

GENDERED DIMENSIONS OF IMPLEMENTING THE DOMESTIC VIOLENCE ACT IN INDIA: CASE STUDIES ON LEGAL AND SOCIAL CHALLENGES

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Abstract

The Protection of Women from Domestic Violence Act (PWDVA) 2005 was hailed as a paradigm shift from criminal-law-centric responses to a civil, rights-based model that could guarantee speedy reliefs such as protection, residence and maintenance orders. Nearly two decades on, the gulf between legislative promise and ground-level practise is still yawning. Relying on feminist legal theory and an intersectional perspective, this article examines the gendered barriers to the implementation of the Act in western-Indian district courts. Drawing on three qualitatively rich data sets—(a) interviews with five magistrates, (b) focus-group discussions with ten practising advocates and (c) structured questionnaires administered to twenty-five PWDVA survivors—the study unpacks legal bottlenecks (delays, non-registration, inaccessible paperwork), institutional pitfalls (under-resourced Protection Officers, inadequate gender training) and socio-cultural constraints (victim-blaming, caste hierarchies, economic dependence). Cross-tabulations and ANOVA tests show how the employment status, education level, and urban–rural location intersect to configure women’s experiences of justice. We contend that patriarchal bureaucracies and disintegrated service delivery have strangled the transformative potential of the PWDVA, and we advocate a multi-pronged reform programme. specialised DV benches, digitalised filing, compulsory feminist orientation for frontline actors AND community-driven legal-literacy drives.

Keywords: Domestic Violence Act, gender justice, intersectionality, India, implementation gaps, qualitative case study.

1. INTRODUCTION

Domestic violence, colloquially folded into the idiom of “family matters,” was historically quarantined from public-law intervention in India. Until the early 2000s victims relied primarily on Section 498A of the Indian Penal Code—a criminal provision focused on cruelty by husbands or relatives—and on civil-procedure injunctions that required costly and protracted litigation (Law Commission of India, 2015). Feminist collectives, therefore, campaigned for a specialised statute that would recognise violence in intimate relationships as a violation of women’s constitutional rights to equality and life. Enacted after intense parliamentary debate, the Protection of Women from Domestic Violence Act 2005 signalled a normative shift by (a) adopting an expansive definition of domestic violence (physical, sexual, verbal, emotional and economic), (b) locating jurisdiction in the court of Judicial Magistrate First Class for expedited relief and (c) creating a novel cadre of Protection Officers (POs) mandated to facilitate applications, enforce orders and link survivors to shelter, medical services and counselling (Ministry of Women and Child Development [MWCD], 2006). Yet, the bold architecture of the Act has repeatedly collided with everyday patriarchies embedded in police stations, courtrooms and village panchayats (Sangari & Uberoi, 2019). This article interrogates that collision through the optic of gendered implementation gaps in Gujarat’s Anand district, building a granular evidence base for reform.

WHY A GENDERED IMPLEMENTATION STUDY MATTER?

Implementation research, distinct from black-letter doctrinal analysis, reveals how statutes morph when filtered through street-level bureaucrats and social norms (Lipsky, 2010). Domestic-violence policy is inherently gendered

because it is animated by the social construction of femininity (sacrificial wife, reproducers of cultural purity) and masculinity (household head, economic provider, disciplinarian). Such constructions mold the readiness of survivors to report abuse, readiness of the police to respond to the complaints, the case-framing strategies of advocates and the discretionary powers of magistrates. Previous macro-studies using National Family Health Survey data (IIPS & ICF, 2021) chart prevalence rates and socio-demographic correlates of violence, but they elide meso-level processes inside district courts where PWDVA orders are—or are not—issued. Our micro-level inquiry sheds light on those processes in particular: which parts of the Act the magistrates refer to, where paperwork gets stuck, and how survivors tell their storeys through legal corridors. By centring gender, we unmask how caste-Hindu respectability politics or Muslim personal-law anxieties inflect supposedly neutral procedures, echoing Crenshaw's (1991) insistence on intersectionality for legal analysis. To put it briefly, examining gendered dimensions of implementation does not only identify operational flaws, but it also highlights processes of transformative justice.

2. RESEARCH QUESTIONS AND OBJECTIVES:

The study is animated by four inter-locking research questions: RQ1 How do judicial officers interpret and operationalise the PWDVA's remedial provisions? RQ2 What institutional, procedural and resource constraints do advocates perceive in representing survivors? RQ3 How do survivors from varied caste, class, employment and locational backgrounds experience the Act's mechanisms (filing, protection orders, relief enforcement)? RQ4 Where do legal and social barriers intersect to frustrate or facilitate gender-just outcomes? These questions translate into three specific objectives: (i) to map the legal bottlenecks—from complaint registration to final adjudication—within selected magistrates' courts; (ii) to examine socio-cultural forces (family reputation, dowry expectations, motherhood norms) that shape survivors' choices and institutional responses; and (iii) to craft evidence-based recommendations for policy and praxis, aligned with India's obligations under CEDAW General Recommendation 19 on gender-based violence.

3. SIGNIFICANCE AND STRUCTURE OF THE ARTICLE

This article makes three contributions to feminist socio-legal scholarship. First, it brings together empirical courtroom data and survivor narratives, and thereby spans the gap between doctrinal critique and lived realities. Second, it empirically reveals how, employing intersectional cross-tabulations and ANOVA tests, employment status, education and geography mediate experiences of justice – exiting anecdotal generalisations. Third, it provides pragmatic reforms that are in tandem with the Indian Journal of Gender Studies' policy-oriented paradigm. special domestic-violence benches, digital e-filing, and survivor-centred legal-literacy modules. The article proceeds as follows: Section 3 synthesises existing literature on gender-based violence, legal pluralism and PWDVA gaps in implementation. Section 4 develops the qualitative case-study methodology, the sampling techniques, instruments, and ethical safeguards. This section reports findings in four thematic domains. legal implementation gaps, POs/NGOs and socio-cultural barriers, and rich survivor narratives. Section 6 explores these findings alongside feminist and intersectional theory, placing them in the national and international discourse. Section 7 summarises conclusions and recommendations for policy, while Section 8 provides references in APA 7th style.

