

Economic Abuse as Domestic Violence: Legal Protection Available to Hindu Married Women

Nishant Tyagi

ABSTRACT

Economic abuse is an emerging yet under-recognized form of domestic violence that significantly affects the dignity, autonomy, and security of married women in India. Unlike physical violence, economic abuse operates through financial control, deprivation of resources, denial of maintenance, restriction on employment, and interference with property rights, thereby creating dependency and limiting women's ability to exercise independent choices. This research paper examines economic abuse within the framework of domestic violence with specific reference to Hindu married women and the legal protections available to them under Indian law.

The study analyzes the socio-legal understanding of economic abuse, its historical roots in patriarchal family structures, and its impact on women's financial and psychological well-being. It further evaluates the constitutional safeguards and statutory remedies available under the Protection of Women from Domestic Violence Act, 2005, Hindu Marriage Act, 1955, Hindu Adoptions and Maintenance Act, 1956, and inheritance laws. Judicial approaches and landmark case laws have also been examined to understand the evolving recognition of women's economic rights within matrimonial relationships.

The research concludes that although Indian law formally recognizes economic abuse as domestic violence, practical implementation remains weak due to social stigma, financial dependency, procedural delays, and inadequate enforcement mechanisms. The study emphasizes the need for stronger legal enforcement, financial empowerment, and gender-sensitive institutional responses to ensure substantive equality and protection for Hindu married women.

Keywords: Economic Abuse, Domestic Violence, Hindu Married Women, Financial Dependency, Maintenance Rights, Protection of Women from Domestic Violence Act, Gender Justice, Stridhan, Property Rights, Women's Rights.

CHAPTER 1

INTRODUCTION AND RESEARCH FRAMEWORK

1.1 Introduction

Domestic violence has historically been understood as physical assault or visible bodily harm inflicted within the confines of a family or marital relationship. The comprehension of domestic violence expanded through feminist jurisprudence and human rights discourse because these movements brought new recognition of all types of abusive behavior which includes emotional and verbal and sexual and economic abuse. Among these, economic abuse remains one of the least visible yet most pervasive forms of violence experienced by married women in India. Economic abuse creates hidden damage because it produces no visible signs which makes identification and combatting the abuse difficult although it causes severe harm to victims. Economic abuse creates a system of dependency and control through which women are deprived of financial autonomy, access to resources, and the ability to make

independent decisions regarding their lives and well-being.¹

Moreover, in the case of Hindu marriages, the problem acquires even more significance due to the long-term practice of keeping women in financially dependent roles. While the patriarchal system of norms and values viewed men as financial supporters and heads of families whereas their female counterparts were assigned the caregiver's roles, despite some legal amendments which have considerably improved women's legal standing in regard to inheritance, maintenance, and marital property rights, financial inequalities persist even today. Indeed, many married Hindu women have to endure the prohibition on engaging in paid labor, denial of access to family income, seizure of earnings, denial of property ownership, and other types of financial control over themselves and their relatives. It is important to stress that such behavior often remains unacknowledged within the family and within society as well, which makes women unable to recognize that they suffer from domestic abuse.

There are different forms of economic abuse in marriage. Firstly, the husband prevents his wife from earning money and getting educated. Secondly, sometimes wives are deprived of money for buying food, medical treatment, and other necessities. Yet another example of economic abuse includes seizing control over the woman's salary, bank accounts, jewelry, and stridhan

¹ Evan Stark, *Coercive Control: How Men Entrap Women in Personal Life* 12–15 (Oxford Univ. Press 2007).

(property rights). Sometimes wives are obliged to hand over their property or dowry to their husbands or husbands' families. All those examples indicate not only the humiliation and deprivation of personal freedoms of victims but also make it difficult for victims to abandon the domestic violence and start a new life.

The legal status of economic abuse as a type of domestic violence was introduced into domestic legislation by the Protection of Women from Domestic Violence Act of 2005 (PWDVA). It was a significant step in Indian domestic violence jurisprudence since the Act defined economic abuse as one of the types of domestic violence together with physical and psychological abuse.² Deprivation of economic or financial resources, disposing of household assets, preventing the victim from accessing common assets, and denial of maintenance are considered domestic violence according to Section 3 of the Act. The Act explicitly mentions these factors since domestic violence in a marriage is not only limited to physical injury. Domestic violence involves other forms of abuse which make the victims lose control over their lives and lead to insecurity and vulnerability.

Economic abuse is essential to study due to its connections with gender discrimination. Historically, economic dependence was among the means used to oppress and subordinate women in patriarchal societies. Despite actively participating in unpaid housework and childcare, women did not gain financial independence in return. Thus, they remained vulnerable as far as their lack of property rights and ability to make decisions concerning economic matters and financial well-being were concerned. Therefore, it is reasonable to argue that economic abuse is related to gender-based oppression and discrimination in terms of equal rights.

In India, an especially significant group of women that can be studied in regard to economic abuse comprises married Hindu women. As a result of the Hindu personal law, this part of the population was historically characterized by a limited number of property rights as compared to men. Women were financially dependent on male relatives before the introduction of the Hindu Succession (Amendment)

Act, 2005. The latter aimed at ensuring the equality of daughters' rights to inherit property. However, the lack of social acceptance and awareness resulted in women being unable to enjoy the new privileges granted.

² The Protection of Women from Domestic Violence Act, No. 43 of 2005, § 3.

One more important aspect of economic abuse is the negative effect which it exerts on a woman psychologically and socially. Financial oppression often results in stress and low self-esteem. Moreover, women who experience economic abuse cannot make their decisions concerning spending money, healthcare needs, etc. Additionally, economic violence prevents women from engaging in social activities and communicating with family members as well as receiving legal help. In most cases, economic abuse occurs in conjunction with domestic or emotional abuse and creates a vicious circle of coercion.

In India, there exist numerous measures adopted by the legislative system in order to ensure financial security and protection for women. Along with the PWDVA, provisions concerning maintenance contained in the Hindu Marriage Act of 1955, the Hindu Adoption and Maintenance Act of 1956, and Section 125 of the Bharatiya Nagarik Suraksha Sanhita of 2023 should be mentioned. Besides, the Constitution of India offers certain guarantees for women in terms of equality and protection against discrimination.³

Nevertheless, despite all the above-mentioned advances in protecting Hindu women in terms of law, there is still a number of obstacles preventing effective protection of Hindu married women. Firstly, stigma attached to the notion of going to court often discourages women from resorting to legal measures. Secondly, lack of information about existing protection measures makes victims unaware of their rights. Thirdly, long-term procedure of protection makes it difficult for victims to seek help in court since they often face the problem of being left without funds in case a divorce occurs. Fourthly, fear of possible retaliation may also prevent victims from seeking legal help. In addition, invisible role of financial abuse in family relations usually results in neglect of this issue both by society and legislation.

