

Domestic Violence and Access to Justice: Barriers Faced by Women in Rural Areas

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Abstract: Domestic violence against women represents a critical social, legal, and human-rights challenge in India, particularly in rural regions where structural inequalities and patriarchal traditions prevail. Despite progressive legal frameworks such as the Protection of Women from Domestic Violence Act, 2005, and constitutional guarantees of equality and dignity, the reality on the ground reflects substantial gaps between law and lived experience. Women in rural areas continue to encounter formidable barriers in accessing justice, including limited legal awareness, economic dependency, geographical isolation, weak institutional mechanisms, and socio-cultural pressures that normalise violence and discourage reporting. The justice delivery system—comprising police, Protection Officers, medical authorities, and courts—often remains inaccessible and unresponsive to rural realities, resulting in under-reporting, delayed remedies, and inadequate protection. This article critically examines the multifaceted obstacles hindering rural women's pursuit of justice in domestic violence cases, evaluates the implementation challenges of the PWDVA, and analyses judicial interventions aimed at safeguarding women's rights. It further argues that meaningful access to justice must go beyond statutory provisions and incorporate economic empowerment, institutional accountability, community transformation, and gender-sensitive governance. Strengthening grassroots legal literacy, enhancing support services, and ensuring strict enforcement of statutory mandates are imperative to actualise constitutional promises and foster a violence-free rural society. The study underscores that addressing domestic violence in rural India demands a holistic, intersectional, and rights-based approach rooted in dignity, equality, and social justice.

Keywords: Domestic violence; Rural women; Access to justice; Protection of Women from Domestic Violence Act, 2005; Gender-based violence; Legal awareness; Patriarchy; Judicial remedies; Socio-economic barriers; Women's rights; Rural governance; Human rights; Social justice; India

1. Introduction

Domestic violence continues to represent one of the most pervasive yet under-acknowledged violations of women's rights in India. Recognised globally as a form of gender-based violence and a violation of human dignity, it transcends socio-economic and cultural boundaries, yet its manifestations and impact are particularly acute in rural settings. Domestic violence in India is not merely a personal or familial concern but a structural and systemic problem rooted in deeply entrenched patriarchal values, unequal power dynamics, gendered economic dependency, and socio-cultural norms that perpetuate silence and impunity. While progress has been made through legislative and policy interventions, the lived realities of rural women reveal persistent barriers that inhibit the effective realisation of legal rights and access to justice. The Indian legal system, through statutory and constitutional frameworks, recognises the right of women to live free from violence. Article 14 guarantees equality before the law, Article 15 prohibits gender-based discrimination, and Article 21 ensures the right to life and personal liberty—which has been judicially expanded to include the right to live with dignity, safety, and autonomy. The enactment of the Protection of Women from Domestic Violence Act, 2005 (PWDVA) introduced a rights-based, civil-remedial approach designed to provide immediate protective measures such as residence rights, protection orders, monetary relief, custody orders, and compensation. The Act marked a paradigm shift from the limited criminal remedy under Section 498A of the Indian Penal Code to a more holistic, survivor-centric framework.

However, the promise of the law does not automatically translate into justice for women, especially in rural regions. Socio-economic vulnerability, social isolation, illiteracy, limited mobility, stigma, and cultural conditioning contribute to widespread non-reporting and under-reporting of abuse. Rural justice systems are often male-dominated, informal dispute settlement mechanisms (such as caste panchayats and village councils) frequently encourage reconciliation over legal recourse, and institutional mechanisms—including police, Protection Officers, healthcare providers, and legal aid authorities—remain either inaccessible or inadequately equipped to support survivors. As a result, rural women, despite possessing legal rights on paper, encounter multiple layers of deprivation, coercion, and institutional neglect. This situation is compounded by systemic deficiencies in law enforcement and justice delivery. Police often trivialise domestic violence as a “private matter,” delay the filing of complaints, or pressurise women to settle issues within the household. The absence of fully trained Protection Officers, insufficient shelter homes, lack of gender-sensitive service providers, and delays in court-ordered relief create an environment where survivors are left vulnerable to continued abuse. Judicial pronouncements have expanded the scope of protection—such as in *V.D. Bhanot v. Savita Bhanot* affirming retrospective application of the PWDVA, and *Indra Sarma v. N.K.V. Sarma* recognising certain live-in relationships under the Act—yet gaps remain in enforcement at the grassroots level.

