CHAPTER 4

Domestic Violence against Women in the Imphal (East) and Imphal (West) Districts of Manipur – Legal Control

4.1. Domestic violence in the Imphal (East) district of Manipur

In the Imphal (East) district of Manipur, 11 (eleven) women who have been victims of domestic violence were interviewed to collect information about the experience of domestic violence. All of them were married. 3 (three) of them said that they have been subjected to domestic violence by their husbands and in-laws while 8 (eight) respondents have submitted that their husbands were the perpetrators. When asked about the type of violence they have experienced, 4 (four) of them talked about being beaten and slapped by their husbands. In all, 3 (three) respondents said that they have experienced other forms of physical violence like being kicked, pushed and shoved by their husbands’ relatives along with verbal and emotional abuse and economic violence. The acts of physical violence experienced by these respondents include beating, slapping, trying to choke her, kicking, punching her, shoving, and arm-twisting. 4 (four) respondents told that they were subjected to emotional violence. When asked whether they have been subjected to sexual violence, four respondents replied in the affirmative, while the remaining seven respondents were not comfortable with the topic and so preferred to skip the question. The acts of sexual violence as enumerated by them included forced sexual intercourse and forcibly showing pornography. All the respondents have experienced verbal and emotional violence. On being asked what may be the reasons behind their husbands’ violent characteristics, the respondents gave varied reasons. Only 2 (two) of the respondents cited drinking habits of their husbands.
3 (three) respondents said that they would be often taunted by their in-laws for not bringing enough Stridhan. The husbands of 4 (four) respondents have either another wife living, or were involved in extramarital affairs.

8 (eight) of the respondents have been in the abusive relationship for more than 10-11 years. The reasons they cited for tolerating the violence for such a long time was their economic dependence on their respective husbands, welfare of their children and not wanting to face the social stigma of being labelled as a mou halakpi (a married woman who has returned to her parents’ home from her husband’s). One respondent left her husband when he brought another woman to be his wife and turned her out of his house keeping back their two children. In the other case, the respondent decided to leave her abusive husband because since many years, he has not been providing enough money for maintaining herself and their three daughters and taunting her for not giving birth to a male child. These two cases show the victim’s unwillingness to complain because of a number of reasons, like her religious and social values of considering her husband superior to herself, shame in admitting that something is wrong with her marriage, unwillingness to give publicity to her ill-treatment, total economic dependence on husband and having no other source of support, accepting violence as normal in the home, fear of reprisal from the perpetrator, ignorance of law, embarrassment at discussing family matters with the police or in the courts, fear of causing break-up of marriage, along with associated worries about children, security or status, and lack of faith in legal measures.

It is argued that victims of domestic violence specifically resist the notion that they should leave their perpetrators and seek outside help only as a last resort when violence becomes intolerable because the rehabilitation procedures are long drawn out. All the
respondents have turned to a friend or relative who then had advised them to approach the women’s organisations or NGOs working on women’s issues. The respondents shared their experiences of counselling. The Women’s Action for Development is one such NGO working on women-related issues. When a domestic violence victim comes to them, they usually do a thorough background check of the victim as well as the husband and/or in-laws in the neighbourhood to ascertain the genuineness of the alleged acts of domestic violence. After that, counselling sessions are done so as. Sometimes, the complaint of the woman turns out to be false and frivolous. In such cases, counselling is done to sort out any misunderstanding or problem between the spouses. In genuine cases of domestic violence, depending on the severity of the violence or as desired by the victim, the case is either referred to the Service Providers of Imphal (East) district or the Protection Officers. In most cases, counselling takes a conciliatory approach towards finding a solution to domestic violence. When the victims have no place to stay, they are given the option to stay in Shelter homes in the district or other temporary places of residence.

4.2. Domestic Violence in the Imphal (West) district of Manipur

For the collection of primary data in the Imphal (West) district of Manipur, 19 (nineteen) women, all married who have been victims of domestic violence in their matrimonial homes were interviewed to collect information about their experience of domestic violence. 3 (three) of the respondents said that they have been subjected to domestic violence by their husbands and in-laws while the husbands were the perpetrators in case of 16 (sixteen) respondents. 4 (four) respondents said that they have experienced several forms of physical violence like being beaten, slapped, kicked, pushed and shoved by their husbands. Thus acts of physical violence experienced by
these respondents include beating, slapping, trying to choke her, kicking, punching her, shoving, and arm-twisting. 9 (nine) respondents said that they have been subjected to sexual violence, while the remaining 10 (ten) respondents said they were not subjected to such violence. The acts of sexual violence as enumerated by them included forced sexual intercourse and forcibly showing pornography. In a particular case, the respondent was made to watch her husband sharing his bed with his other wife. In all the cases, the respondents submitted that they have experienced verbal and emotional violence. It can be noted here that most of the verbal and emotional violence were committed by the husbands’ relatives. They seldom resort to physical violence.

