

## **THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005**

### **Objectives:**

- **To make women aware about domestic violence**
- **To educate women about their rights and duties**
- **To bring awareness about the laws and regulation regarding domestic violence**

### **Objectives of the act-**

- It empowers courts to grant protection to victims of domestic violence.
- It includes new concepts such as “civil wrong of domestic violence, the right to reside in a shared household and the right to protection against domestic violence by obtaining protection orders including monetary relief and custody of children orders.”
- To preserve family and “regulate and improve matters for the future, rather than pass judgments or punish past behaviour.”

### **Highlights -**

- Violence has increased in domestic life of families all over the world.
- In India, to curb this social problem, “The protection of Women against Domestic Violence Act, 2005” has been enacted by the Supreme Court for the protection of members of the family.
- The act safeguards the interest of the women, children and others.
- Although the Domestic Violence Act protects the interest of the victims but only a few cases are registered and filed.
- In India, the head of the family is a male (Patriarchy), women are socially and economically dependent on the men for their upkeep. Since women are dependent on men they become soft targets of Domestic violence. Children too at times become victims of domestic violence.
- Protects women who are in relationship with man and living in the same residence.

### **Definition -**

- Any kind of abusive behavior by your husband/wife or male/Female partner or their relatives. It need not be physical abuse. It could also be verbal, emotional, sexual or economic abuse.

The United Nations defines violence against women as any act gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

Traditionally, domestic violence was mostly associated with physical violence. Terms such as *wife abuse*, *wife beating*, and *wife battering* were used, but have declined in popularity due to efforts to include unmarried partners, abuse other than physical, female perpetrators, and same-sex relationships. Domestic violence is now commonly defined broadly to include "all acts of

physical, sexual, psychological or economic violence" that may be committed by a family member or intimate partner.

The term intimate partner violence is often used synonymously with domestic abuse or domestic violence, but it specifically refers to violence occurring within a couple relationship (i.e., marriage, cohabitation, or non-cohabitating intimate partners). To these, the World Health Organization (WHO) adds controlling behaviors as a form of abuse. Intimate partner violence has been observed in opposite and same-sex relationships, and in the former instance by both men against women and women against men. Family violence is a broader term, often used to include child abuse, elder abuse, and other violent acts between family members.

### **Definition of Domestic Violence**

This law aims to protect women who are living in the same house with people who are related through:

- Blood relationships:
  - mother-son,
  - father-daughter,
  - sister-brother,
  - widows
- Marriage:
  - husband-wife
  - daughter-in-law with father-in-law/ mother-in-law and other members of the family
  - sister-in-law with other members of the family
  - widows with other members of the family;
- Adoption - for e.g. adopted daughter and father;
- Relationships in the nature of marriage: live-in relationships, legally invalid marriages (for e.g. husband has married a second time, husband and wife are related by blood etc.)

### **Conclusion -**

Thus we can say that though it will take at least a decade before things change This bill will provide women a safeguard and a sort of sword in their hand so that they will not be seen as an animal, or a shoe that you can wear anytime and throw anytime but at least some women would benefit which would set a precedent for others.

### **REFERENCES**

1. Ghosh, S.V, 2006, THE SPACE BETWEEN US, Akshara Publications, Mumbai.
2. Mishra, P. K, 2000, [Women in South Asia: Dowry Death and Human Rights Violations](#), Delhi, Authors Press, 2000.
3. Tandon, R.K., - Women in modern India. Indian Publishers Distributors, Delhi, 1998
4. Krishnaraj, Maithreyi, & Chanana, Karuna- Gender and the household domain. Sage publications, New Delhi, 1989
5. Jolly-Wadhwa, Kanwar Sonali- Gender a cross-cultural perspective. Gyan publishing house, New Delhi, 2000
6. Gupta, N.L.- Women education through the ages. Concept publishing, New Delhi,2000
7. Kapoor, Manindra- Women and family life education in India. Printwell Publishers, 1986