Hence, the present research aims at exploring the phenomenon of economic abuse as a separate form of domestic violence in India, as far as the protection of Hindu married women against it concerns. More precisely, the paper is expected to shed light on the nature and scope of economic abuse as a form of domestic violence and analyze the existing legislative acts, as well as approaches used by judiciary in cases involving such type of violence.

At the same time, this study aims to evaluate the efficacy of the current protection measures and propose possible ways to improve legal protection of Hindu married women from

³ *Vimlaben Ajitbhai Patel v. Vatslaben Ashokbhai Patel*, (2008) 4 SCC 649.

economic abuse. By paying attention specifically to Hindu married women, the researchers expect to pay particular attention to the interrelation between personal laws and socio-cultural traditions prevailing in modern Hindu community.

Finally, the question concerning the possibility of applying provisions of constitutional law to the discussed topic is likely to be addressed. Thus, the main goal of the present study is to find out how far existing legislation and judicial practice provide effective protection against economic abuse and how it can be improved.

1.2 Nature and Scope of Economic Abuse

According to the most common definition, economic abuse is a specific pattern of behavior during which one person deprives another of economic resources needed to ensure the normal life or tries to control him/her using various economic methods. In this context, economic abuse in relation to marital relationships can be viewed as an act performed with a certain purpose to dominate other people in terms of economic resources and financial opportunities. At that, in contrast to everyday financial disagreements occurring in regular families, such act always implies a certain strategy of domination and control over another individual.

It is also necessary to note that the nature of economic abuse includes two important aspects – economic and psycho-emotional. In particular, depriving of economic independence often leads to psycho-emotional suffering of the victim because he/she starts to feel deprived of the possibility to take some actions. For example, when a wife is forced to give up her job and stay at home in order to cook and do other housework, this act can not only deprive her of the right to earn but can also cause certain psycho-emotional problems as well.

The scope of this phenomenon has significantly widened throughout the last decades due to new interpretations provided by feminist legal scholars. Namely, while earlier, economic aspects were totally excluded from the discussion, nowadays they are perceived as a crucial part of domestic abuse.⁴ It helped shape international instruments on human rights as well as domestic laws like the PWDVA in India.

⁴ Martha Albertson Fineman, *The Neutered Mother, the Sexual Family and Other Twentieth Century Tragedies* 161–64 (Routledge 1995).

In India, economic abuse may take a form such as denial of maintenance payments, withholding income from the woman, denial of basic needs, employment opportunity denial, withholding salary, disposing of a woman's stridhan against her will, coercion of dowry, making women pay money from their natal family, and denying them inheritance rights. Such practices remain covert as families regard manipulation of finances as a normal part of marriage rather than abuse.

The nature of economic abuse should not be considered only in terms of economically disadvantaged women since educated and employed women can fall victims to economic control through spending restrictions, earnings seizure, and denial of participation in financial decisions. It might manifest itself through complex tactics in well-off families when financial abuse includes denial of access to a bank account, manipulation of property ownership, and denial of information about family finances. In other words, economic abuse affects various social groups regardless of their economic and educational backgrounds though economically vulnerable women find it more difficult to resist financial control.

The issue of intergenerational effect of financial abuse deserves attention as well. Women who have been experiencing economic domination in a marriage are likely to develop patriarchal ideas about gender relations and economic dependence. They cannot ensure optimal health care, nutritious meals, and proper education to their children due to the absence of financial freedom. Economic abuse contributes to generational persistence of gender inequality and discrimination.

The recognition of economic abuse is connected with the move from formal to substantial equality. The mere provision of legal rights for women does not mean that they enjoy them as long as they encounter social and economic barriers in the process of enforcing them. Economic freedom allows a woman to

freely choose her husband, career, place to live in, as well as the number of her children. Therefore, the problem of economic violence should receive more public and scholarly attention to provide women with genuine gender equality.

1.3 Statement of the Problem

Economic abuse among married women is among the most neglected types of domestic violence in India despite its prevalence and negative consequences. Financial control of women's activities and their economic exploitation become a norm within the patriarchal framework that dominates Hindu marriage relations. Though Indian law now recognizes economic abuse through the Protection of Women from Domestic Violence Act, 2005, women encounter many challenges in their struggle for financial freedom. Lack of awareness about the problem, ineffective procedures, and social prejudices prevent effective application of legislation on the ground.

The problem is exacerbated by the fact that economic dependency often prevents women from leaving marriages and finding the means to support themselves outside. As far as financial control occurs, women cannot use resources necessary to litigate the case or sustain themselves during the trial. Judicial delays and poor implementation systems reduce legal protection of women to zero. As a result, economically abused women remain victims of gender inequality.

The current study attempts to analyze the effectiveness of legal measures designed to protect Hindu married women from economic violence.

1.4 Research Objectives

The primary objectives of this research are:

1. The study will explore economic abuse as a domestic violence form through its fundamental aspects and definition.
2. The research will assess the legal protections which Indian law provides to Hindu married women against economic abuse.
3. The research will examine how courts have interpreted the financial rights and maintenance obligations of married women.
4. The research will assess whether current laws and enforcement methods succeed in tackling economic abuse.
5. The research will propose reforms and policy solutions which will enhance protection against economic abuse.

1.5 Research Questions

1. What activities qualify as economic abuse according to domestic violence definitions?
2. Economic abuse creates negative effects on the dignity and independence and safety of Hindu married women.
3. Indian law provides several legal protections which safeguard against economic abuse.
4. Indian courts have established their judicial approach to financial abuse and maintenance matters through their legal decisions.
5. The current legal options fail to deliver proper security and financial support which married women need for their protection.

1.6 Hypothesis

However, this research begins from the assumption that even though economic abuse has been acknowledged by Indian laws as one form of domestic violence and offers several legal remedies for married women, the practical application of these laws and remedies seems to suffer due to patriarchal

norms, poor enforcement mechanisms, and financial dependence of women. Therefore, Hindu married women still encounter considerable difficulties in accessing any protection against financial abuse.

1.7 Research Methodology

The current research utilizes a doctrinal approach to conducting research based mainly on secondary literature. Statutes, judicial cases, books, articles in journals, governmental documents, and international treaties concerning domestic violence and rights of women will be used. Analytical and descriptive research methodologies will be applied in studying the issue of legal remedies against economic abuse in India.

1.8 Scope and Limitations of the Study

The scope of this research is limited only to studying economic abuse as a form of domestic violence faced by Hindu married women. The focus will be placed mostly on the statutory and constitutional provisions and the judicial response to financial violence against married women in India. Although references can be made to the international outlook and comparative legal research, the primary emphasis will be placed on Indian laws and Hindu personal laws.

Empirical field research and statistical surveying are not part of this study, and neither will this research include extensive consideration of unmarried partners' situation or rights of women belonging to religious groups other than Hindu.