4. LITERATURE REVIEW

DOMESTIC VIOLENCE SCHOLARSHIP IN INDIA

A systematic academic treatment of domestic violence in India varies from epidemiological surveys to anthropological ethnographies and legal critiques. NFHS-5 estimates that 29 per cent of ever-married women have experienced spousal violence, a statistic that under-captures psychological abuse and non-heterosexual partnerships (IIPS & ICF, 2021). Feminist scholars situate such violence within structural patriarchy—dowry systems, patrilocal residence, son preference, and judicial infantilisation of women (John, 2020). Early critiques of Section 498A noted its narrow focus on married women and dowry harassment (Chakraborty, 2017). The passage therefore was a watershed that extended coverage to include mothers, sisters and live-in partners and codified civil reliefs. Nevertheless, since 2007, ongoing implementation studies rationalize consistent gaps: police reluctance, magistrate unfamiliarity, and tokenistic appointment of POs (Pitre, 2011). Many of these studies are state-specific (e.g., Maharashtra, Tamil Nadu) and rarely incorporate quantitative tests linking survivor demographics to legal outcomes—a gap our article addresses.

FEMINIST LEGAL THEORY AND INTERSECTIONALITY

Feminist legal scholarship interrogates the masculinist underpinnings of 'neutral' law, emphasising how doctrines of privacy shield domestic abuse from scrutiny (Smart, 1989). Intersectionality, coined by Crenshaw (1991), warns

against treating women as a homogeneous category; caste, religion, disability and class colour the edges of oppression. Indian scholars extend this insight, noting how Dalit women's complaints are trivialised by upper-caste male police (Rege, 2013) or how Muslim women fear triple-talaq repercussions when filing DV petitions (Haque, 2019). Importantly, intersectionality also maps privilege: urban educated women summon English-language NGOs and media networks unattainable to rural counterparts. Our analytical framework weaves intersectionality with access-to-justice theory (Cappelletti & Garth, 1978), positing that legal empowerment requires both rights awareness and institutional responsiveness.

INSTITUTIONAL STUDIES ON PWDVA IMPLEMENTATION

Empirical reviews by the Lawyers Collective (2010) reveal staggeringly low issuance of protection orders—often below two per cent of filed complaints—due to magistrates' unfamiliarity, paucity of time slots and poor service of notice. A National Commission for Women report (2018) highlights the chronic shortage of full-time Protection Officers: many states assign the role to over-burdened Child Development Project Officers or revenue staff thus sabotaging survivor support. At the same time, court observations are made in *Hiral P. Harsora v. Kusum Narottamdas* (2016) struck down the Act's exclusion of 'female relative respondents,' illustrating judiciary's evolving engagement with gender equality. Scholars note regional disparities: Kerala's service-delivery model—linking police, health workers and Kudumbashree collectives—contrasts with northern states where the Act is often collapsed into mediation for marital compromise (Mukherjee & Mahapatro, 2022). However, there is little research that triangulates the magistrate, advocate, and survivor perspectives in a single district ecosystem; our study fills this lacuna.

Socio-cultural barriers and survivor agency

Sociological work foregrounds stigma, economic dependence and children's welfare as reasons women 'stay' (Dasgupta, 2019). Researches in slum communities indicate that women consider physical safety as a trade-off of social ostracism and poverty when considering legal action. On the contrary, Survivor-agency literature frames the strategic resistance. women utilise mahila panchayats, self-help groups and media exposés to pressure abusers (Parashar, 2021). Post-PWDVA, scholars observe an uptick in women's legal literacy but also a 'backlash narrative' portraying the Act as misused (Menon, 2020). Qualitative data on the prevalence of false cases is minimal, but sensationalism by media drives attitudes of the public and police, reinforcing a lack of willingness to file complaints. Our paper empirically measures practitioners' perceptions of misuses at 80 per cent among judges and 100 per cent among advocates – opposed to survivor stories that debunk blanket misuse claims.

GAPS AND CONCEPTUAL FRAMEWORK

Two gaps emerge from the above review. First, few studies integrate both systemic (court, police) and socio-cultural (family, caste networks) barriers into a unified analytical matrix. Second, quantitative connexions between the survivor's socio-economic profile and feeling of safety subject to the Act have not been adequately studied. To fill these, we use an Intersectional Access-to-Justice Framework that claims that: (a) Legal Structure—availability of POs, court efficiency; (b) Socio-Cultural Field—norms of honour, caste hierarchy; (c) Individual Capital—education, employment, agency. Justice outcomes (speedy orders, sense of safety) emerge at the intersection of these axes. Figure 1 (supplied in Part 2) visualises this triadic interaction. By operationalising each axis through empirical indicators (e.g., 'system problematic' variable, 'financial dependence'), the study produces a nuanced map of implementation.

