

Implementation And Effectiveness Of The Protection Of Women From Domestic Violence Act (2005) In Haryana And Punjab

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Abstract

The Protection of Women from Domestic Violence Act, 2005 (PWDVA) represents a significant legislative advancement in India, designed to protect women from various types of domestic violence—physical, emotional, verbal, sexual, and economic. Although the Act establishes a thorough legal framework for providing immediate assistance and long-term safety for victims, its application and success differ among states due to sociocultural, administrative, and infrastructural disparities. This overview analyzes the implementation and effectiveness of the PWDVA in the regions of Punjab and Haryana, which are recognized for their entrenched patriarchal values and unique legal and social obstacles. In both Punjab and Haryana, the recruitment and training of Protection Officers (POs), the involvement of the police and judiciary, and the accessibility of support services such as shelter homes and counselling facilities have been inconsistent. Haryana has achieved significant advancements by raising awareness through gender sensitization initiatives; however, rural and semi-urban regions continue to experience underreporting due to stigma, fear, and insufficient legal knowledge. Punjab, despite observing an increase in complaints filed under the Act, still grapples with delays in judicial processes and poor coordination among involved parties. To improve the efficacy of the PWDVA in Punjab and Haryana, it is crucial to secure additional funding for women's support services, enhance training for Protection Officers, expedite case processing, and align the implementation of the PWDVA with other welfare initiatives. Furthermore, public awareness campaigns and community-based interventions can significantly contribute to challenging patriarchal norms and empowering women to pursue justice without apprehension. The PWDVA has provided empowerment to numerous women in Punjab and Haryana, systemic obstacles persist that impede its complete effectiveness. A comprehensive, multi-faceted strategy that includes legal reform, institutional enhancement, and shifts in societal attitudes is vital to ensure that the Act functions as a genuinely effective instrument for justice and protection.

1. Introduction:

Any type of abuse—physical, emotional, sexual, psychological, or financial that is perpetrated in the house by a partner or family member is referred to as domestic violence. Gender disparity, patriarchal standards, and sociocultural traditions that frequently see women as inferior to males are the main causes of domestic violence in India. Domestic abuse is still pervasive even with laws like the Protection of Women from Domestic abuse Act (PWDVA), 2005. A wide spectrum of abuses acknowledged by the law, which also offers civil remedies like financial help, residence privileges, and protective orders. However, many women are still discouraged from requesting assistance due to social stigma and implementation shortcomings. Domestic abuse continues to be a common issue in Haryana and Punjab, impacting women from all socioeconomic groups. These governments have a long history of gender discrimination, formed by cultural norms like as dowry, son preference, and women's limited mobility. In Haryana, deep-seated beliefs of honor and honor-based violence compound the issue. Domestic violence is significantly exacerbated in Punjab by the high frequency of substance usage, particularly alcohol use. In response to increasing concern, the government established the Protection of Women from Domestic Violence Act of 2005, which aims to provide victims with legal protection and support. Despite legislative measures, domestic violence cases continue to increase. Fear of punishment, societal stigma, and women's lack of information about their rights and available support systems all contribute to this continuing trend. Additionally, the rural-urban gap has a considerable impact on access to justice. Women in rural areas confront additional challenges, such as inadequate availability of legal aid, fewer support services, and deeply ingrained patriarchal standards. While women have made amazing gains in all aspects of life, demonstrating that they are as capable as men, the issue of domestic abuse serves as a sharp reminder of the work that remains to be done to protect their safety and dignity. The proportion of married women subjected to physical violence during

pregnancy in two states has also decreased – by an impressive 67 percent in Haryana over a span of five years and 30 percent in Punjab.