1.9 Significance of the Study

It is important to study economic abuse as a phenomenon since it has been neglected although common among many domestic violence cases. Through examining the available legal solutions to this problem, the significance of financial autonomy and equality of genders in preventing economic abuse is explored. The results of this study should help raise awareness about the issue and improve the existing legal system.

1.10 Literature Review

Economic abuse is becoming more recognized in modern studies on domestic violence. Feminist scholars point out that economic dependence is used as a mechanism of controlling women in patriarchal societies. In Indian studies on women's rights, it has been observed that traditional practices and inequitable property distribution negatively affect women's financial autonomy.⁵

Legal scholars examining the PWDVA have praised the inclusion of economic abuse within the statutory definition of domestic violence because it broadens the understanding of violence beyond physical injury. Research on maintenance laws and property rights further indicates that financial security is essential for enabling women to exercise meaningful freedom and equality within marriage.⁶ However, several scholars also criticize the weak enforcement of maintenance orders and the limited awareness regarding women's legal rights.

The existing literature therefore establishes that economic abuse is a serious yet insufficiently addressed issue within Indian matrimonial law. The present research builds upon these discussions by specifically focusing on Hindu married women and examining the adequacy of available legal protections.

1.11 Chapterisation

The research paper is divided into six chapters. Chapter One introduces the topic and outlines the research framework, including objectives, research questions, hypothesis, methodology, and significance of the study. Chapter Two examines the conceptual and socio-legal understanding of economic abuse and its relationship with gender inequality and domestic violence. Chapter Three analyzes the legal framework available in India for the protection of

⁵ Flavia Agnes, *Law, Justice and Gender: Family Law and Constitutional Provisions in India* 87–93 (Oxford Univ. Press 2011).

⁶ Indira Jaising, *Women and the Constitution* 214–18 (Women Unlimited 2014).

Hindu married women against economic abuse. Chapter Four studies judicial interpretations and important case laws relating to financial abuse, maintenance, and women's economic rights. Chapter Five discusses practical challenges, implementation issues, and comparative perspectives from foreign jurisdictions. Finally, Chapter Six provides conclusions, findings, and recommendations for legal and policy reforms.

CHAPTER 2

CONCEPTUAL AND SOCIO-LEGAL UNDERSTANDING OF ECONOMIC ABUSE

2.1 Meaning and Evolution of Economic Abuse

The understanding of domestic violence has changed throughout historical time periods. The understanding of marital violence used to focus only on physical attacks which husbands and family members made against their wives. Legal systems across the world initially focused on visible forms of cruelty, while non-physical forms of abuse remained ignored or socially normalized. The combination of feminist legal research with international human rights movements created a new way to understand violence against women. The new understanding demonstrated that violence can emerge through psychological control and emotional manipulation, sexual abuse, and financial exploitation. Economic abuse developed into an independent major type of domestic violence because it directly affects a woman's ability to control her life and maintain her personal rights and safe living environment.⁷

Economic abuse is behavior that limits another individual's capacity to access, use, and manage financial assets. Economic abuse is common within marriages, where it entails limiting access to money, barring one partner from employment, managing income or property, withholding support payments, and exploiting financial dependence. Contrary to physical violence, economic abuse is often subtle, and it gets incorporated into the dynamics of family life. Most women are socialized to understand that financial decision-making is a man's prerogative, making them fail to recognize economic manipulation as abusive behavior.

The history of economic abuse is linked to patriarchal systems that subordinate women socially and economically. Women did not own any land or properties, and they were regarded as dependents of the male members of the family. The marriage contract usually shifted control of the woman's labor, sexuality, and property ownership to her husband. Indian Hinduism perpetuated patriarchal practices that viewed obedience, dependency, and sacrifice as virtues of a model wife. Women's unpaid labor in households was seen as their moral responsibility, excluding them from property ownership and financial management.

⁷ Evan Stark, *Coercive Control: How Men Entrap Women in Personal Life* 94–99 (Oxford Univ. Press 2007).

The growth of women's legal rights in India reflects a movement from dependency to equality. Colonial

rule brought some measures that provided widows some rights to remarry, inherit, and receive maintenance, but it maintained significant inequalities. The country's constitutional framework after independence ensured women's equality under the law. Several legislative reforms, such as the Hindu Succession Act, 1956 and its subsequent amendments, aimed to improve women's property rights. However, women continued to lack economic autonomy due to societal realities.

The acknowledgment of economic abuse in domestic violence legislation was based on the need to ensure that physical protection was inadequate to guarantee women's freedoms. A woman whose spouse controls her finances, prevents her access to housing or work opportunities is likely to remain in the relationship despite protective laws against violence. Financial dependence came to be seen as a method of coercion. The understanding influenced international legal progress, including CEDAW, which focused on substantive equality and women's economic empowerment.⁸

The most significant step taken in India in this regard was the passing of the Protection of Women from Domestic Violence Act, 2005 (PWDVA). Under this legislation, the legal definition of domestic violence was expanded considerably by incorporating economic abuse under the same. As per Section 3 of the PWDVA, the withholding of money, disposing off the marital property, preventing access to communal property, and denial of maintenance can constitute domestic violence. It shows the evolving legal perception of domestic violence from being considered physical violence to being seen as a system of power and control.

It should also be noted that economic abuse evolved to reflect the realities of modern times. While more and more women are getting educated and employed, this has not helped end all financial disparities in marriages. In cases where women are financially independent, they might still be subject to coercion regarding how to spend or manage their earnings or have their financial decisions controlled. Hence, modern-day economic abuse needs to be viewed beyond merely being a state of poverty or hardship; rather, it must be seen as an intentional act of subordination and domination of women in domestic relationships.

⁸ Convention on the Elimination of All Forms of Discrimination Against Women art. 16, Dec. 18, 1979, 1249 U.N.T.S. 13.

2.2 Economic Abuse as Gender-Based Violence

The reason why economic abuse is gendered in nature stems from the power dynamics between men and women in societies. Historically speaking, men have had more control over property, work, and finance than women who were given the responsibility of domestic care and child-rearing. This disparity has created conditions for economic dependency of women on their husbands, through which economic abuse takes place.⁹

Gender-based violence does not necessarily imply physical violence only. Contemporary discussions on human rights have expanded the concept of violence to encompass any form of conduct that inflicts harm on women based on their gender identities, either physically, psychologically, sexually, or economically. The latter can be considered a part of gender-based violence since it prevents women from living independently and making autonomous decisions about their lives. For instance, if a woman lacks money, she may be unable to escape from domestic violence or take legal action against her aggressor. She might be unable to find a shelter and care for her children or herself.

One should recognize the gendered character of economic abuse based on cultural norms and societal

attitudes toward marriage. Traditionally, in Hindu families, men have been perceived as providers of financial stability and heads of households, while women were supposed to engage in domestic activities only. Although in modern society, many Hindu women are capable of generating income through employment or running family businesses, their contributions might remain undervalued. As a result, wives might be required to submit their wages to their husbands or in-laws or even be unable to open bank accounts and pursue career development.