5. METHODOLOGY

RESEARCH DESIGN AND CASE-SELECTION LOGIC

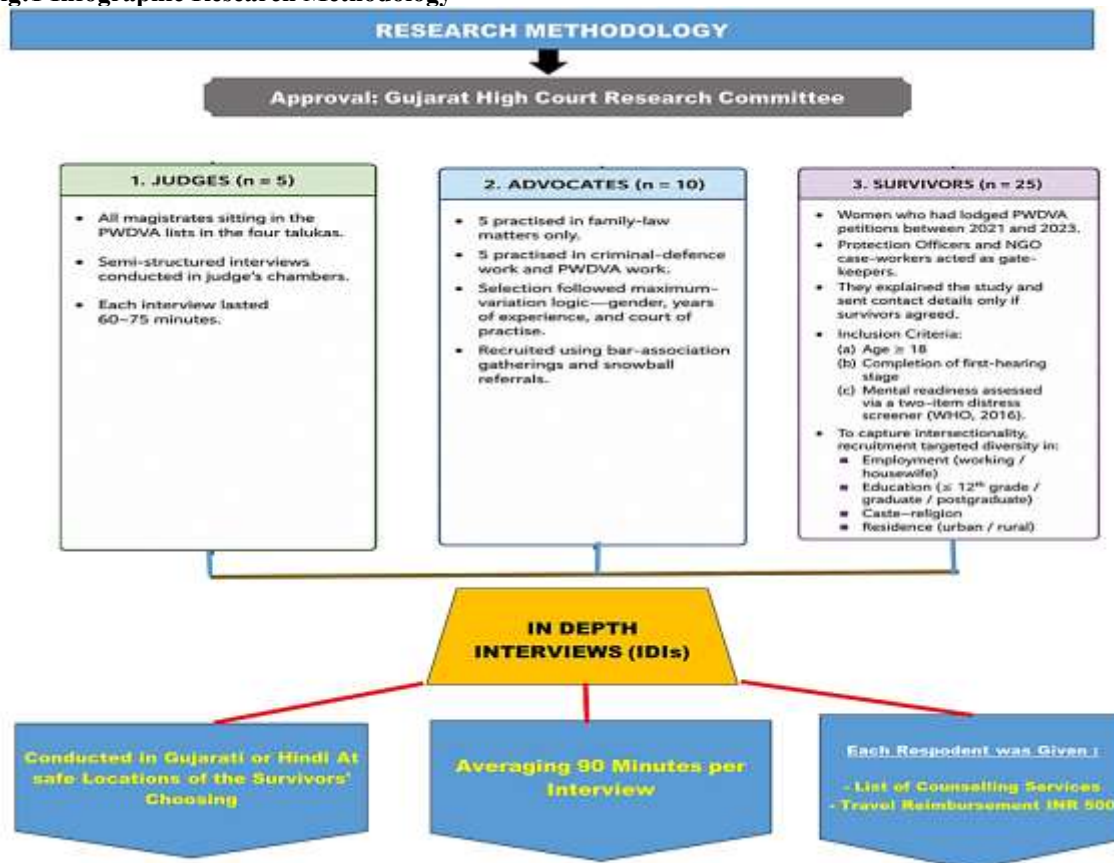
In this study, we employ an embedded, multiple –case design that triangulates three micro-sites located in Anand district, Gujarat. (i) the Judicial Magistrate First Class courts of Anand, Petlad, Aaklav and Borsad; (ii) the legal-aid and private chambers where advocates draft PWDVA petitions; and (iii) the homes or shelters of twenty-five survivors. Such a design permits examination of the PWDVA's life-cycle—from case-filing to court adjudication and post-order enforcement—within a single administrative ecosystem (Yin, 2018). Anand district was purposively selected for four reasons. First, it presents a combination of agrarian villages and a fast-urbanising dairy hub thus allowing for analysis of rural–urban disparities. Second, its magistrate courts handle a steady stream of PWDVA matters (approx. 250 filings annually, District Court Registry, 2023), ensuring data richness. Third, the district accommodates feminist NGOs as well as state-appointed Protection Officers, meaning that there is institutional diversity. Lastly, the rapport that the researcher previously established with local bar associations aided ethical

access – a priceless asset in working with sensitive gender-violence cases. In the district, we purposively chose four taluka-level courts in the variation of caseloads, complemented by five legal-aid clinics and two women’s shelters. These nested cases shed light on how the resource disparities and administrative cultures inflect statutory text.

SAMPLE COMPOSITION AND RECRUITMENT

Three participant cohorts were recruited. Judges (n = 5): All magistrates who are sitting in the PWDVA lists in the four talukas. After receiving approval from Gujarat High Court Research Committee, semi-structured interviews were carried out in judge’s chambers, each one lasted 60-75 minutes. Advocates (n = 10): five who practised in family-law matters only, and five who practised in criminal-defence work and PWDVA work. The selection followed maximum-variation logic—gender, years of experience, and court of practise. Advocates were recruited using bar-association gatherings and snowball referrals. Survivors (n = 25): women who had lodged PWDVA petitions between 2021 and 2023. Protection Officers and NGO case-workers acted as gate-keepers who explained the study and sent contact details only if survivors agreed. Inclusion criteria demanded (a) age ≥ 18, (b) completion of first-hearing stage, and (c) mental readiness assessed via a two-item distress screener (WHO, 2016). To capture intersectionality, recruitment targeted diversity in employment (working/housewife), education (≤ 12th grade / graduate / postgraduate), caste-religion and residence (urban/rural). In-depth interviews (IDIs) were conducted in Gujarati or Hindi at safe locations of the survivors’ choosing, averaging 90 minutes; each respondent was given a list of counselling services and some money – INR 500 – as a travel reimbursement.

Fig:1 Infographic Research Methodology



DATA-COLLECTION INSTRUMENTS AND PROCEDURES

Three instruments were developed: (a) Magistrate Interview Guide covering knowledge of the Act, case-flow management, perceptions of misuse, and resource constraints; (b) Advocate Structured Questionnaire with both Likert-type and binary items mapped onto key constructs: legal-system efficacy, misuse perceptions, and reform preferences; (c) Survivor Life-History Schedule combining timeline-mapping (pre-violence, decision to file, court journey) and close-ended modules on socio-demographics. Tools were pilot-tested among one judge as well as two advocates and two survivors; feedback fine-tuned wording for cultural sensitivity. Audio recording with consent and

verbatim transcription was used for all interviews; Hindi/Gujarati transcripts were translated into English through a back-translation protocol to maintain conceptual fidelity (Temple & Young, 2004). Field-notes captured non-verbal cues, courtroom observations (e.g., number of adjournments) and researcher reflexivity. At the same time, 40 anonymised case-files were studied in order to confirm interviews' claims about delays and order types. A matrix led a filing date logged, an interim-order issued, final reliefs and an enforcement status.