The notion of access to justice, therefore, must be understood beyond court accessibility. It encompasses awareness, affordability, physical accessibility, effective institutional response, psychological support, and societal acceptance. For rural women, access to justice means the ability to claim legal

rights without fear of retaliation, without financial burden, and with assurance of timely and compassionate institutional support. It demands a justice system that responds sensitively to gender realities, addresses socio-economic vulnerabilities, and ensures accountability of state institutions. Against this backdrop, this article critically analyses the barriers faced by rural women in seeking remedies for domestic violence and interrogates whether the Indian justice framework adequately protects their constitutional and statutory rights. By examining structural barriers, implementation challenges, and socio-cultural constraints, it underscores the need for a holistic, intersectional, and community-based approach to justice. Strengthening rural legal institutions, enhancing awareness, improving gender-sensitive governance, and empowering women economically emerge as essential pathways to realising the constitutional promise of equality and dignity for all women, irrespective of geography or socio-economic status.

Understanding Access to Justice in the Context of Domestic Violence

Access to justice in the context of domestic violence must be understood as a multidimensional concept that goes beyond the traditional legal paradigm of merely approaching courts or law enforcement authorities. In domestic violence cases, especially within rural settings, justice is not confined to punitive measures or legal procedures; rather, it encompasses a holistic framework that ensures protection, empowerment, rehabilitation, and dignity for women survivors. The objective of access to justice in such cases is to safeguard the fundamental rights guaranteed under Articles 14, 15, and 21 of the Indian Constitution, while also recognising the social and psychological vulnerabilities that survivors endure. The judicial process must, therefore, be survivor-centric, empathetic, and accessible at every stage—from complaint registration to final relief and support services.

Legal Awareness and Knowledge of Rights

Legal empowerment begins with awareness. For many rural women, the very knowledge that domestic violence is unlawful and that they are entitled to legal protection remains limited. Social conditioning, patriarchal norms, and low literacy levels impede women's understanding of the legal framework. While the Protection of Women from Domestic Violence Act, 2005 (PWDVA) guarantees a wide range of civil remedies such as protection orders, residence rights, and maintenance, the absence of legal literacy often prevents women from utilising these remedies. Access to justice therefore requires proactive dissemination of information through community-based programmes, legal literacy camps, women's collectives, and public institutions such as Panchayats, Anganwadi centres, and legal aid clinics. Knowledge of rights empowers women to negotiate their safety, challenge oppressive structures, and assert their legal entitlements.

Availability and Responsiveness of Legal and Administrative Institutions

Even where awareness exists, justice remains incomplete if legal and administrative institutions are inaccessible or unresponsive. Institutional access includes proximity to police stations, courts, Protection Officers, medical facilities, and shelter homes. In rural regions, these institutions are often

distant, under-staffed, or function in a bureaucratic manner that dissuades survivors from seeking help. Protection Officers, who are mandated under the PWDVA to assist survivors, frequently hold multiple responsibilities and lack resources to perform their duties effectively. A meaningful access-to-justice framework demands increased institutional capacity, trained personnel, dedicated one-stop crisis centres, and mechanisms for prompt support. State responsibility does not end at enacting laws; it extends to ensuring infrastructure, human resources, and efficient service delivery at the grassroots level.

Speedy and Sensitive Action by Law Enforcement Agencies

Speed and sensitivity are fundamental to the justice experience of domestic violence survivors. Delay in filing FIRs, reluctance of police to intervene in what is labelled a "private matter," and prejudicial attitudes often result in further victimisation. For rural women, approaching the police can be intimidating due to social stigma, fear of retaliation, or mistrust of authorities. Sensitisation training for law enforcement officials, accountability mechanisms, and specialised women's help desks in rural police stations are essential to build trust and ensure survivor-friendly procedures. Quick response mechanisms, including emergency rescue and restraining orders, are critical in preventing escalation of violence and safeguarding the physical and psychological well-being of survivors.

