



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

**WHETHER REALLY A  
STEP TOWARDS  
EMPOWERMENT OF  
WOMEN...?**



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

**EMPOWERMENT  
OF WOMEN...?**



# INTRODUCTION

# CONCEPT OF DOMESTIC VIOLENCE



# **BACKGROUND**

- **CEDAW**
- **ARTICLE 14, 15 & 21 OF THE CONSTITUTION**



# HISTORICAL BACKGROUND

## CREATING NEED OF THE ACT, 2005

- **RAPES**
- **DOWRY DEATHS**
- **SEC. 498-A OF I.P.C.**
- **OTHER INSTANCES OF VIOLENCE AGAINST WOMEN**



## HISTORICAL BACKGROUND CREATING NEED OF THE ACT, 2005

- **MATHURA'S CASE**
- **IMRANA'S CASE**
- **KIRANJEET  
AHALUWALIA'S CASE**
- **OTHER CASES**

# **BROAD CLASSIFICATIONS OF DOMESTIC VIOLENCE**

- **PHYSICAL VIOLENCE**
- **SEXUAL VIOLENCE**
- **VERBAL VIOLENCE**
- **SOCIAL VIOLENCE**
- **EMOTIONAL VIOLENCE**
- **INTELLECTUAL VIOLENCE**
- **OTHER FORMS OF VIOLENCES**

# REASONS FOR INCREASE IN CASES OF VIOLENCE AGAINST WOMEN

- **AWARENESS OF THEIR RIGHTS IN WOMEN**
- **ROLE OF MEDIA**
- **LOW RATE OF PUNISHMENT OF ACCUSED**



# INTERNATIONAL LAW & CONSTITUTIONAL BASIS

- UDHR
- CEDAW
- ART.15(3)
- ART.39



# **JURISPRUDENCIAL BASIS OF THE ACT**



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

- **AGGRIEVED PERSON**
- **RESPONDENT**
- **RIGHT TO RESIDE IN MATRIMONIAL HOUSE OR SHARED HOUSEHOLD**
- **POWERS OF MAGISTRATE**
- **PROTECTION OFFICERS & SERVICE PROVIDERS**



**WHAT  
CONSTITUTES  
DOMESTIC  
VIOLENCE**



# WELFARE OFFICERS & SERVICE PROVIDERS

- **POWERS**
- **DUTIES**

# DIFFERENT RELIEFS AVAILABLE

## UNDER THE

## ACT, 2005

- **RIGHT TO RESIDE IN THE SHARED HOUSEHOLD**
- **PROTECTION ORDERS**
- **RESIDENCE ORDERS**
- **MONETARY RELIEFS**
- **CUSTODY ORDERS**
- **COMPENSATION ORDERS**

# CRITICAL APPRAISAL OF THE ACT, 2005

- **“DOMESTIC VIOLENCE” IS DEFINED WIDELY**
- **WIDE DEFINITION OF “AGGRIEVED PERSON” & “RESPONDENT”**
- **INFORMATION REGARDING DOMESTIC VIOLENCE CAN BE GIVEN BY ANYONE**
- **VARIOUS RELIEFS AVAILABLE**



## **ON THE OTHER HAND...**

- **EXECUTION OF THE ACT, 2005 & IMPLEMENTATION**
- **SOCIAL CIRCUMSTANCES**
- **ORTHODOX APPROACH OF WOMEN**