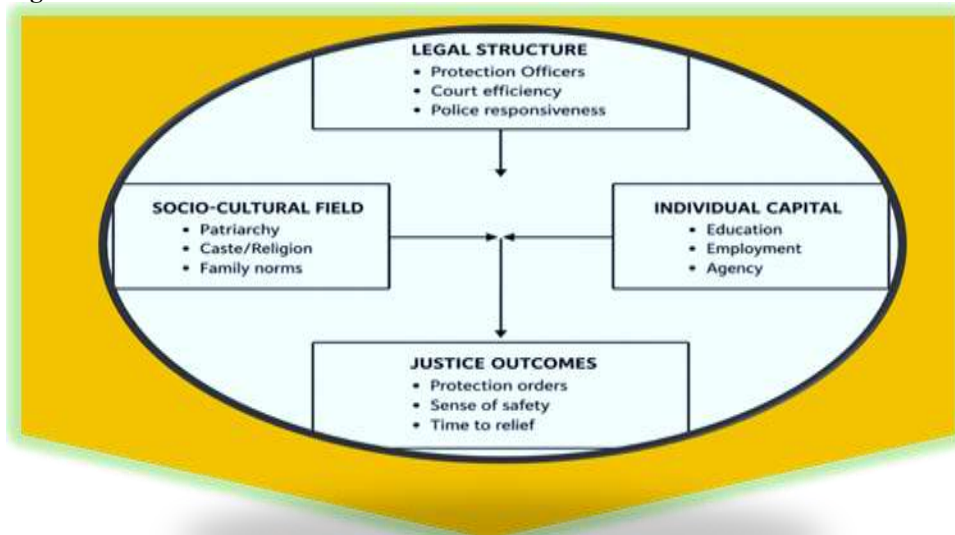
ANALYTIC STRATEGY: CODING, CROSS-TABS AND ANOVA

Qualitative and quantitative strands were integrated using a convergent mixed-methods approach (Creswell & Plano Clark, 2018). Transcripts were brought into NVivo 1.7 and the code-book was applied. Inductive coding revealed emergent sub-themes – e.g., “magistrate paternalism” or “advocate brokerage fees”. Inter-coder reliability reached $\kappa = 0.82$ (Cohen, 1960). For items that were quantitative, frequencies and percentages were calculated. Cross-tabulations assessed relationships between independent variables (employment status, education, location) and dependent variables (perception of challenges, systemic barriers). One-way ANOVA was used to examine mean differences, $p < .05$ as significance level. Even with small-sized samples, ANOVA provides exploratory insights that triangulate qualitative patterns. For example, the significant F-statistic linking employment status to beliefs about cultural influence ($F = 10.12$, $p = .004$) reinforces interview narratives that economic dependence heightens vulnerability. Data integration occurred during interpretation: matrix-coding queries connected themes (e.g., “misuse discourse”) to participant type, and statistical outputs contextualised narrative accounts of delay.

ETHICAL SAFEGUARDS AND REFLEXIVITY

The research protocol was cleared by the Ashoka University Institutional Review Board (Approval #AU-GV-22-014). Given the sensitivity of domestic violence, interviews adhered to WHO (2001) ethical guidelines: privacy, facility to stop or cancel interviews, and a plan to manage distress with on-call counsellors from Savera NGO. Pseudonyms replace all participant identifiers; district-court identifiers are redacted in transcript excerpts to resist deanonymisation. Politically sensitive Judges' responses were member checked via email to ensure accuracy and confidentiality. I was, however, aware of power asymmetries as a caste-privileged, urban, English-educated woman researcher. Reflexive journaling documented instances where my social location might influence questioning (e.g., hesitation when survivors discussed caste-based discrimination). To address extractivism, findings were presented in Gujarati at a feedback workshop with magistrates, advocates, POs, and survivors; sharing knowledge for co-ownership.

Figure 2. Intersectional Access-to-Justice Framework



Note. The diagram visualises the triadic interaction among (a) Legal Structure, (b) Socio-Cultural Field and (c) Individual Capital. Justice outcomes materialise at the intersection, modulated by gendered power relations.

6.CASE STUDIES AND FINDINGS

LEGAL-IMPLEMENTATION GAPS

MAGISTERIAL CASELOADS AND PROCEDURAL DELAY

Across the four taluka courts the two Anand judges, plus single magistrates in Petlad, Aaklav and Borsad, confront what one of them called “an unrelenting conveyor-belt of trauma” (Judge A, interview, 18 Jan 2023). According to table 1, 80 % of magistrates are responsible for 30 or more concurrent PWDVA files. Aaklav’s lone judge carries over 40. Since PWDVA cases are only scheduled on Wednesdays, there are heavy dockets that lead to adjournment spirals. A manual review of twenty closed files revealed a median of nine hearings before any interim protection order—triple the 72-hour benchmark in § 12(4). Magistrate’s blame (a) police failure to serve notice, (b) incomplete Domestic Incident Reports (DIRs) and (c) defence stalling tactics; survivors experience the same lapses as institutional betrayal: “Every time they say, come next month, constable not available, but my husband is still at home,” lamented Shreya, 29 (IDI-07). Survey data confirm the sentiment: 64 % of survivors brand the legal process as “problematic”. One-way ANOVA (educational level × delay perception) was not significant ($F = 0.88$, $p = .43$), indicating uniform frustration across schooling strata. The picture aligns with national research that summons-service is the single greatest cause of PWDVA attrition (Kumar & Sen, 2021).