2. The Protection of women against Domestic Violence Act, 2005:

In order to combat and prevent domestic abuse against women, India passed the historic Protection of Women from Domestic Abuse Act (PWDVA), 2005. When the Act, which was passed by the Ministry of Women and Child Development, went into effect on October 26, 2006, it signaled a dramatic change in the way domestic abuse was perceived—from a private or criminal issue to one that violated women's basic rights to life and dignity. The PWDVA offers a more thorough and civil legal remedy than earlier legislation that only addressed violence or cruelty relating to dowries under Section 498A of the Indian Penal Code. Physical, sexual, verbal, emotional, and financial abuse are all included in the broad definition of domestic violence, which is applicable to all women in domestic relationships—not just wives. This covers interactions between spouses, in-laws, and other family members. The Act introduces key features such as:

- **Protection orders** to stop abuse
- **Residence orders** to secure a woman's right to stay in the shared household
- **Monetary relief and custody orders** for dependents
- Appointment of **Protection Officers** and recognition of **Service Providers** to assist victims
- Though criminal penalties may result if court orders are broken, the PWDVA is important because it offers instant relief, does not require a police FIR to start proceedings, and prioritizes protecting the woman over prosecuting the abuser. On paper, the Act is progressive, but because of societal stigma, poor infrastructure, and a lack of awareness, its implementation has been varied between states. Nevertheless, it continues to be an essential weapon in India's battle against domestic abuse and the larger push for gender justice.

3. Domestic Violence in Haryana:

Haryana has a startlingly high rate of domestic violence. About 20.5% of women in the state have been victims of domestic abuse, which means that one in five women had been a victim, according to the National Family Health Survey (NFHS-5). This figure demonstrates how severe and pervasive the issue is in Haryana. Deeply ingrained patriarchal beliefs, customs such as dowries, honor-based limitations, and restricted mobility for women, particularly in rural areas, all contribute to the problem. Because of these social standards, women are frequently discouraged from reporting abuse because they lack support systems, are afraid of shame, and fear retaliation from their families. Furthermore, many victims are still kept silent out of fear of causing "shame" to the family. The Protection of Women from Domestic Violence Act of 2005 provides legal protections, but enforcement is still difficult. Access to shelter homes and legal assistance is still restricted, particularly outside of big cities, and many women are not aware of their rights. More than ever, there is a need for awareness campaigns, law enforcement sensitization, and support system building. Approximately 19% of women aged 18–49 in Haryana reported experiencing physical or sexual violence, with 3% reporting both forms. Only about 10% of women who experienced such violence sought help, indicating significant underreporting. In 2022, Haryana registered 7,341 cases under this category. Haryana reported a crime rate of **118.7 per 100,000 women** in 2022, significantly higher than the national average of 66.4. Haryana operates **22 OSCs**, providing assistance to **44,478** women, which is higher compared to neighboring states. Haryana's high prevalence rate and ongoing barriers to reporting and obtaining justice make domestic abuse a severe and pervasive problem. Many cases remain unreported despite current legal frameworks because of stigma, fear, and ignorance. Implementing multi-faceted solutions is essential to effectively addressing this issue, including cultural transformation, strengthening legal enforcement, and expanding support networks such as one-stop crisis centres, shelter homes, and helplines. Building a more secure and just society will depend on empowering women via education, legal literacy, and community involvement.

4. Implementation of Domestic Violence Act, 2005 in Haryana:

In accordance with the Protection of Women from Domestic Violence Act, 2005, the Haryana government appointed Protection-cum-Prohibition officers (PPOs) at the district level. 22 PPOs, one for each district, have been appointed by Haryana to supervise the implementation of the Prohibition of Child Marriage Act of 2006

and the PWDVA. In order to improve accessibility and cooperation, these officers work out of offices inside Mahila Police Stations. These officers were assigned to the offices of the Superintendent of Police in each district and collaborated with their subordinate staff to ensure the act's implementation. The PPOs were in charge of reporting domestic violence incidents, supporting the magistrate in carrying out their duties, and requesting protection orders on behalf of those who had been wronged. Additionally, they collaborated with service providers and stakeholders to support victims of domestic abuse. In addition, Haryana has a Women and Child Development Department that offers women and children extra protection from crimes including sexual harassment, domestic abuse, rape, kidnapping and abduction, and using a child for begging, among others. The Haryana State Social Welfare Board, District Red Cross Society, and District Child Welfare Council are among the 30 service providers with whom the state has partnered. These groups provide victims of domestic abuse with vital support services like therapy, legal assistance, and rehabilitation. Notification has been sent to all government hospitals, Primary Health Centres (PHCs), and Community Health Centres (CHCs) to offer victims medical support. Two shelter homes have also been established to provide short-term safety to women who are experiencing difficulties. In April-September, 2024 received 4,316 complaints under the PWDVA and solved 1,157. These figures indicate a resolution rate of approximately 27%, highlighting the need for more efficient grievance redressal mechanisms. For the fiscal year 2024-25, the Haryana government allocated ₹220 lakh for the implementation of the PWDVA. By September 2024, ₹83.39 lakh had been expended, reflecting the state's financial commitment to addressing domestic violence.