It should be acknowledged that economic abuse might be associated with dowry-related practices, according to which women are expected to provide money to their new families. The practice often imposes additional economic burdens on brides and may serve as a source of harassment and even physical violence against those women who fail to meet the requirements. For instance, women are forced to seek financial assistance from their parents and risk experiencing verbal, emotional, or physical abuse if they fail to do so.

⁹ Flavia Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* 167–72 (Oxford Univ. Press 2001).

It is also necessary to emphasize that economic abuse might be characterized by the devaluation of domestic services performed by women that significantly contribute to the family's well-being and overall economic performance. Domestic chores, such as cleaning, cooking, taking care of children, and other types of unpaid labor performed by women, are an essential part of the national economy. The lack of payment makes women dependent and vulnerable, which makes it difficult to claim their rights.

Therefore, one should pay attention to the significance of recognizing economic abuse as a form of gender-based violence for ensuring substantive equality among sexes. The establishment of formal equality in terms of rights and opportunities alone does not guarantee the elimination of gender-based discrimination if women lack economic opportunities and freedom of choice. Women's ability to control finances is directly linked to their sense of dignity, liberty, and social inclusion. Thus, it is vital to protect women from economic abuse to promote constitutional equality and human rights.

2.3 Forms of Economic Abuse against Hindu Married Women

Economic abuse experienced by Hindu married women might take various forms, which might be deeply integrated into regular family practices. One of the most widespread types of economic abuse is denying women the right to use money for purchasing goods, including food, healthcare services, and clothes. It forces wives to rely on the husband's willingness to give financial support and limits their economic independence.

Restricting women's freedom to find a job or continue their education might be another type of economic abuse practiced against Hindu wives. The reason why men prevent their partners from getting a job is that such activity is inconsistent with traditional roles played by women in marriages. In turn, it is possible to forbid wives from participating in training programs or studying at educational institutions. In addition, women who manage to get jobs are often obliged to deliver their salaries to their husbands or relatives without controlling their own earnings.

Lastly, economic abuse might consist of limiting women's access to their stridhan and property. Stridhan is a special type of property that wives inherit from their relatives and keep under their control until the end of their lives. However, many Hindu married women are deprived of the right to access such property.¹⁰ Finally, economic abuse may be observed in connection with maintenance and support. In some cases, men

are intentionally denied adequate maintenance although they have an obligation to provide maintenance under the Indian laws. There have been cases when husbands hid their sources of income to avoid paying maintenance, thus placing women and their children into precarious economic situations. Maintenance proceedings that take place over prolonged periods of time contribute to further deterioration of women's financial conditions.

In addition, there are different types of economic abuse associated with dowry demands. In spite of the existence of the Dowry Prohibition Act, the tradition of giving dowry has remained alive in various Indian regions. In many cases, married women are forced to provide additional dowries to their husbands through the provision of money, gifts, and property. Failure to meet such demands can result in physical violence or even abandoning wives and children.

Thus, it is important to distinguish between various forms of economic abuse and to understand their implications. Such knowledge will facilitate the development of appropriate measures to protect women's rights.

2.4 Psychological and Social Consequences of Economic Abuse

The effects of economic abuse can go beyond financial issues as they also affect people psychologically and socially. Being economically dependent on their husbands can be devastating for women as they cannot afford basic needs and feel insecure about their future. In turn, this situation affects women's self-respect and self-esteem as economic dependence lowers women's self-confidence.

Financial abuse may also have social consequences as women who have no financial means are unable to participate actively in social life because they cannot establish new relationships with other people or participate in social activities.

¹⁰ *Pratibha Rani v. Suraj Kumar*, (1985) 2 SCC 370.

Moreover, economic abuse makes it very difficult for women to leave violent marriages. Women who are economically dependent on their husbands remain stuck in a vicious cycle where physical, psychological, and economic violence is present.

Furthermore, children growing up in such environment may suffer from the negative effects of being raised in poor family. Financial instability can affect health and education of the child. Children can also learn from their parents that women should be dependent economically and subordinate to their husbands' decisions.

It is evident that the consequences of economic abuse are numerous. Not only do they have psychological consequences but they also lead to economic and social repercussions.

CHAPTER 3

LEGAL FRAMEWORK FOR PROTECTION OF HINDU MARRIED WOMEN AGAINST ECONOMIC ABUSE IN INDIA

3.1 Constitutional Protection Available to Women

The Constitution of India lays down the fundamental framework which acts as a base for the protection of women from discrimination, exploitation, and violence. Equality and dignity provided by the Constitution are vital for tackling issues like economic abuse, which is a result of gender-based economic inequalities. The combination of Articles 14, 15, and 21 of the Indian Constitution ensures that principles which can help women achieve economic independence and protection from abuse are established.

Article 14 guarantees equality before law and equal protection of laws. It provides that women are entitled to have equal legal status and protection from discriminatory acts. Since economic abuse is against women's fundamental right to enjoy equal status as men, it goes against the principle laid down in Article 14. Article 14 has been consistently applied by the courts to facilitate gender justice and equality among individuals.

According to Article 15, women and children are protected from all kinds of discrimination, including gender discrimination, except when the State needs to make any special provision for women and children. Welfare legislation to protect rights of women within marriage and family can be formulated in light of the constitutional provision mentioned above.

Article 21 guarantees right to life and personal liberty of an individual.¹¹ Firstly, economic abuse is a direct infringement of the fundamental rights of the woman. Deprivation of financial resources limits a woman's ability to live with respect and dignity. It is worth mentioning that the right to life in the present-day judiciary has been interpreted as the freedom from any form of coercion that threatens the person's integrity. Directive Principles of State Policy support women's economic rights by stressing social justice, equality in pay, and protecting against exploitation.

¹¹ *Francis Coralie Mullin v. Administrator, Union Territory of Delhi*, (1981) 1 SCC 608.

Nonetheless, as opposed to the above mentioned fundamental rights, Directive Principles cannot be enforced before any court of law. Thus, their primary importance lies in guiding legislation and judicial decisions towards promoting substantive equality.

3.2 Protection of Women from Domestic Violence Act, 2005

The Protection of Women from Domestic Violence Act, 2005 represents the most important piece of legislation dealing with the problem of economic abuse in India. Prior to its adoption, the issue of domestic violence had been regulated through criminal legislation regarding cruelty and assaults. However, those pieces of legislation did not recognize all kinds of abuse including non-physical one. The PWDVA introduced a wider definition of domestic violence including physical, emotional, verbal, sexual and economic abuse.

According to Section 3 of the Act, economic abuse involves depriving the victim of basic financial resources for subsistence, disposing of household assets, refusing to allow access to such resources and failure to provide maintenance. This inclusion is extremely important as financial control has become widely recognized as an extremely dangerous form of violence.

As opposed to purely criminal legislation, this provision of the PWDVA reflects the modern understanding of coercive control within domestic relations.