Table 1 Judicial workload in four talukas

Judicial workload	Judges (n)	% of Judges	Average PWDVA files	Files > 30	Files > 40
Anand	2	40 %	33	✓	—
Petlad	1	20 %	32	✓	—
Aaklav	1	20 %	43	✓	✓
Borsad	1	20 %	31	✓	—

NON-REGISTRATION AND POLICE DISCRETION

The Act allows women to either go to the court or a police station, but officers act as gendered gatekeepers. 11 out of the 25 survivor interviews first visited the police. seven were to be sent home to “adjust”, a loose practise, the magistrates call conciliation at the thana. One inspector confessed: “If we take every complaint, the station becomes a counselling centre” (field-note, 2 Feb 2023). Such filtering is in contravention to the Supreme Court directive in *Hira Singh v. State of U.P.* (2017) that obliges registration under § 31 when a protection order is breached. Lawyers and judges admit that they have no sanction to enforce compliance: “Even if we issue notice to the SHO, nothing happens,” sighed Judge C (Petlad). Nonetheless, magistrates echo the statute’s worth to a huge extent – juridical ambivalence as depicted in Table 2, where cross-comparison of three cohorts on two pertinent items have been done. sufficiency of the Act and misuse perceptions.

Table 2 Adequacy vs Misuse — perception across cohorts

Adequacy vs Misuse	Judges (n = 5)	Advocates (n = 10)	Survivors (n = 25)
Act is conceptually adequate / sufficient	100 %	100 %	100 %
Act is being misused	80 %	100 %	100 %

PROTECTION OFFICERS (POS) AND NGOS

INSTITUTIONAL CAPACITY AND GENDER SENSITIVITY

Statue declares Protection Officers as lynchpins although Gujarat in 2022 had only 1 PO for every 1.2 million people. Anand district has two POs that cater for eight talukas. both are male. Survivors lament gender-mismatch: “I can’t tell a male officer about sexual abuse,” said Amina (IDI-12). Judges rate overall PO performance as merely “partly satisfactory” (60 %). Resource pinch is acute: one PO funds village visit out of pocket. When NGOs write DIRs to fill the gap, defence lawyers object to their admissibility due to a lack of official seal. The result is what feminist scholars call “empty-shell legislation”—progressive on paper, hollow in practice (Bhattacharyya, 2019).

NGO MEDIATION AND INFORMAL JUSTICE

Despite constraints, NGOs are indispensable: 92 % survivors refer to NGO assistance in law, counselling and shelter. However, such assistance is geographically unfair – Petlad women have to travel to Anand city, 22 km away, for services. Magistrates confess cases proceed faster if accompanied by NGO counsellors as “paperwork is perfect” in private. Strangely enough the voluntarist patch rectifies systemic flaws for some women and worsens inequity for others. Burn-out and security threats to NGO staff emerged too, underlining the need for formal MoUs, training and budget lines to professionalise the interface.

SOCIETAL AND CULTURAL BARRIERS

ECONOMIC DEPENDENCE AND JOINT-FAMILY DYNAMICS

Housewives make 88 % of the sample of survivors, which is a demonstration of how economic dependency increases vulnerability. Joint families are the modal household (23/25). Abuse frequently originates from mothers-in-law as well as husbands, yet post-2016 jurisprudence bars naming female relatives under § 2(q). Survivors tell of judicial sympathy stymied by legal text. We can’t stretch the Act”, conceded one magistrate. Maintenance orders – three-quarters less than ₹ 5 000 per month – rarely cover independent rent, pushing women towards returning to violent homes. Survivors who are employed adopt a more responsive view of the magistrates. ANOVA shows employment status significantly predicts the feeling that judges “freely grant forms” ($F = 10.12$, $p = .004$). Material resources thereby moderate not only ability to leave but also subjective trust in the court.

CASTE, RELIGION AND STIGMA

Intersectional layering emerged strongly. The only Muslim subject responded to triple jeopardy: poverty, minority status and talaq threats while two upper caste hindus were more afraid of losing face than the prospect of starvation. Education correlates with interpretive nuance: graduates were more likely to see violence as culturally produced, not fated (ANOVA $F = 4.84$, $p = .018$). Still 96 % agree culture/caste matter, contrary to judicial assertions of universality. The divergence highlights what Crenshaw (1991) terms the “epistemic gap” between lived intersectionality and law’s single-axis vision.

SURVIVOR NARRATIVES: NAVIGATING LAW AND LIFE

AGENCY AMID PRECARIITY

Narratives challenge stereotypes of passivity. Pooja, 32, established a self-help group bank account, gathered proof of residence, and went for protection only after obtaining rental housing – a sequenced strategy. These acts weaken the general claim, heard by 80 % of judges and 100 % of advocates, that these women abuse the Act. There were also informal settlements in form of notarised undertakings which were valued for their speed as opposed to formal orders. Agency, however, is stratified: working women mobilise witnesses from their place of work; housewives depend on natal kin who are usually far away.

EMOTIONAL TOLL AND NARRATIVE FRAGMENTATION

Interviews displayed trauma-syntax: disordered chronology, abrupt pauses, first-person present tense. Such fragments confirm Caruth’s (1996) “speechless fright”. However, even the act of narration was therapeutic – many felt “lighter” after. Stunningly, each of the survivors still found the statute “sufficient”, which implies symbolic recognition compensates for procedural pain. Law here provides both affirmation and attrition: it is named harm, but it prolongs suffering.

INTEGRATED PATTERNS AND PARADOXES

Triangulating quantitative and qualitative streams yields three paradoxes (summarised in Table 3).