Effective Legal Remedies and Support Services

A robust legal remedy must be timely, enforceable, and accompanied by support services that enable survivors to rebuild their lives. Relief under the PWDVA is not limited to injunctions; it includes healthcare assistance, shelter, counselling, child custody, and monetary compensation. However, without proper execution and follow-up by authorities, these remedies remain symbolic. Access to justice thus entails not only judicial orders but also operational support such as legal representation through legal aid services, psycho-social counselling, safe shelter facilities, and livelihood assistance. Courts must adopt a rights-based and compassionate approach, ensuring that relief measures are accessible to rural women without excessive procedural formalities or delays.

Economic, Social, and Psychological Support for Survivors

Domestic violence cases do not end at the courtroom door. Survivors require long-term support to rebuild autonomy and security. Economic empowerment plays a crucial role, as financial dependence often forces rural women to remain in abusive relationships. Skill development programmes, access to government welfare schemes, and property and inheritance rights become part of the justice narrative. Social support through women's groups, community-based organisations, and local governance institutions helps counter stigma and isolation. Psychological counselling is equally essential, as survivors frequently suffer trauma, anxiety, and loss of self-confidence. True access to justice therefore demands a continuum of care that promotes confidence, dignity, self-reliance, and long-term rehabilitation.

2. Key Barriers Faced by Women in Rural Areas

Domestic violence survivors in rural India face a constellation of structural, cultural, institutional, and socio-economic barriers that hinder their pursuit of justice and meaningful protection. These barriers operate not in isolation but as an intertwined system of oppression that reinforces women's vulnerability and compromises their access to constitutional and statutory guarantees. Understanding these challenges is essential for designing interventions that ensure equitable justice delivery.

1) Patriarchal Social Norms and Cultural Pressures

Deep-rooted patriarchal attitudes continue to shape gender relations and family structures in rural India. Violence within the home is often normalised as a disciplinary or familial issue, rather than recognised as a violation of a woman's bodily integrity and fundamental rights. Socialisation processes teach women to prioritise marital harmony and family honour over personal safety and autonomy, resulting in internalised acceptance of abuse and reluctance to report violence.

Women who attempt to assert their rights frequently face social ostracism, verbal abuse, and accusations of dishonouring the family, which act as powerful deterrents. Divorce or separation carries heavy stigma, and fear of losing custody of children compels women to stay in abusive relationships. Informal community forums—such as caste panchayats or village elders—tend to favour reconciliation and uphold patriarchal norms rather than legal redress. Such institutions reinforce silence by pressuring women to endure abuse for the sake of family unity and social reputation. Consequently, family honour and communal expectations often outweigh women's physical safety and constitutional rights.

2) Lack of Awareness and Legal Literacy

Knowledge of legal rights is fundamental to accessing justice, yet a large proportion of rural women remain unaware of the Protection of Women from Domestic Violence Act, 2005 (PWDVA) and the remedies it offers. Lack of formal education, limited exposure to information, and restricted mobility contribute to low legal literacy. Many women do not know how and where to file complaints, their entitlement to residence orders, protection orders, monetary relief, or the role of Protection Officers and legal aid authorities.

This lack of awareness creates an environment where violence is normalised or treated as fate, and women often first seek intervention through community elders or family members instead of institutional mechanisms. Educated women or those with awareness are significantly more likely to approach authorities, illustrating a direct link between literacy levels and utilisation of legal remedies. Thus, legal empowerment through awareness campaigns and community outreach becomes critical for bridging this knowledge gap.

3) Inadequate Institutional Support and Implementation Gaps

Although the PWDVA mandates a robust support infrastructure—including Protection Officers, shelter homes,

medical facilities, and counselling services—implementation remains fragmented and insufficient, especially in rural regions. Protection Officers often hold multiple administrative duties, leaving them unable to dedicate adequate time or attention to domestic violence cases. Many rural districts lack functional shelter homes, and where they exist, they are poorly equipped, understaffed, or inaccessible.