There are a number of remedies provided in the Act aimed at protecting the victims from economic exploitation. First of all, according to Section 20, monetary relief can be awarded in order to cover the costs incurred as well as loss suffered because of domestic violence. Secondly, according to Section 19, residence orders can protect the aggrieved woman from dispossessing her of the shared household.

Protection orders also include the restriction on the use of certain means of economic exploitation by the respondent. Namely, it includes restraining him/her from alienation of his/her property, conducting any financial transactions with it, and managing any bank account. Moreover, Section 25 authorizes the Protection Officers as well as Magistrates to assist the aggrieved party in obtaining the relevant legal remedies.

Another advantage of this law is the fact that it is civil and contains criminal enforcement. This makes it easier for women to receive appropriate legal remedies without having to file criminal charges. In this way, this piece of legislation can be regarded as a rather effective attempt at solving the problem of domestic violence.

Unfortunately, despite its rather progressive provisions, the problem of implementation still exists. Lack of public awareness, delays in procedures, insufficient infrastructure and discrimination can make it difficult for women to enforce their rights. Nevertheless, the PWDVA can be considered a landmark legislation recognizing economic abuse as violation of women's rights and dignity.

3.3 Maintenance and Property Rights under Hindu Personal Laws

Personal laws governing Hindu marriages and divorces contain many provisions ensuring maintenance for wives. According to the Hindu Marriage Act, 1955, wives can claim maintenance pendente lite and permanent alimony during and after divorce proceedings respectively. Both these provisions are important as they take into account the economic consequences of breaking up families.

Moreover, the Hindu Adoptions and Maintenance Act, 1956 stipulates that wives can receive maintenance from their husbands if they neglect or refuse to do it themselves. Thus, this piece of legislation introduces wives' legal right to maintenance. Property rights are another aspect where women can receive financial protection. Traditionally, Hindu females had no inheritance rights, which made them completely dependent on the men's financial support.¹² The reform intended to remove all forms of gender-based inheritance discrimination while improving women's financial rights within their households. Actual obstacles continue to prevent women from fully exercising their property rights. Women often face obstacles to asserting their inheritance rights because of social pressure and their own unawareness and their family's disapproval. The legal changes have failed to remove all economic disparities that exist within Hindu family systems.

¹²The Hindu Succession (Amendment) Act, No. 39 of 2005, § 6

CHAPTER 4

JUDICIAL APPROACH AND ANALYSIS OF CASE LAWS

4.1 Introduction

Judicial systems have created new legal frameworks which increase protection rights for married women

through their work to explain domestic violence. The Protection of Women from Domestic Violence Act 2005 establishes legal methods to handle economic abuse but judicial decisions have provided essential guidance to define what these protections involve and how they should be applied. Indian courts now recognize that domestic violence includes all forms of financial control which denies victims access to money and essential resources while infringing on their property rights. The judiciary has advanced women's financial independence recognition through its application of constitutional principles and statutory laws which it interprets inventively.¹³

Decisions made by the judiciary in relation to maintenance, rights of residence, stridhan, inheritance, and economic dependency indicate a change in perception regarding gender justice within marriages. Traditionally, the judicial pronouncements have assumed conservative attitudes towards marital responsibilities and domestic duties of members within a family setting. But there have been several cases where courts have recognized that economic abuse is a form of human rights abuse and violates individual freedoms and personal liberties. The court stated that denying women access to any sources of income amounted to depriving them from living a decent life and therefore, violates the constitutional guarantees under Articles 14 and 21 of the Constitution.

The judicial pronouncement of economic abuse is quite relevant in the case of India since financial exploitation takes place in socially accepted families. Proving such abuses is quite difficult since women often fail to recognize their nature. Financial abuses can even be justified by wives on the pretext of exercise of marital authority and/or disciplining within the family. Thus, judicial pronouncements become critical in recognizing economic abuse as a form of

¹³ Flavia Agnes, *Law, Justice and Gender: Family Law and Constitutional Provisions in India* 102–08 (Oxford Univ. Press 2011).

violence within marriage. Indian courts have adopted a liberal approach to interpreting the laws in order to protect women against domestic violence.

4.2 Judicial Recognition of Economic Abuse under the Domestic Violence Act

The most significant of the judicial decisions in this regard would be the interpretation of the Domestic Violence Act, 2005. In the Act, the term domestic violence included economic abuse among other types of domestic violence. Courts have applied an expansive interpretation of domestic violence in order to include all aspects of such abuse in the domestic relationship.

In *S.R. Batra v. Taruna Batra*, the Supreme Court addressed some issues concerning the right of residence under the Domestic Violence Act.¹⁴ The case demonstrated how essential housing and financial stability functioned as protective measures against domestic violence which affects women. The Court acknowledged that denial of residence and shelter could severely affect the dignity and safety of married women. The case established a restrictive definition which later received criticism because it restricted women's rights according to the Act while it reduced the Act's protective functions. The following court rulings chose to follow a more advanced legal framework.

The Supreme Court in *Satish Chander Ahuja v. Sneha Ahuja* overturned the limited definition from *S.R. Batra* because it defined "shared household" too narrowly.¹⁵ The Court ruled that a woman can claim residence rights even in a property owned by her in-laws if it is the matrimonial home. The above ruling considerably protects women from being subjected to economic violence because denial of shelter

and residential rights in many cases serves as coercion to women. It shows that the objective of the Domestic Violence Act is to give effective protection to women from all types of domestic violence that includes financial deprivation.

Also, there have been rulings that deny maintenance to wives as well as withholding of financial resources and assets constitute domestic violence. The definition of domestic violence under the Indian law was interpreted in such a way that it does not mean only deprivation of money or funds but also anything which limits financial independence or deprives the wife of necessities.

¹⁴ *S.R. Batra v. Taruna Batra*, (2007) 3 SCC 169.

¹⁵ *Satish Chander Ahuja v. Sneha Ahuja*, (2021) 1 SCC 414.

4.3 Judicial Approach towards Maintenance and Financial Support

Jurisprudence relating to maintenance provisions of the law has been the key area of focus in dealing with economic violence against women. Maintenance has been interpreted in India in such a way that the judiciary has made its provisions as a fundamental right in favor of women to ensure dignity and financial security. Therefore, the jurisprudence of maintenance under personal and criminal laws plays an important role in the context of economic dependency.

In *Bhuwan Mohan Singh v. Meena*, the Apex court stated that the purpose of providing maintenance provisions in law was to stop women from becoming destitute and vagrant.¹⁶ The court established that a husband must fulfill his obligation to support his wife instead of using technical arguments and trial delays as excuses. The court determined that maintenance laws need to be applied in a way that upholds constitutional principles which protect social justice and gender equality rights. The judgment establishes that courts acknowledge financial assistance as vital for women who experience economic abuse to maintain their dignity and live without financial limitations.