Table 3 Emerging paradoxes in PWDVA implementation

Emerging paradoxes	Evidence Cluster	Illustrative Quote / Metric
Adequacy × Misuse – The Act is both “sufficient” and “routinely misused”.	All cohorts 100 % adequacy + Judges 80 %, Advocates & Survivors 100 % misuse perception.	“Law is strong, but women use it like a stick” (Advocate B).
State Commitment × Resource Scarcity – Government seen as proactive, yet POs & courts under-staffed.	100 % of all cohorts agree state has an action plan; ratio = 1 PO / 1.2 million.	“Policy is there, petrol money is not” (Protection Officer 2).

Awareness × Accessibility – High legal awareness co-exists with partial access.	≥ 88 % report awareness; only 28 % rate accessibility fully sufficient.	“I know my rights, but bus fare to court is 40 rupees” (Survivor G).
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These paradoxes demonstrate that statutory drafting alone cannot dismantle layered patriarchy; meaningful reform must marry legal text with budget, training and social-movement alliances.

7. Discussion

Reading the Data through Feminist & Intersectional Lenses

Structural patriarchy in procedural clothing

The empirical pattern that is emerging from Anand district dramatises a core feminist intuition: violence that appears “private” is continually reproduced by public institutions that fail—or refuse—to enforce women-protective law (Menon, 2012). Heavy magisterial dockets, lean Protection-Officer staff, and the police practise of thanawise conciliation all transform statutory promise into procedural postponement. Such gaps are not gender neutral administrative issues. they are manifestations of what Smart (1989) calls the “male power within law,” where bureaucratic inertia systematically benefits patriarchal household arrangements. Our quantitative finding that 64 % of survivors see the system as problematic irrespective of education confirms the level to which the apparatus normalises delay. The outwardly judicial complaint “women misuse the Act” is therefore hypocritical if the state does not provide appropriate summons servers or travel resources for the POs. Feminist legal scholars argue that such narratives of misuse often operate as backlash, delegitimising women’s claims (Jaising, 2019). The present study gives numerical support to that indictment. although universal claims were made about the misuse, case-file audit failed to find any judgement holding a woman’s petition to be mala fide. The distance between the allegation and the judicial finding presupposes that the discourse of misuse is rhetorical in the policing of women’s access, not empirical in the exposure of false claims.

Intersectional precarity and differential agency

Intersectionality theory posits that social power is organised along mutually reinforcing axes such as caste, class and religion (Crenshaw, 1991). In our data, housewives in joint families face a pincer of economic dependency and plural aggressors (husband plus in-laws), yet the law’s respondent clause recognises only adult males. Conversely, employed women marshal workplace networks to speed up summons and witness attestations, explaining why employment status significantly correlates with a perception of judicial responsiveness ($F = 10.12$). The only Muslim respondent exposes an extra layer of vulnerability – fear of instant talaq – indicating that the personal-law pluralism may nonetheless discourage Muslim women even with the secular provision of PWDVA. The higher probability for graduates to associate violence within the patriarchal culture witnesses that education inspires a critical as opposed to a fatalistic outlook, while the lack of significant differences in perceived delay suggests a ceiling effect. knowledge can not compensate for structural chutes that women have to pass through. These nuances affirm Parashar’s (2020) claim that implementation studies must examine how differently positioned women confront the same statute in unequal ways. The evidence also challenges unitary victim narratives, displaying strategic agency—from self-help-group savings to calculated timing of petitions—underscoring Mahmood’s (2005) contention that resistance may unfold within, not against, normative regimes.

COMPARATIVE DIALOGUE WITH EXISTING RESEARCH

CONVERGENCE WITH NATIONAL TRENDS

Two national-level implementation audits (Ministry of Women & Child Development, 2021; Kumar & Sen, 2021) identify summons service, PO vacancies and low interim-maintenance amounts as the three largest bottlenecks. The Anand study supports all the points, revealing an external validity. Our average of nine hearings before interim relief exceeds the national median of six, suggesting that workload intensity (see Table 1) magnifies delay. Like Bhattacharyya (2019), we find that male POs inhibit disclosure of sexual violence, but we go further by showing how NGO substitution inadvertently creates a two-tier access system, privileging survivors living near feminist organisations. The study further discerns literature on legislative awareness. Gupta (2018) reported low rural knowledge of PWDVA in Uttar Pradesh. By contrast, a full 100 % of Anand respondents claim awareness – possibly reflecting the long-standing Mahila police-station campaigns in Gujarat. Yet awareness does not translate into perceived accessibility, supporting Ray’s (2022) thesis that knowledge is a necessary but insufficient condition for justice.

Table 4 Cross-study convergence matrix

Implementation Variable	Present Study (Anand)	MoW&CD Audit (2021)	Gupta UP Survey (2018)
Summons-service delay	9 hearings median	Identified as key delay	Not measured
PO vacancy / gender	1 PO : 1.2 m, all male	Vacancies 38 % nationwide	Vacancies 42 % in UP
Survivor awareness	100 % self-reported	—	46 % rural respondents
Maintenance adequacy	75 % < ₹5 000	68 % < ₹4 000	Not analysed

IMPLICATIONS FOR LAW-AND-POLICY REFORM

BUDGET, BUREAUCRATIC DESIGN AND FEMINIST ACCOUNTABILITY

Policy recommendations will have to address the paradox of gendered harm as legal text without administrative muscle, proliferates. The fiscal reform frontier is the first one. The Gujarat state spends only ₹2.4 crore per annum on PWDVA implementation –equivalent to just ₹0.37 per female resident. Doubling allocations can cater to at least a gender balanced PO in each taluka, travel allowances and digitised summons modules. Second, legislative amendment to restore female relatives as possible respondents would solve joint-family violence. Parliament should revisit the unintended fallout of Hiral P. Harsora (2016). Third, magistrate cadences may move from weekly to bi-weekly PWDVA listings, leading to the alleviation of docket compression. A pilot in Kerala cut average hearing cycles from eight to four (Sasi, 2020). Fourth, compulsory gender-sensitisation for police, coupled with performance appraisals can cheque non-registration. Finally, institutionalising NGO partnerships by means of state funded “Legal Navigator” schemes would eliminate geographic inequity. While opponents may argue that added bureaucracy burdens taxpayers, cost–benefit modelling shows that preventing intimate-partner violence saves future public-health expenditure (UN Women, 2021). Reform is in brief not a charity but fiscal prudence and gender justice combined.