Unlike the cases in Imphal (East), a majority of the respondents in the Imphal (West) district, 14 (fourteen) in number, to be precise, have made public their victimisation inside their matrimonial homes within 2 years of marriage. Out of this, 9 (nine) wanted to separate from their husbands. Various factors which force a woman to hide violence against her in the family and to remain in the violent relation are lack of alternative support system, self-image, social stigma, and dependency, presence of small children and fear of living alone and embarrassment to admit that she has stayed in such a bad situation for so long. 5 (five) respondents wanted to go back to their husbands. This tendency to return to their abusive partners is mainly economic dependency. Moreover, they do not approve divorce due to their social consequences. Besides, they are willing to accept their husbands’ promise to reform. In the absence of any follow-up practice of the NGOs, Service Providers or Protection Officers, it would not be a wise decision to return to an abusive partner.
4.3. Effectiveness of the Protection of Women from Domestic Violence Act, 2005 in the Imphal (East) and Imphal (West) districts of Manipur

Of late, since the passing of the Protection of Women from Domestic Violence Act, 2005, many women victims of domestic violence in the Imphal (East) and Imphal (West) districts have come out to show their grievances and get specific reliefs provided under the Act. The Act is a boon to women who have been long suppressed by traditions which are purely patriarchal. Going by the number of cases filed under the Act, one may be inclined to believe that the Act has been of great use to the section of women who were victims of violence in the hands of a family member.

As per Census 2011, the total population of Manipur is 28.56 lakhs with males constituting 14.38 lakhs and 14.17 lakhs females. In the area under the present study, that is Imphal (East) and Imphal (West), total population in Imphal (East) is 4.52 lakhs with 2.25 lakhs males and 2.27 lakhs females, and total population in Imphal (West) is 5.17 lakhs with 2.55 lakhs males and 2.62 lakhs females.¹ Out of the randomly selected 80 domestic violence cases disposed of during 2007 and 2010 in the Court of the Chief Judicial Magistrate, Imphal/East and West and Judicial Magistrate of the First Class, Imphal/East and West collected as sample for study, 44 cases are from Imphal (East) and 36 cases are from Imphal (West). However, this does not indicate higher prevalence of domestic violence in the Imphal (East) district.

¹ Census of India 2011
Figure 1: 80 disposed cases of domestic violence in Imphal (East) and Imphal (West) districts during 2007-2010

Figure 2: Literacy rate of the complainants in Imphal (West) and Imphal (East) districts
In the Imphal (East) district, in the 44 cases, 31 of the complainants are literate. In the disposed cases of Imphal (West), 29 out of 36 complainants are literate.

![Bar graph showing duration of cases](image)

**Figure 3: Duration of the cases**

Out of these 80 cases collected for the study, only *14 cases were disposed of within 60 days*, 9 cases took 3 months, 13 cases took 4 months, 3 cases took 5 months and 16 cases took 6-11 months. The remaining 25 cases took 1 or 2 years to come to a judgment. In a particular case, it took only 9 days to dispose of the case in which the learned court passed a judgment in favour of the complainant and grant her the reliefs of taking back her *Stridhan* from the house of the respondent. However, the other reliefs sought by her which includes protection order, compensation and maintenance were not granted. In another, it took only 16 days to dispose of the case. The learned court granted maintenance to the complainant although the other reliefs sought by the complainant, i.e. protection order and compensation were not granted. In another case which was also disposed of in 16 days, the complainant got a compensation of
Rs.2,00,000/- against her prayer for a compensation of Rs.5,00,000/-, maintenance and protection order. In a case where protection order is the only relief sought by the complainant, the court granted the prayer and disposed of the case in 14 days. In another judgment, the learned court disposed of the case in 13 days by granting all the reliefs sought by the complainant which includes protection order, maintenance and a right to his pension and a right over his homestead land.

![Figure 4: Prevalence of domestic violence in different communities in the two districts](image)

Figure 4: Prevalence of domestic violence in different communities in the two districts
Figure 5: Community-wise distribution of the cases in the Imphal (East) and Imphal (West) districts

28 cases out of the 36 cases from the Imphal (West) district of Manipur are filed by women of the Meitei community, 5 by those belonging to Meitei Pangal, 2 belonging to the tribal community and 1 non-Manipuri. Out of the 44 cases, women of the Meitei community from the Imphal (East) district of Manipur have filed 31 of them. There are 9 cases filed by women belonging to the Meitei Pangal i.e. Muslim community. Only 3 cases are from the tribal community and 1 non-Manipuri.