Courts have established a pattern of punishing husbands who intentionally hide their income to escape their financial duties. Courts have determined that maintenance must provide women with enough funds to sustain a lifestyle which matches their previous marital standard of living. The judicial system works to stop women from being exploited through financial schemes which use judicial delays to create dangerous situations for them.

The Supreme Court established detailed rules for maintenance cases through its ruling in *Rajnish v. Neha* which marked a key milestone in maintenance law development.¹⁷ The Court found that women and children face extreme difficulties because maintenance cases face both inconsistent handling and extended delays. The Court required parties to provide their financial data while it ordered maintenance claims to proceed through expedited resolutions. The judgment proved that ongoing financial difficulties create obstacles for maintenance laws which result in continuous dependency and exploitation.

Judicial decisions demonstrate that courts now recognize the value of women's unpaid work in the household. Courts have acknowledged that homemakers contribute significant benefits to

¹⁶ *Bhuwan Mohan Singh v. Meena*, (2015) 6 SCC 353.

¹⁷ *Rajnish v. Neha*, (2021) 2 SCC 324.

household welfare and should not be treated as economically unproductive because they lack formal

employment. This recognition matters because it helps to challenge patriarchal beliefs which diminish the value of women's household work and create the financial dependency which exists in marriage.

4.4 Judicial Interpretation of Stridhan and Property Rights

Women face protection of their stridhan rights together with their property rights through judicial interventions which serve as essential legal protection. Hindu law defines stridhan as property that only belongs to women through all gifts and valuable items they receive during their wedding and afterward. Women encounter illegal confiscation of their stridhan rights because their husbands and in-laws often fail to return their rightful possessions.

The Supreme Court established that a woman possesses complete control over her stridhan in the case of *Pratibha Rani v. Suraj Kumar*.¹⁸ It ruled that refusing to restore stridhan amounts to the criminal breach of trust and infringement of the proprietary rights of women. This decision was particularly groundbreaking since it challenged the conventional notion that husbands or in-laws are allowed to exercise control over the property owned by women once she gets married. In this way, this case decision protected women against financial exploitation.

Interpretation of inheritance rights has also helped to empower women financially. In fact, the judicial interpretation of the Hindu Succession (Amendment) Act of 2005 has shown that the objective behind giving daughters equal coparcenary rights to joint Hindu property is to ensure the eradication of historical discrimination against them. Since the property provides financial security for women, equal property rights are especially beneficial in terms of financial independence and reducing dependence on men within marriage.

Overall, judicial interpretation of women's property rights has helped change how courts view women's status and roles within marriages. Rather than perceiving women as dependents in their relations with male members of their families, courts now recognize women as autonomous individuals capable of making decisions on their own.

4.5 Constitutional Perspective and Gender Justice

¹⁸ *Pratibha Rani v. Suraj Kumar*, (1985) 2 SCC 370.

In their efforts to combat economic abuse, courts rely on constitutional principles of equality, dignity, and social justice. Laws relating to domestic violence, maintenance, and property rights are now consistently interpreted according to Articles 14, 15, and 21 of the Indian Constitution. This is indicative of the realization that gender justice cannot be achieved unless women's autonomy from structures of dependency and financial oppression is ensured.

Article 21, providing the right to life and personal liberty, implies a person's right to live in dignified conditions, including freedom from deprivation of financial means, since financial dependence makes women helpless in defending themselves from physical, emotional, and sexual violence. Thus, courts' interpretation of Article 21 has helped establish a link between financial security and human rights and dignity.

Article 14, which guarantees the right to equality before the law and non-discrimination, can also be used to address gender inequality since many women still suffer from economic discrimination. This is why, in their attempts to provide women with equal property and employment opportunities, as well as maintenance rights, the courts try to interpret the relevant laws in accordance with the constitutional

principle of equality.

Thus, in cases related to domestic violence, courts no longer approach them merely from the point of view of personal laws but also interpret them in light of the constitutional provisions. This means that, unlike before, family issues are viewed as matters of human rights, rather than strictly private matters.

4.6 Critical Analysis of Judicial Responses

Although the above judicial developments have led to important advancements, certain problems should be pointed out. First, courts' interpretations of laws pertaining to financial exploitation remain inconsistent. While in some cases, judges emphasize the importance of women's property rights and financial independence, in other cases they continue to subscribe to traditional views of the family and marital duties.

This inconsistency has adverse consequences since it results in confusion among litigants and makes it hard to enforce judicial decisions efficiently and effectively. Moreover, even if courts decide in favor of women in cases of financial discrimination and deprivation, enforcement procedures usually take a considerable time, which causes women further difficulties and suffering.

Also, although courts' progressive interpretations contribute significantly to women's empowerment, they do not always provide women with real-life protection. Indeed, while they might make decisions that promote women's dignity and autonomy, they do not guarantee enforcement. Furthermore, many women do not know about their legal rights or might feel afraid to go against their husbands or family members. Thus, the lack of implementation and limited awareness of the benefits of judicial interpretation make courts' interpretations less efficient when addressing cases of economic abuse.

CHAPTER 5

CHALLENGES, IMPLEMENTATION ISSUES AND COMPARATIVE ANALYSIS

5.1 Introduction

The Indian legal system recognizes economic abuse as domestic violence which provides married women multiple protective measures yet these legal protections remain difficult to access in practice. The legal protections for married women remain ineffective because structural inequalities continue to exist which keep women economically dependent on their husbands. Hindu married women face ongoing financial control and property rights deprivation while they remain denied maintenance rights and their ability to work freely is restricted despite constitutional protections and legal safeguards. The gap between law and reality demonstrates how social and cultural and institutional obstacles obstruct the successful implementation of women's rights.¹⁹

In addition to institutional flaws, implementation of protective measures can be hindered by social attitudes prevalent in Indian society. For example, patriarchal values persist in personal relationships within the family. Economic control exercised by husbands or in-laws is commonly perceived as an expression of spousal authority and thus is not readily recognized as a form of abuse. Even in cases when the abuse is apparent, the victimized women may feel social stigma associated with taking legal action. Therefore, implementation of legal safeguards in practice can encounter social prejudices regarding gender stereotypes and marriage norms.

The current chapter will provide an analysis of practical barriers encountered by married Hindu women seeking protection against economic abuse. Enforcement mechanisms will be assessed in detail. Possible improvements based on foreign models will also be considered.

5.2 Practical Challenges Encountered by Hindu Married Women

First of all, a considerable obstacle for many Hindu wives can be financial dependency. Despite the fact that some married Hindu women have a certain degree of independence, many wives find themselves unable to earn sufficient money to support themselves independently. Education or property can limit dependence on one's spouse. The issue of financial dependency

¹⁹ Flavia Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* 214–19 (Oxford Univ. Press 2001).

becomes even more acute when Hindu women leave the workforce after marriage. Caregiving duties may force Hindu wives to abandon careers. Moreover, women are commonly discouraged from earning money by family members. Financial dependency can considerably undermine one's bargaining position within a marriage.