Counselling services are limited, both in number and quality, and delay in issuance of protection orders further compromises the safety of survivors. The landmark judgment in *Hiral P. Harsora v. Kusum Narottamdas Harsora* (2016) expanded the scope of respondents under the PWDVA, allowing women to file complaints against female relatives as well. However, legal expansion has not been matched by implementation capacity, creating a gap between the promise of the law and practical relief.

4) Police Inaction and Insensitivity

Law enforcement plays a pivotal role in responding to domestic violence complaints, yet police in rural areas often exhibit apathy, bias, and insensitivity. Domestic violence is frequently dismissed as a “private” or “family matter,” leading to refusals to register complaints or pressure on survivors to reconcile. Police may delay filing FIRs, trivialise women's complaints, or even support the perpetrator due to prevailing patriarchal attitudes.

Women who approach police stations often face humiliating interrogations, judgmental comments, and procedural barriers, further discouraging them from seeking help. Inefficient response mechanisms and lack of specialised training contribute to secondary victimisation. Such delayed or inadequate responses embolden perpetrators and erode women's faith in the justice system.

5) Economic Dependence and Poverty

Economic dependence remains one of the strongest factors preventing women from leaving abusive environments. Rural women often have limited employment opportunities, restricted land rights, and minimal financial autonomy, making them economically vulnerable. Many lack access to bank accounts, savings, or independent income, and depend entirely on husbands or in-laws for subsistence.

The fear of financial hardship, homelessness, or inability to provide for children compels women to tolerate violence rather than seek legal intervention. Even when courts order monetary relief, enforcement remains weak, depriving women of meaningful protection. Thus, economic survival becomes a barrier to justice, highlighting the need for economic empowerment initiatives alongside legal remedies.

6) Distance and Accessibility to Legal Institutions

Geographical remoteness of rural areas presents a practical barrier to accessing justice. Courts, police stations, legal aid offices, and counselling centres are often located far from villages, making access costly, time-consuming, and logistically complex. Women, particularly those from conservative households, may face restrictions on mobility and require permission from male family members to travel.

Additionally, poor transportation facilities, long travel hours, and lack of women-friendly spaces within legal institutions create obstacles. Witnesses may also be unwilling to travel, further weakening cases. Consequently, physical distance becomes a significant deterrent to legal engagement, especially for women with limited resources.

7) Social Control and Fear of Retaliation

Domestic violence survivors in rural areas operate under intense social surveillance. Extended families, neighbours, and community networks monitor women's movements and behaviour, restricting autonomy. Reporting violence can expose women to reprisals such as further violence, eviction, character assassination, or social boycott. Perpetrators may retaliate violently, and male relatives or local leaders may threaten or coerce women into withdrawing complaints.

Women also fear the consequences for their children and worry about losing family support systems. The absence of safe spaces and witness protection mechanisms exacerbates vulnerability. As a result, fear of retaliation frequently overrides legal aspirations, trapping women in cycles of silence and abuse.

These barriers illustrate that access to justice for rural women is hindered by systemic, cultural, and socio-economic constraints that perpetuate gender inequality. Legal safeguards alone are insufficient unless accompanied by institutional reform, socio-cultural transformation, and empowerment-driven policies. Addressing domestic violence in rural India demands a multi-pronged strategy that dismantles patriarchal power structures, enhances institutional accountability, and fosters an environment where women can exercise their rights freely and fearlessly.

Judicial Approach and Evolving Jurisprudence

The Indian judiciary has played a transformative role in interpreting and expanding the rights of women facing domestic violence, particularly through progressive readings of the Protection of Women from Domestic Violence Act, 2005 (PWDVA). Courts have consistently emphasized that the legislation is a socio-legal measure intended not merely to punish violence but also to secure protection, shelter, maintenance, and dignity for women survivors. Over the years, judicial pronouncements have widened the scope of the law to accommodate diverse realities of women's lives, especially regarding shared household rights, live-in relationships, and definition of domestic relationships.

