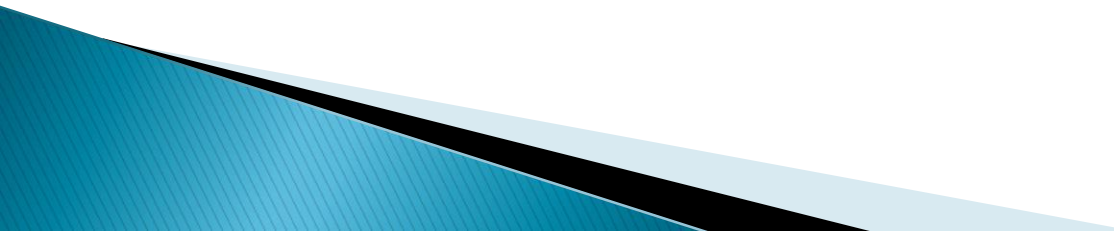


PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005



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INTRODUCTION

- ▶ The Protection of Women from Domestic violence Act 2005 is an act of the Parliament of India Enacted to Protect Women from Domestic Violence. It was brought into force by the Indian Government from 26th October 2006.
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Definition: Domestic Violence

Any act, omission or commission or conduct of the respondent shall constitute domestic violence in case it—

- ▶ a. harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or
- ▶ b. harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or
- ▶ c. has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b).

SCOPE

Primarily meant to provide protection to the wife or female live in partner from Domestic Violence at the hands of the husband or male live in partner or his relatives. The Law also extends its protection to women living in house hold such as sisters, widows or mothers.

It will be applicable :


- a) Women in Matrimonial Relationship
- b) Women in a Live-in Relationship
- c) Children
- d) Mothers, Sisters, Widows

An Act of Domestic Violence Includes:

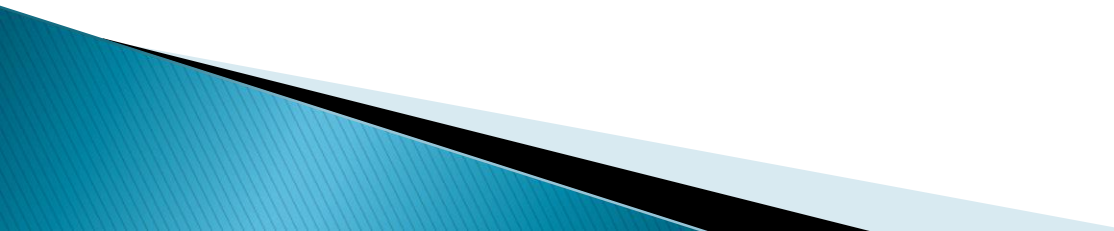
A) Physical Abuse:

1. Slapping
2. Punching
3. Pulling Hair
4. Shoving or threats to hit
5. Harm, Use any Weapon

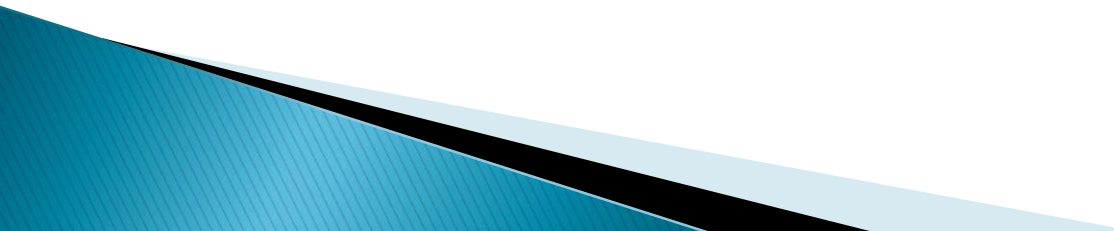
B) Sexual Abuse or Threat of Sexual Abuse:

1. Unwanted fondling Forced Sexual intercourse
 2. Sexual Jokes
 3. Insults, forced to watch Pornography or other obscene Material
 4. Violating Victims Dignity
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C) Verbal and Emotional Abuse:

1. Adversely commenting on Character or conduct
 2. Threat to Harm her or her child
 3. Name calling
 4. Insulting–not having male child, not bringing dowry etc.
 5. Demanding, Humiliating or undermining & Ridiculing
 6. Preventing a woman from not going out of house/meet any person
 7. Forcing to get married against her wish/ preventing from marrying of her choice
- 

D) Economic Abuse:

1. Force to earn/ not allowing for employment
 2. Demanding Dowry
 3. Demanding to sell off her properties
 4. Demands to bring her share from her parents
 5. Grabbing the belongings of victim like ATM Cards, Legal Papers etc.
 6. Not providing money, Maintenance, food, clothes etc for her and her child
 7. Forcing a woman out of the home she live in/ not paying rent/not paying electricity bills etc.
 8. Disposing of a woman's Sreedhanam
- 

E) Psychological Abuse:

1. Demeaning to destroy self Confidence
2. Attempt to control or limit another person's behaviour
3. Repeated Insults or Questioning
4. Forcing the Victim to commit suicide
5. Appearing at victim work place/making repeated phone calls or leaving written text or voice messages

6. Cyber Stalking

Harassing Constantly through Threatening/ Vulgar /Coercive Messages that disturb victim mentally, repeated online abuse or sending mails that cause emotional distress



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SLAPPING



SHOVING



PULLING HAIR


ILLEGAL AFFAIRS

STALKING

MALE/FEMALE



Causes for Domestic Violence:

- ▶ Addiction to Alcohol
 - ▶ Illegal Relationships
 - ▶ Ego Problems
 - ▶ Harassment for Additional Dowry
 - ▶ Gender discrimination
 - ▶ Dowry Harrassment
 - ▶ Stress.
 - ▶ Provocation by the intimate partner.
 - ▶ Economic hardship, such as prolonged unemployment etc.
 - ▶ Depression
 - ▶ Jealousy
 - ▶ Anger.
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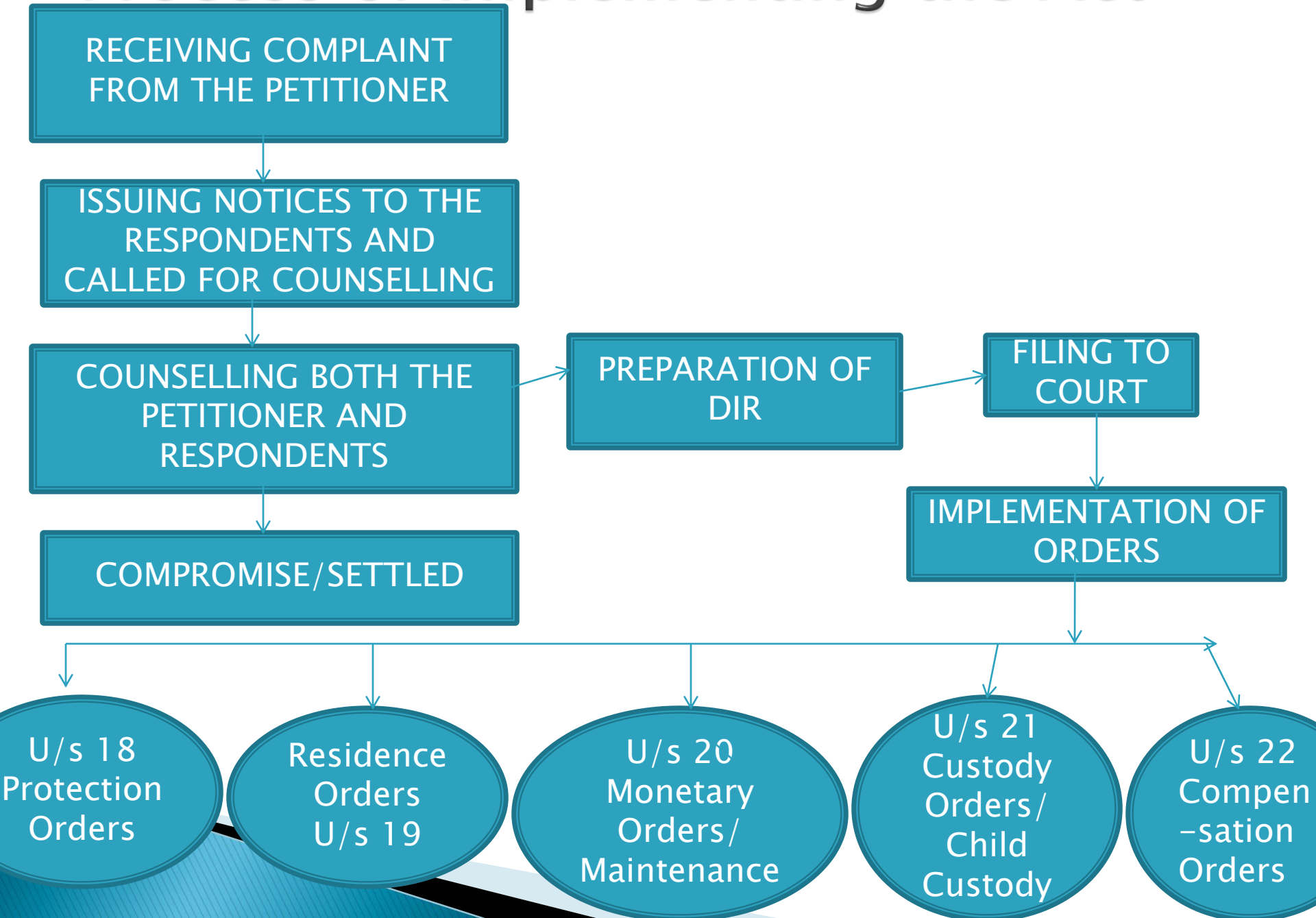
The State Machinery for Handling Domestic Violence Cases:

- ▶ Protection Officer
 - ▶ Magistrate
 - ▶ Police Officers
 - ▶ Service Providers
 - ▶ Shelter Homes
 - ▶ Medical Facilities
 - ▶ Counselors
 - ▶ Legal Aid Authority
- 

Duties and Functions of The Protection Officer under section 8

- ▶ Assist the Aggrieved in making a Complaint
- ▶ Provide information on Rights of Aggrieved under the Act
- ▶ Assist in making application to the Magistrate for Relief
- ▶ Provide Legal Aid
- ▶ Assist the Victims by arranging transport for Medial Aid
- ▶ Provide Shelter
- ▶ To maintain record of the documents and complaints received
- ▶ Implementation of Court Orders
- ▶ House visits in settled cases

Process of Implementing the Act



RECEIVING COMPLAINT
FROM THE PETITIONER

ISSUING NOTICES TO THE
RESPONDENTS AND
CALLED FOR COUNSELLING

COUNSELLING BOTH THE
PETITIONER AND
RESPONDENTS

PREPARATION OF
DIR

FILING TO
COURT

COMPROMISE/SETTLED

IMPLEMENTATION OF
ORDERS

U/s 18
Protection
Orders


Residence
Orders
U/s 19

U/s 20
Monetary
Orders/
Maintenance

U/s 21
Custody
Orders/
Child
Custody

U/s 22
Compen-
-sation
Orders

Role of a Magistrate

1. Within 3 days of receipt of the application by the court, first date of hearing is fixed.
 2. Notice of the date of hearing shall be served to the respondent, within two days of its receipt from the magistrate, by the protection officer.
 3. If required ex-parte or interim orders are passed.
 4. The Magistrate shall Endeavour to dispose off every application within 60 days of from the date of its hearing
 5. There shall lie an appeal to court of session within 30 days of the service of the order to any of the parties.
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Domestic Violence Act report from the Date of Inception i.e 2006 to till September 2017– Krishna District	No.of Cases
Name of the District	KRISHNA
Total no of Petitions received	5528
Total No of Petitions compromised at Counseling level	1170
No. of Cases posted for DIR	70
No. of DIR's Filed in Court	2169
No. of cases Disposed in Court	717
No. of Cases Closed and return to Police Station	2076
No. of Cases pending at Counseling level	43



**STOP
VIOLENCE
AGAINST
WOMEN**

THANKING YOU