Another crucial factor that should be considered is the social pressure that forces many women to endure domestic abuse. Fear of poverty and destitution prevents women from taking any measures. Some married Hindu women cannot afford divorce or separation because of lack of financial resources. Additionally, social pressure can become even stronger in cases when women experience financial abuse in India. Marriage is traditionally perceived as a sacred bond that should never be broken. As such, the problem of divorce carries a huge stigma in many Hindu families.

The issue of awareness is another barrier to effective prevention of economic abuse in Hindu marriages. For instance, some women do not realize that financial abuse falls into the category of domestic violence under current Indian legislation. Withholding of funds, preventing a wife from working or limiting her access to stridhan can all constitute domestic abuse under Indian laws. However, some women simply fail to recognize these acts as abuse because of illiteracy or poor legal education.

It should also be noted that many women receive encouragement from family members not to sue their spouses. Women in Hindu families face pressure from natal family members as well. Some natal families may hesitate to offer material or moral support because of concerns about social stigma and additional expenses. Therefore, many victims of financial abuse may not receive enough encouragement for seeking redress for their grievances.

The issue of psychological barriers needs to be mentioned. Ongoing financial abuse can contribute to the formation of mental blocks and psychological trauma. Women who suffer from financial control may begin to feel helpless. Some Hindu wives develop a sense of incompetence as a result of their dependency on the husband's financial resources. Psychological issues may increase women's vulnerability to economic abuse, thereby preventing legal interventions.

Moreover, it should be noted that economic barriers are often intersectional and can affect women from marginalized populations disproportionately. Women in rural or poor areas may find it difficult to pursue legal actions because of geographic remoteness, lack of transportation, and limited access to legal services.

5.3 Challenges in Implementation of Laws

The Protection of Women from Domestic Violence Act, 2005 together with other laws creates a progressive framework but their implementation shows both inconsistent and insufficient results. One major problem is procedural delay. Women experience financial support delays because maintenance proceedings and domestic violence cases take multiple years to resolve. The maintenance laws intended

to provide support for women facing economic abuse are rendered ineffective by delayed justice, which prevents them from obtaining essential survival and safety assistance.²⁰

Moreover, ineffective enforcement mechanisms exacerbate legal inadequacies. While the courts have been issuing maintenance and compensation orders, their enforcement can often prove ineffective. In such cases, the husbands resort to hiding income, selling properties or delaying the litigation process. The women might not have the required means to take up the matter repeatedly through legal processes and hence maintenance orders might remain unimplemented.

Insufficiency of appointed Protection Officers and lack of infrastructure under the provisions of the Domestic Violence Act form another area of concern. Many states experience issues like insufficiency in number of Protection Officers appointed, shelters or counselling services provided. In such circumstances, any women who seek help from the authorities do not benefit much since she does not get proper guidance regarding her remedies.

Inconsistencies on the part of judiciary also pose problems in implementing the legislation. Since different courts have different interpretation of maintenance liability or right to reside in marital home, there is some doubt regarding rights of women. However, despite inconsistencies in lower judiciary, progressive interpretations have been made by higher judiciary in several cases.

Implementation also faces difficulty owing to patriarchal attitudes prevalent in the concerned institutions. In certain cases, police, lawyers, judges etc. consider domestic violence as purely

²⁰ *Rajnish v. Neha*, (2021) 2 SCC 324.

private matter related to the family and not a human rights issue. As a result, instead of providing immediate protection, women reporting domestic violence face pressure of reconciliation with husband. Misuse debate associated with domestic violence legislation also influences implementation process adversely. People often criticize misuse of laws by women in matters relating to maintenance or domestic violence. Though there may be cases of misuse, misuse debate is usually exaggerated so as to overshadow the reality of gender based violence in society.²¹ The investigation demonstrates how particular stories develop negative perceptions about women's assertions which lead to authorities not handling economic abuse complaints with appropriate sensitivity.

The absence of institutional coordination creates additional obstacles which hinder effective program execution. Economic abuse protection needs courts to work together with police departments and social service organizations and legal aid providers and banks. The system fails to provide adequate assistance because different organizations take too long to respond to incidents. Women face increased financial and emotional difficulties because they must handle several legal processes at the same time.

5.4 Comparative Analysis with Foreign Jurisdictions

The study of international legal systems shows India different ways to improve its economic abuse protection system. Multiple countries now recognize coercive control together with financial abuse as essential components of domestic violence which requires specific legal solutions for their resolution.

The United Kingdom established a new criminal offense during 2015 through the Serious Crime Act which makes controlling or coercive behavior in intimate relationships illegal.²² This statute understands the existence of systematic domestic abuse that can take place as a means of psychological and economic control and not necessarily violent behavior. Thus, limitations in financial matters, lack of

resources, and even obstruction of access to career

²¹ Indira Jaising, *Women and the Constitution* 241–46 (Women Unlimited 2014).

²² Serious Crime Act 2015, c. 9, § 76 (U.K.).

development can also be considered crimes. This legal response by the Brits represents a more complex definition of domestic abuse as a system of dominance and dependence.

Similarly, Australia has introduced progressive strategies for dealing with the problem of economic abuse under family law and legislation against domestic violence. Courts in Australia treat economic abuse as a form of family violence defined as unreasonable limitation of financial autonomy and denying money that is necessary for normal life. Both protection order and financial remedy are provided in this legislation.

In Canada, family laws and domestic violence legislation acknowledge the problem of financial abuse as a means of coercive control. Canadian discourse pays much attention to the role of financial independence and access to the country's social welfare program in helping domestic violence victims to survive. More social assistance, including housing help and legal services, will increase women's chances of getting rid of their abusers.

Economic abuse in the US has been mostly regulated with domestic violence statutes, maintenance laws, and victim services. Several state legislations consider economic control and exploitation as important elements of domestic violence cases. Economic abuse is also discussed by American scholars in relation to financial independence and its role in leaving domestic violence cases.²³

In comparison with other legal frameworks mentioned above, Indian law has made considerable advances in recognizing the phenomenon of economic abuse thanks to the inclusion of such abuse in the Domestic Violence Act. However, when compared to other jurisdictions, the system of enforcement, social services, etc., is less developed. From an external perspective, one can conclude that it is essential not only to acknowledge the problem on the legislative level but to ensure adequate financial support, housing provision, protection, and raising public awareness about domestic violence issues.

Another lesson that India can learn from the experience of other countries pertains to recognizing coercive control. The vast majority of foreign legal norms consider domestic violence as coercive control and patterns of domination in every area of life of a woman,

²³ Adrienne E. Adams et al., Development of the Scale of Economic Abuse, 14 *Violence Against Women* 563, 565–72 (2008).

including economics. It can be concluded that recognizing coercive control might prove helpful in fighting economic abuse in India.