In *V.D. Bhanot v. Savita Bhanot* (2012), the Supreme Court held that a woman is entitled to protection under the PWDVA even for acts of domestic violence that occurred prior to the enactment of the legislation. This landmark ruling ensured that survivors are not denied remedies on technical temporal grounds, affirming the Act's remedial and protective nature. The decision recognized that domestic abuse is often a continuing wrong and therefore requires a liberal interpretation to provide effective justice.

In *Indra Sarma v. N.K.V. Sarma* (2013), the Court acknowledged the vulnerability of women in live-in relationships, holding that such relationships fall within the protective ambit of the PWDVA when they satisfy criteria of

a relationship "in the nature of marriage." By doing so, the Court protected women who might otherwise be rendered rightless due to the absence of formal marriage, particularly addressing social realities where economic and emotional dependencies exist outside conventional marital arrangements.

Hiral P. Harsora v. Kusum Narottamdas Harsora (2016), the Supreme Court struck down the phrase "adult male" from Section 2(q) of the PWDVA as unconstitutional. This widened the range of perpetrators to include female respondents and non-adult male members, acknowledging that domestic violence is not always gendered in terms of the offender and can be perpetrated by any family member. The judgment strengthened the law by ensuring that relief measures are not restricted by artificial classifications.

While these decisions underline the judiciary's commitment to protecting women from domestic violence, their practical impact remains uneven. Judicial innovations tend to permeate urban and semi-urban areas more rapidly, where legal literacy is higher and institutional mechanisms are relatively functional. In contrast, rural women often remain outside the reach of these developments due to persistent barriers—poor legal awareness, lack of legal aid, distance from courts, patriarchal community structures, intimidation by family members, and limited institutional capacity at the ground level. Consequently, while jurisprudence has evolved toward an inclusive and survivor-centric framework, its benefits are not equitably distributed. Bridging this gap requires strengthening grassroots mechanisms, enhancing legal aid and awareness programs, and ensuring that judicial protections do not remain theoretical ideals but become accessible realities for rural women across India.

3. Recommendations and Way Forward

Ensuring substantive access to justice for rural women experiencing domestic violence requires a multi-dimensional approach that transcends mere legal formalism. A policy framework that integrates law, social support, economic empowerment, and community participation is essential to dismantle entrenched patriarchal structures and operational hurdles. Accordingly, the following recommendations provide a holistic pathway for strengthening the domestic violence response system in rural India:

1) Strengthening Institutional Framework

The successful implementation of domestic violence legislation hinges on effective institutional arrangements at the grassroots level. The appointment of full-time, trained Protection Officers in every rural block is critical to avoid the prevalent practice of assigning this role as an additional duty to existing officials who are already overburdened. Dedicated officers can ensure timely filing of Domestic Incident Reports (DIRs), facilitate protection orders, and coordinate shelter and counselling services. In addition, local crisis and support centres should be established within or near police stations and primary health centres to provide immediate medical, legal, and psychological assistance.

Regular and structured gender-sensitivity and PWDVA enforcement training for police officers will foster empathetic

and non-judgmental handling of complaints. Sensitisation should also extend to judiciary members, health workers, and district administration to ensure a coordinated institutional response.

2) Enhancing Legal Awareness

Legal empowerment is the cornerstone of access to justice. Many rural women remain unaware of their rights under the PWDVA and related laws such as Section 498A IPC, Hindu Succession Act, and maintenance provisions under CrPC. Sustained grassroots legal literacy campaigns, using simple language, local dialects, and culturally familiar mediums like folk theatre, village meetings, and radio, can significantly improve awareness.

Collaboration with ASHA workers, Anganwadi centres, Accredited Social Health Activists, and Self-Help Groups (SHGs) can help disseminate legal information during routine community interactions. Additionally, mobile legal clinics and 24×7 helplines led by district legal services authorities can ensure timely support, especially in remote and tribal belts where institutional access is low.

3) Economic Empowerment Initiatives

Economic dependency is one of the most potent factors trapping women in abusive relationships. Policies should promote skill development, vocational training, and micro-credit access through SHGs, women-entrepreneurship missions, and rural livelihoods programmes. Ensuring land and property ownership rights and joint title in government-allocated land and housing schemes will strengthen women's bargaining power within households.