Despite Haryana's admirable attempts to execute the PWDVA through budgetary allocations, service provider partnerships, and institutional appointments, difficulties still exist. To ensure the Act's efficacy and protect women's rights in the state, it is imperative to address underreporting, increase legal awareness, and extend support services

5. Domestic Violence in Punjab:

In Punjab, domestic abuse affects women from all socioeconomic groups and is still a severe and underreported problem. Deeply ingrained patriarchy, substance abuse, and social shame characterize the real reality on the ground, notwithstanding progressive regulations like the Protection of Women from Domestic Violence Act (PWDVA), 2005. 11% of the married women in Punjab have experienced spousal abuse in the past 12 months and 38% have experienced it over their life time. Spousal abuse or domestic violence are likely to have witnessed their fathers beat their mothers which affects the home's environment negatively and have an adverse effect on children. According to the National Family Health Survey (NFHS), every 5th woman in Punjab is a victim of domestic violence. This includes 19% married women.

Domestic Violence is a significant issue in Punjab, which has a negative effect on mental and physical health of a woman. Various forms of Domestic Violence are reported such as physical, emotional, economic, social and sexual violence. Main reasons of Domestic violence against women in Punjab are alcohol use among men is among the highest in Punjab, and it is closely associated with aggressive conduct in the home. Domestic abuse is frequently normalized as a "private matter" by traditional gender norms that value male dominance and control. Financial reliance on male family members and harassment connected to dowries increase women's vulnerability and restrict their capacity to escape abusive situations. Many women do not know their legal rights or how to get legal assistance, particularly in rural areas.

6. Implementation of Domestic Violence Act, 2005 in Punjab:

In Punjab, the implementation of the Protection of Women from Domestic Violence Act, 2005 is done by the "Department of Social Security and Women and Child Development". According to this act, women facing domestic violence can seek remedies and also reliefs, which includes protection orders, residence orders, compensation orders, monetary relief orders and custody orders. To ensure that the Act is implemented effectively, Anganwadi Supervisors have been designated as Circle Protection Officers and Child Development Project Officers (CDPOs) have been designated as Protection Officers in Punjab. These officers are crucial in helping women obtain support services and legal remedies.

District Program Officers supervise the act's execution at the district level and facilitate coordination amongst departments and agencies to guarantee efficient enforcement. The district coordinating officer is in charge of

the District Women Protection Committee in each district. Representatives from the departments of public prosecution, social welfare, police, community development, and health are on this committee. This organization ensures cooperation between different service providers and oversees the operation of protection centers, shelter homes, and helplines. According to National Family Health Survey (NFHS-5, 2019–21) In Punjab, 25.2% of women between the ages of 18 and 49 had been victims of domestic abuse. Of these women, just 14% sought assistance, mostly from family members rather than official organizations. In Punjab alone, more than 10,201 incidences of domestic abuse against women were documented in 2023. 1,030 complaints about crimes against women, including domestic abuse, were filed in Punjab. This disparity highlights profound socio-cultural issues in Haryana, where patriarchal values are more firmly established and early marriages are prevalent. The female literacy rates in Haryana are also marginally lower than those in Punjab, which contributes to diminished awareness and empowerment for women. Although both states encounter challenges with underreporting and low conviction rates in domestic violence cases, Haryana has a higher number of reported incidents under Section 498A IPC, likely due to both a greater prevalence of such incidents and improved data reporting. In terms of governmental response, Punjab has demonstrated slightly better results with more proactive women's support centres and NGO participation, particularly in urban settings. Despite these distinctions, both states confront considerable obstacles in the fight against domestic violence, underscoring the necessity for enhanced legal enforcement, education, and societal transformation.