A majority of the cases involves the members of the Meitei community followed by Meitei Pangal and a much lesser number from the tribal community. Out of the 80 cases, in 59 cases both the complainant and respondent belong to the Meitei community, 14 cases are from the Meitei Pangal (Muslim). There are 5 cases from the tribal community and 2 from the non-Manipuri community. Therefore, it can be inferred that domestic violence cases are common among the Meitei community.
Figure 6: Types of violence in the cases under study

Figure 7: Comparative representation of types of violence in Imphal (E) and Imphal (W) districts
“Verbal and emotional abuse” was reported in the majority of cases with 55 complainants enumerating it as one of the forms of violence committed by the respondents. This is followed by “economic abuse”. This form of violence was found in 37 cases. “Physical abuse” is found in 35 cases. The prevalence of sexual abuse is least in these cases. A comparative analysis of the domestic violence cases shows the same trend in both the districts. Economic violence is difficult to define and can vary significantly according to circumstances of each case. It involves denying access to property, durable goods or the labour market; deliberately not complying with economic responsibilities.

Figure 8: Frequency of domestic violence cases filed by women of different age groups

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An analysis of the 80 cases shows that domestic violence cases are mostly filed by women aged between 21-30 years showing the highest prevalence of domestic violence in this age group. Out of the 80 complainants, 36 women were aged between 21-30 years, 19 belonged to the age group 31-40 years and 12 complainants were aged between 41-50 years. Cases of domestic violence were least filed by women aged between 51-60 years according to this study. It shows that the experience of violence peaks when women are in their reproductive years. Prevalence declined with age and was lowest among women aged 50+. However, this shows that there is occurrence of domestic violence amongst elderly couples too.

Just like incidence of domestic violence is more prevalent amongst women in the age group of 21-30 years, higher number of the respondents in the 80 cases belongs to this age group, the number declining as the age increases.

![Figure 9: Age groups of perpetrators](image-url)
Figure 10: Comparative study of reliefs sought and reliefs granted of the cases

An analysis of the types of reliefs involved in the 80 cases shows that protection order, maintenance and compensation are the most sought after reliefs. A prayer for protection order, maintenance, and withdrawal of Stridhan are mostly sought as interim reliefs. In the cases where residence order is sought and granted, the complainants prefer not to stay in the matrimonial home, rather they prefer another accommodation.

In 6 of the 80 cases, it was found that there was no scope of alleging committing of domestic violence by the respondents as per the application of the complainant. As such, the court was of the opinion that there was no room for enabling the court to grant the reliefs sought by the complainants in the application filed under Section 12 of the Protection of Women of Domestic Violence Act and not entitled to any reliefs. Thus, these 6 cases were rejected by the courts as domestic violence could not be proved as no reliable evidence was given in the cases as to make out the cases. The question in
dispute in one particular case was whether the complainant had a domestic relationship with the respondent. The complainant had been staying at the house of the respondent as a maid. The case was dismissed as the court found out that the respondent was not the husband of the complainant and it was of the opinion that they were never in a domestic relationship in the manner described in the Protection of Women from Domestic Violence Act, 2005 at any point of time.

Out of the 80 cases, in 5 cases, the complainant withdrew the application filed under the Act. The reasons for withdrawal are different in every case. In one particular case, the respondent requested for reunion with the complainant, after both attended counselling sessions with the Service Provider. It should, however, be noted that in the application filed by the complainant, she had mentioned that the respondent had subjected her to physical abuse, verbal and emotional abuse by calling her names, ridiculing her, and asking her to leave the matrimonial home. The respondent was alleged to have not given financial support to the complainant. The complainant also reported dowry-related harassment in the Domestic Incident Report filed along with the application. This case went on for 6 months. Another case was withdrawn after it went on for one and a half years because of the death of the respondent. In another case, the complainant withdrew the case after she agreed to a joint compromise petition for divorce in connection with the divorce proceeding pending before the Family Court. Here, it would be pertinent to note that except for one case, all cases involving husband and wife ends in separation of the spouses.
Medical examination room of a Swadhar Home in Imphal (East) district
Counselling room of a Swadhar Home in Imphal (East) district
Inside a Swadhar home
Inside a Swadhar home

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
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<tbody>
<tr>
<td>5:00 am</td>
<td>Wake Up</td>
</tr>
<tr>
<td>5:30 am</td>
<td>Morning Prayer / Yoga</td>
</tr>
<tr>
<td>6:00-6:30 am</td>
<td>Tea &amp; Breakfast</td>
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<tr>
<td>6:30 - 8:30 am</td>
<td>Reading / Tuition</td>
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<tr>
<td>8:30 am</td>
<td>Lunch</td>
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<td>School</td>
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<td>Evening Tea</td>
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<td>Sports / Exercise</td>
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<tr>
<td>5:00 pm</td>
<td>Evening Prayer</td>
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<tr>
<td>5:30 - 7:00 pm</td>
<td>Reading / Tuition</td>
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<tr>
<td>7:00 pm</td>
<td>Dinner</td>
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<tr>
<td>7:30-9:30 pm.</td>
<td>Reading</td>
</tr>
<tr>
<td>9:30 pm</td>
<td>Light Off</td>
</tr>
</tbody>
</table>

Note: Reading - 5:30 hrs daily

Sd/-
(S. Radhapyari Devi)
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