Further, job reservations and priority access to government livelihood schemes—such as MGNREGA, NRLM, and local employment missions—for domestic violence survivors can provide both financial independence and psychological strength to seek justice and rebuild their lives.

4) Strengthening Shelter and Support Systems

Protection without safety infrastructure remains illusory. Each district should have adequately funded safe houses, separate from existing facilities like Nari Niketans, which often operate in overcrowded and bureaucratic environments. Survivor-friendly shelters must ensure confidentiality, food, security, and dignified living conditions, along with access to counselling, medical aid, legal guidance, psychological care, and rehabilitation services.

Provision of childcare support is equally important, as many women hesitate to leave abusive homes due to concern for children's safety and schooling. Integration of shelter homes with schools, health facilities, and vocational institutions can make rehabilitation sustainable.

5) Monitoring and Accountability

Structural accountability must accompany legislative intent. Periodic audits of PWDVA implementation, including the functioning of Protection Officers, shelter homes, and police response mechanisms, should be mandated at the district level. Setting up community-based watchdog committees, consisting of women leaders, teachers, SHG members, and

social workers, will encourage transparency and build public pressure for effective implementation.

Furthermore, creating an Annual Women's Justice Report Card at district and State levels—assessing registration of complaints, protection order issuance, conviction rates, shelter availability, and survivor rehabilitation outcomes—will provide measurable indicators to guide corrective action.

6) Participatory Community Engagement

Social transformation cannot occur without community involvement. Sensitisation programmes for Panchayat members, village leaders, caste-based organisations, and religious heads can help reduce institutional bias and encourage victim-supportive attitudes.

Moreover, engaging men and boys through school curricula, sports clubs, youth groups, and community workshops in dialogue on gender equality can challenge patriarchal norms and reduce tolerance for violence. Additionally, strategic use of media—regional cinema, local theatre, radio, and digital platforms—to highlight survivor stories and gender-just narratives can reshape social attitudes. Grassroots advocacy campaigns should aim at challenging honour-based notions, victim-blaming culture, and silence around domestic violence.

4. Conclusion

Domestic violence against women in rural India represents one of the most pervasive yet under-acknowledged human rights violations, deeply embedded in patriarchal social structures, economic dependence, and cultural silence. It transcends the boundaries of individual households and reflects entrenched power hierarchies that normalise gender-based violence as a private affair, thereby limiting the visibility of survivors and obstructing pathways to justice. While the Protection of Women from Domestic Violence Act, 2005 and progressive judicial interpretations have significantly broadened the legal protection framework, the lived reality of rural women demonstrates a stark disjunction between law and implementation. Legal rights, however robust, lose their transformative potential when survivors lack awareness, institutions remain inaccessible, police systems exhibit patriarchal bias, and socio-economic vulnerabilities deter women from seeking redress. The judiciary has played a commendable role in shaping an expansive and survivor-centric jurisprudence, yet without ground-level operational efficiency and systemic accountability, legal victories remain largely symbolic. A holistic and sustainable response to rural domestic violence must move beyond punitive mechanisms and focus on comprehensive empowerment, capacity building of institutions, proactive community engagement, and economic independence for women. Stronger gender-sensitive law enforcement, well-funded protection infrastructure, culturally-targeted awareness campaigns, and meaningful involvement of Panchayati Raj institutions and grassroots women's collectives are indispensable to ensuring real access to justice.

Ultimately, ensuring justice for rural survivors is not only a legal imperative but a moral and constitutional duty. The promise of Articles 14, 15, and 21—equality, non-

discrimination, and right to life with dignity—can only be realised when every woman, irrespective of geography or social status, feels safe to speak, empowered to act, and supported by the law and society. True justice will be achieved only when rural women can report violence without fear, access support without barriers, and receive remedies without delay. This transformation requires not just legislative safeguards, but a collective commitment to dismantling patriarchal norms and building an inclusive, empathetic, and gender-just social order. Only then will the constitutional vision of dignity, autonomy, and equality for all women move from aspiration to reality.