7. Comparison of Domestic Violence between Haryana and Punjab:

The issue of domestic violence persists as a critical problem in both Haryana and Punjab, with Haryana reporting a higher rate of occurrence. Data from the National Family Health Survey-5, which covers the period from 2019 to 2021, reveals that nearly 32% of women aged 18 to 49 in Haryana have encountered spousal violence, whereas in Punjab, this statistic is lower at 25.2%.

Table 1: Percentage share of Different Types of Crimes (IPC) in Punjab, Haryana and India

Nature of Crime	Percentage in Punjab	Percentage in Haryana	Percentage in India
Rape and Murder	0.08	0.21	0.09
Rape	16.90	10.28	10.31
Attempt to rape	1.61	1.40	1.26
Assault on modesty	19.48	21.22	27.31
Insult to modesty	0.38	1.52	2.21
Dowry Death	1.35	1.71	1.60
Abetment to Suicide	3.61	2.82	31.60
Cruelty by husband and his relatives	30.26	33.26	22.85
Kidnapping and Abduction	26.20	27.36	22.85
Other	0.12	0.21	0.65
Aggregate	100.0	100.0	100.0
Total Incidence of crime	4954.00	12608.00	329638.00

This above table shows the crime rate of Haryana is more than Punjab. And Cruelty by husband and his relatives in Punjab is 30.26 % and in Haryana is 33.26.

7.1 A Comparative Analysis of the Legal Frameworks in Haryana and Punjab

Domestic abuse, while recognized and criminalized under Indian law, frequently encounters significant problems in enforcement and redressal, particularly at the state level. A comparison of Haryana and Punjab indicates subtle differences in how legislative frameworks are applied, the effectiveness of reporting channels, and the institutional reaction to domestic abuse. Haryana and Punjab follow the national legal framework, which includes the Protection of Women from Domestic Violence Act, 2005 (PWDVA) and Section 498A of the Indian Penal Code, which criminalizes abuse by a spouse or his relatives. In theory, the legal provisions are the same; nonetheless, implementation and enforcement differ across the two states. Punjab has made relatively significant progress in institutionalizing the PWDVA. The Ministry of Women and Child Development operates functioning Protection Officers, Women's Cells, and One Stop Centres (OSCs) in many areas. These institutions provide comprehensive assistance, including medical care, legal counsel, and temporary housing. Haryana too

has OSCs, but their availability and accessibility, particularly in rural regions, are inconsistent, resulting in delays in legal action and low awareness of women's rights.

7.2 Reporting Mechanisms and Police Response

Despite the fact that there are more recorded domestic violence instances in Haryana each year, many occurrences go unreported owing to fear of social stigma, familial pressure, and a lack of trust in the police system. Women's helplines do exist; however their usefulness is hampered by concerns such as delayed response, a lack of sensitization among police officers, and inadequate follow-up. While confronting comparable issues, Punjab has improved police awareness initiatives in select districts, particularly through collaborations with non-governmental organizations (NGOs). In some cities, women-only police stations and gender desks have increased victim comfort, resulting in more efficient submission of First Information Reports (FIRs).

7.3 Judicial Response and Conviction Rates

Both states have miserable conviction rates for domestic abuse cases, often falling below 20%. Reasons include:

- a) Withdrawal of complaints due to familial pressure.
- b) Delays in investigations.
- c) Absence of proof or witness cooperation.
- d) Victims receive inadequate legal assistance.

Punjab's legal aid services are marginally more accessible as a result of increased NGO engagement and legal literacy programs. Despite efforts to improve, Haryana continues to experience backlogs and case disposition delays, particularly in rural and semi-urban courts.