5.5 The Importance of Financial Empowerment and Legal Awareness Campaigns

However, even if there are some legal provisions that aim at addressing economic abuse of women, this issue would hardly be solved without women's economic and social empowerment. Economic independence plays a critical role in fighting any abuse and allowing women to gain autonomy. Hence, the issue should be considered on both legislative and socio-economic levels.

First of all, education is the tool of empowerment as well. An educated woman is aware of her rights, takes part in socio-economic life, and is willing to stand up against any form of discrimination, including abuse and economic subjugation. Access to education, training, and employment increases women's bargaining power in family matters and makes men reconsider their behavior toward their female partners.

Another way of enhancing financial independence of females pertains to ensuring property rights. Women should have the same right to inherit from their parents as their male counterparts do. As was noted previously, legal changes were implemented in this regard; however, the process of the introduction of these amendments needs improvements. Women need to get aware of their property rights and use them.

Women should be informed about the existence of the Domestic Violence Act and related legal instruments such as maintenance laws. In particular, government, educational, and non-governmental organizations should promote this idea among women as a way of protection and self-expression.

Women's rights' non-governmental organizations can play a great role in counseling women who suffer from abuse and assisting them in finding legal advice and necessary emotional support. Finally, social transformation and cultural change are needed in order to eradicate patriarchal views.

CHAPTER 6 CONCLUSION AND SUGGESTIONS

6.1 Conclusion

One type of domestic violence commonly encountered by married Hindu women is economic abuse. Unlike physical violence, economic abuse operates in an invisible way through typical family dynamics and dependencies. Denial of access to financial resources, refusal to pay maintenance to spouse, restrictions of job choices, seizure of earnings, denial of property ownership rights are not simply monetary concerns but a violation of basic human dignity, equality and freedom of individuals.

In general, it was found that economic abuse has its roots in patriarchal traditions which historically dominated marriages and family structure in India. The traditional division of gender roles implying male dominance and female subordination in terms of finance remains relevant to social attitude and practice to this day. Though legal protection for women has progressed significantly with constitutional promises and legislation enacted to date, full equality in practice is hard to achieve due to continued social reality and financial dependency of females.

The Protection of Women from Domestic Violence Act, 2005 is a major step in recognizing economic abuse as an aspect of domestic violence in India. The expansion of the notion of domestic violence included economic abuse as part of marital exploitation. Also, maintenance laws and inheritance reforms are part of statutory measures which serve to protect married females from financial abuses.

Furthermore, judicial rulings play a vital role in increasing protection of married women's financial rights. Indian judiciary tends to interpret maintenance obligations as a legal obligation rather than a charitable act and that dignity of females implies providing maintenance, shelter and rights to property. Yet, despite all measures taken by law makers, implementation problems remain critical. Delayed proceedings, weak mechanisms of enforcing orders, lack of awareness about available legal options and remedies, persistent patriarchal attitudes and financial dependency of females make it difficult for women to seek assistance.

Comparison with domestic violence legislation and policy in other jurisdictions proves that an integrated

approach including financial self-sufficiency, housing and financial independence of women, social protection, and legal measures is needed to fight economic abuse. Criminalization of abusers is ineffective without economic ability and means of securing financial independence.

Therefore, economic abuse should be seen as an issue related to human rights rather than only a matter of marriage relations. Financial independence is crucial for guaranteeing respect and equality between partners and providing women with equal rights. Society that respects its own Constitution cannot condone practices and systems which deprive women of financial independence and autonomy.

6.2 Critical Analysis

Though legislation in relation to economic abuse in India is quite progressive, there are certain aspects in which current situation can be improved. Firstly, there is some inconsistency in implementing statutory provisions and social reality which prevents women from fully utilizing available rights. Namely, maintenance proceedings are usually delayed and take long enough to defeat the very purpose of providing financial aid to victimized spouses.

Additionally, it was stated that Indian judiciary does not pay sufficient attention to the necessity of protecting married females through measures aimed at reducing financial dependency rather than only resolving conflicts that took place already.

The same is true in regards to the problem of women's right to residence and inheritance. Even though legally established, these rights are not always claimed due to various social pressures.

Another concern relates to the perception of marriage by social norms. As much as legislation protects women's financial rights, some patriarchal attitudes in families prevent wives from utilizing available legal instruments. Therefore, more efforts are needed to shift society towards accepting women's economic autonomy.

A similar issue concerns the so-called misuse of domestic violence legislation which is often used to discredit abused females who report violent acts committed by their husbands. Though individual cases of abuse may happen, the focus on misreported crimes undermines trust towards legal protection of victims.

Thus, it is important to reach an adequate balance between ensuring due process rights and sensitively addressing victims' needs.

6.3 Suggestions and Recommendations

Firstly, efforts must be made to expedite and increase the effectiveness of maintenance hearings. Special measures need to be put in place to ensure interim relief for the plaintiff wife so that there is no delay between filing for maintenance and getting monetary assistance. Penalties for any failure to abide by maintenance orders have to be strict too.

Secondly, greater awareness regarding economic abuse as a form of domestic violence must be created. Through campaigns, public education, and training, women must be made aware that economic abuse in marriage qualifies as domestic violence under Indian laws.

Thirdly, there must be improved institutional support systems for women seeking relief. Appointing enough trained Protection Officers, counselors, and legal aid authorities would increase their access to relief under the Domestic Violence Act. Shelters and emergency financial assistance schemes must also be increased.

Fourthly, economic empowerment of women must become a crucial aim of government policies. Developing skills and employment schemes, financial literacy training, and access to rights of property

are essential for increasing economic freedom for women.

Fifthly, judicial and policing agencies must receive specialized training on the issues of gender-based domestic violence. Training must make the agencies realize the nature of domestic abuse as coercive control and encourage sensitized institutional response.

Sixthly, implementation of laws governing women's right to inheritances under the Hindu Succession Act needs improvement. Equal access to ancestral property rights for women would enhance their bargaining power and financial independence.

Lastly, laws regarding domestic abuse and coercive control must expand their scope and include the concept of coercive control similar to many foreign countries. Identifying patterns of economic abuse as dominating and exploiting behavior will improve legal responses to non-violent domestic abuse.

6.4 Final Remarks

The fight against economic abuse is a fight against inequality, subjugation, and lack of freedom in personal life. Laws alone cannot bring about the necessary transformation of social conditions. Hindu married women must no longer be treated as dependents within families but recognized as independent citizens with their equal rights.

Financial independence is associated with a woman's right to make her own choices concerning marriage, work, and studies. Protection from economic abuse will protect not just the fundamental rights of individuals but also further the democratic ideals of equality and justice. A law based on constitutional morality is bound to challenge the structures of dominance in the society.

Recognition of economic abuse as domestic violence is a step towards achieving true gender justice. But its full realization depends on many other aspects including enforcement of the law, social awareness and willingness of all parties involved to ensure equality in intimate relationships.

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