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