7.4 Role of Civil Society and Legal Awareness

Non-governmental organizations (NGOs) and legal advocacy groups play an important role in closing the gap between law and enforcement. Punjab benefits from a stronger network of civil society organizations, particularly in Ludhiana, Amritsar, and Chandigarh, which provide legal advice and court support. Haryana has an increasing presence of such groups, but their reach is limited outside of big cities. Furthermore, legal literacy activities in Punjab are becoming increasingly apparent, frequently linked to women's empowerment and education initiatives. Haryana is making headway with schemes like as Beti Bachao Beti Padhao, however the incorporation of legal awareness into these programs is patchy.

7.5 Socio-Cultural Factors Related to Domestic Violence: Punjab vs. Haryana

Domestic violence is heavily influenced by the sociocultural background of a region. While Punjab and Haryana have certain cultural similarities, significant disparities in their social fabric, gender norms, and family structures influence the occurrence, perception, and reporting of domestic abuse.

7.5.1 Patriarchal Norms and Gender Roles

Haryana has more rigid patriarchal structures. Traditional roles place women in domestic settings, limiting autonomy and strengthening male supremacy. Honor-based philosophies centered on family reputation restrict women from speaking out.

Punjab, however patriarchal, has considerably more liberal gender roles in many metropolitan and diaspora-influenced areas. Women's participation in the economic and public life is slightly higher, resulting in increased self-esteem and awareness.

7.5.2 Female Literacy and Education

According to the National Family Health Survey (NFHS-5), Haryana has a lower female literacy rate (~70%) than Punjab (75%). This educational gap contributes to a lack of knowledge about legal rights, accessible protections, and opportunities for remedy. Better education access in Punjab, particularly in urban areas, leads to increased awareness of legal rights, social services, and the unacceptable nature of domestic violence.

7.5.3 Early and Forced Marriages

Haryana has a higher rate of early marriages, especially in rural areas. This frequently puts young women in vulnerable positions, making them more prone to domestic violence since they lack the maturity and support structure to fight or report it. Punjab has decreased rates of early marriage, but forced and dowry-related marriages are still common in several areas.

7.5.4 Dowry and Cultural Pressures

Both states face dowry-related violence, but Haryana's more orthodox kinship networks can amplify these pressures, particularly in joint family arrangements where the bride is submissive.

Punjab faces similar issues, but with increased urbanization and external migration, women have slightly more mobility and bargaining power, especially in dual-income households.

7.5.5 Community and Caste Dynamics

In Haryana, caste panchayats (khap panchayats) still wield considerable informal power in rural communities. These organizations frequently discourage reporting of domestic violence, preferring "community resolutions" that benefit the abuser or maintain social standards. Punjab, while still influenced by caste, has less direct intrusion from traditional councils in urban areas, giving legal and NGO institutions more opportunity to operate.

7.5.6 Stigma and Social Silence

In Haryana, the traditional stigma of "family honor" inhibits women from reporting assault. Victim-blaming, seclusion, and even coerced reconciliation are common experiences for survivors. In Punjab, stigma persists, although it is mitigated in places with a stronger civil society presence and education, making it marginally easier for victims to speak up or seek help.

8.CONCLUSION:

Haryana has greater levels of domestic violence than Punjab, which is caused by entrenched patriarchal norms and weaker gender development indicators. Both states have issues with underreporting, poor conviction rates, and societal shame. Punjab has marginally improved social support systems and gender metrics, although there are still issues. While Haryana and Punjab have the same legal framework, Punjab has better institutional processes for reporting and processing domestic abuse complaints. It benefits from more consistent delivery of support services, as well as improved police sensitization in some regions. Haryana, on the other hand, continues to have structural gaps in access, enforcement, and legal redress, especially in rural areas. Both governments must strengthen their protection infrastructure, raise awareness, and ensure consistent law enforcement, although Haryana may need to pursue more radical institutional transformation to match Punjab's legal responsiveness. While both Haryana and Punjab confront significant sociocultural challenges to eradicating domestic abuse, Haryana's deeply patriarchal and traditional rural structures lead to increased vulnerability and lesser reporting. Punjab, with higher urbanization, educational achievement, and diaspora influence, has a little more progressive social atmosphere, yet domestic violence remains common. Addressing these cultural elements through education, media involvement, and community-based reform is critical to achieving long-term change in both states.

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