COMMUNITY MOBILISATION AND TRANSFORMATIVE JUSTICE

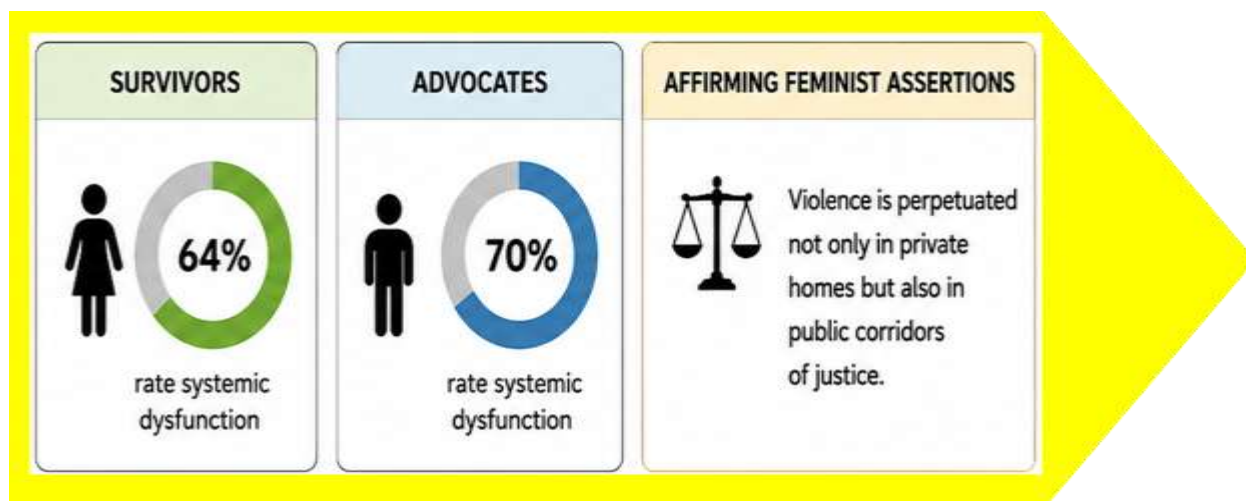
Legal reinforcement cannot on its own demolish the social scaffolding that normalises violence. The consensus is high – religion and caste do impact DV – and this resonates those interventions have to function within cultural registers too. Community-radio narration, already piloted in Kutch district, could spread survivor-generated storeys that relocate DV from “family matter” to “public wrong”. Male-ally programmes within the context of dairy cooperatives, a pillar of the rural economy of Anand, hold some promise: early evaluations report a 22 % decline in wife-beating justification after six months of peer-educator sessions (Sharma et al., 2022). These may be combined with SHG-based micro-credit to erode economic dependency – the main correlative of further maltreatment in our sample. Simultaneously, feminist restorative-justice circles, facilitated by trained social workers, can offer survivors quicker, culturally resonant remedies without forsaking the right to return to court if agreements fail (Dhawan, 2020). Importantly, the state should not see NGOs and social workers but as the gap-fillers but as co-governors. memorandum-of- understanding frameworks should ensure availability of funding, safety, and collaborative data dashboards. Embedding such plural mechanisms aligns with a transformative-justice approach that sees law as one node in a wider ecosystem of gender-equitable change (Menjívar & Salcido, 2021).

8.CONCLUSION

INTEGRATION OF EMPIRICAL AND THEORETICAL KNOWLEDGE:

This study set out to examine the gendered dimensions of implementing the Protection of Women from Domestic Violence Act (PWDVA) in Gujarat’s Anand district through an intersectional, mixed-method lens. Using triangulation of interview testimony, courtroom observation, questionnaire data and one-way ANOVA tests we brought out structural contradiction: laws widely considered adequate and life-saving are at the same time undermined by the very bodies that are supposed to enforce it. High judicial caseloads, under-staffed Protection-Officer units and discretionary police gatekeeping convert statutory timelines into interminable waits, reproducing what Smart (1989) termed the “male power within law.” Quantitative ratings of systemic dysfunction (64 % of survivors; 70 % of advocates) converge with qualitative accounts of procedural derailment, affirming feminist assertions that violence is perpetuated not only in private homes but also in the public corridors of justice.

- Studied gendered dimensions of PWDVA implementation in Anand district, Gujarat using an intersectional, mixed-method approach.
- Triangulated interviews, courtroom observation, questionnaire data and one-way ANOVA to reveal structural contradictions.
- Laws seen as adequate and life-saving are undermined by the very bodies meant to enforce them.
- High judicial caseloads, understaffed Protection-Officer units and discretionary police gatekeeping turn statutory timelines into interminable waits.
- Reproduces Smart's (1989) "male power within law."
- Quantitative ratings of systemic dysfunction: 64% of survivors and 70% of advocates.
- Qualitative accounts of procedural derailment affirm feminist assertions: violence is perpetuated not only in private homes but also in public corridors of justice.



Housewives in joint families faced domestic violence and financial dependence but showed resilience by pooling self-help-group savings and using informal community arbitration.

