

Protection of Women from Domestic Violence Act, 2005

This law was passed by the Indian Parliament to protect women from domestic violence and provide them legal help. It came into force on 26th October 2006.

♦ What is Domestic Violence?

Domestic violence includes:

Physical abuse: Hitting, slapping, kicking, punching, biting, etc.

Sexual abuse: Forcing physical relations, showing obscene material, or sexually humiliating behavior.

Verbal and emotional abuse: Insults, name-calling, blaming character, taunting for not having a male child, dowry harassment, or forcing into/against marriage.

Economic abuse: Not giving money, not allowing her to work, taking her earnings, or throwing her out of the house.

It is considered domestic violence if any such act causes physical or mental harm to a woman.

♦ What Are the Rights of the Victim?

Under this law, the woman has the right to:

Protection Order – to keep the abuser away from her.

Monetary Relief – financial help for expenses.

Child Custody – temporary custody of her children.

Residence Order – right to stay in the shared household.

Compensation Order – for the harm or injury caused.

Free Legal Aid – get a government lawyer.

File a Criminal Case – under IPC, the accused can face up to 3 years of imprisonment.

♦ Where to File a Complaint?

A woman can contact:

Protection Officer – a government official who helps initiate legal proceedings and arrange medical help or shelter.

Service Provider – a registered NGO or organization that helps women (legal aid, medical help, safe homes).

Police or Magistrate – the woman can directly approach them to file a complaint or case.

- ♦ Who Can File a Complaint?

The victim herself.

Any relative, friend, neighbor, or person who believes domestic violence is happening or may happen.

Protection Officers and Service Providers can also file a report.

Note: If someone reports in good faith, they will not be punished even if the information is later found incorrect.

- ♦ What Happens After Filing a Case?

The Magistrate must start proceedings within 3 days of receiving the application.

The case should be resolved within 60 days.

The hearing can be done privately if the woman prefers.

The woman has the right to live in the shared household and cannot be thrown out.

The Magistrate can pass orders for:

Protection

Residence

Financial relief

Child custody

Compensation

Return of property

- ♦ Important Sections

Section 4: Anyone can inform the Protection Officer about domestic violence – no punishment for reporting.

Section 5: Officials must inform the woman about her legal rights and available help.

Sections 10–24: Provide detailed procedures and protections like counselling, in-camera proceedings, orders for residence, compensation, etc.

- ♦ Important Helpline Numbers

National Commission for Women: ☎ 7827170170

Police Helpline (All India): ☎ 1091 / 1291

Delhi Police (Women's Cell): 📞 (011) 23317004