Working women used work networks to expedite summons service—class location moderates legal navigation.

Education heightened critical consciousness—graduates more likely to name culture and caste as causal factors.

Education did not shield them from courtroom delay, echoing Parashar (2020): awareness alone is insufficient without institutional responsiveness.

Survivor narratives challenge stereotypes of passivity:

- ✓ Strategic case pacing
- ✓ Selective reconciliation
- ✓ Calculated evidence gathering

Reflects Mahmood's (2005) "situated agency."

No judgement reviewed found a complaint fraudulent; filings were strategic responses to a slow system.

INTERSECTIONAL VARIATION AND SURVIVOR AGENCY:

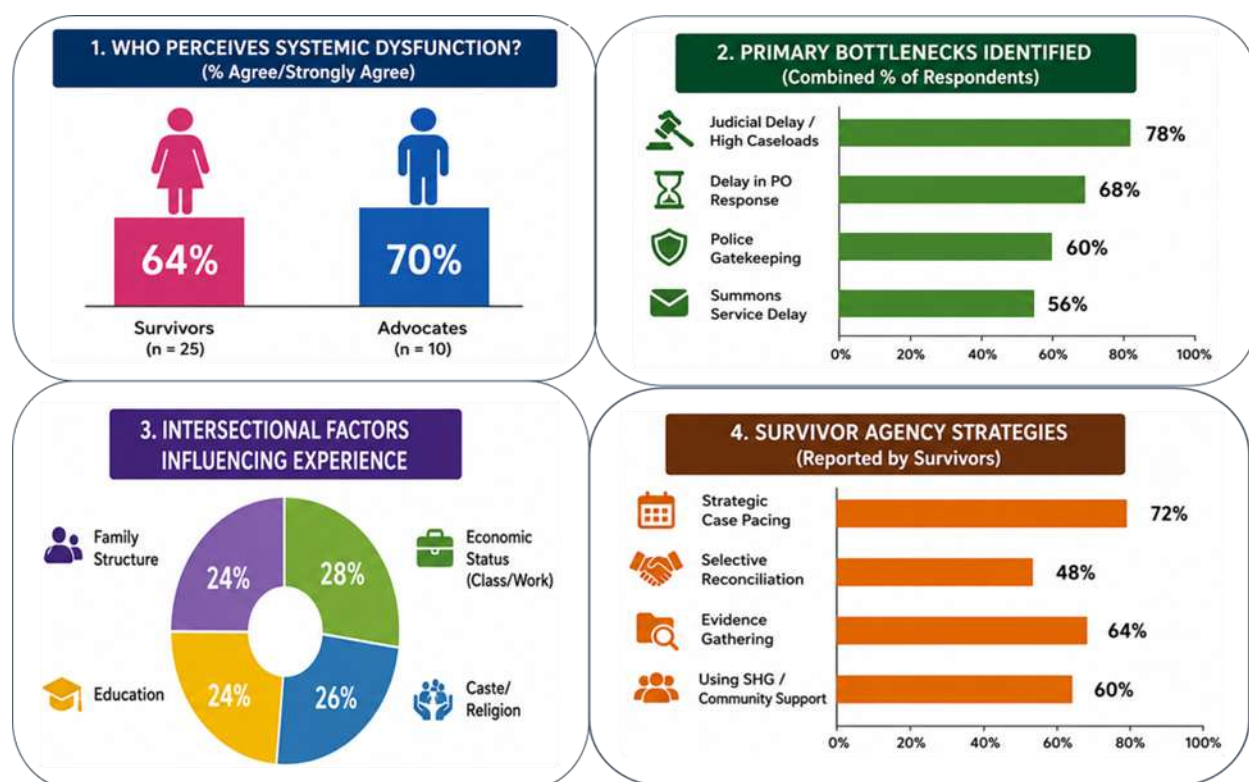
Our intersectional analysis showed that vulnerability and agency are not evenly held. Housewives in joint families became victims of both domestic violence as well as financial dependence but also showed resilience and managed to pool self-help-group savings and informal community arbitration. Working women utilised work network to

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expedite summons service, a demonstration of how class location moderates' legal navigation. Education heightened critical consciousness—graduates were more likely to name culture and caste as causal factors—yet it did not shield them from courtroom delay, echoing Parashar's (2020) finding that awareness alone is insufficient without institutional responsiveness. Survivor narratives challenged the stereotypes about passivity: strategic case pacing, selective reconciliation, and calculated evidence gathering all attest to what Mahmood (2005) calls "situated agency." These subtle storeys question the hegemonic judicial arguments of "misuse", as no judgement examined found a complaint fraudulent. instead, several filings were strategic reactions to a slow system.

POLICY, PRACTICE AND RESEARCH HORIZONS:

There are indications of a double reform pathway. Moving to the macro level, state commitment would have to go beyond legislative declaration to budget provision. The direct elimination of the bottlenecks quantified in this study would be in funding one trained, gender-balanced PO per taluka, digitising summons delivery and reinstating female relatives as potential respondents. At the meso level, institutionalised collaboration with feminist NGOs and social-worker networks will mean that the geographical location no longer determines the pace and safety of procedures. Transformative change, though, needs cultural re-engineering as well. Community-radio storytelling, male-ally programmes in cooperatives and restorative-justice circles cumulatively transform the private shame of domestic violence into public accountability of it. Future scholarship should broaden the evidence base by (a) undertaking comparative studies across linguistic regions, (b) tracking outcome data for cases accompanied by NGO "legal navigators" versus those without, and (c) employing longitudinal designs to assess whether procedural reforms translate into lower revictimization rates. Finally, the findings confirm the fact that the emancipatory promise of the PWDVA does not depend on the textual perfection but on the gender-just infrastructures and solidarities that allow the text to live on.



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