

1. What is Domestic Violence?

As per the Protection of Women from Domestic Violence Act, 2005 (“**DV Act**”), the term ‘Domestic violence’ means any act or omission or conduct (including threats) which harms or injures or puts in danger the health, safety or well-being (mental or physical) of another person and will include:

- (i) Physical Abuse – Any act which causes bodily pain, harm or danger to the life, body or health or development of a person.
- (ii) Sexual Abuse – Any conduct or act that abuses, humiliates, degrades or otherwise violates the dignity of a woman.
- (iii) Verbal Abuse and Emotional Abuse – includes insults, threats, ridicules, humiliation, threats to cause physical pain to a woman or any person in whom she is interested and includes **name calling or insulting specially with regard to not having a child or a male child**.
- (iv) Economic Abuse – includes deprivation of all or any financial resources to which a woman is entitled including failure to pay household expenses for the woman and her children, failure to pay rent related to shared household and maintenance, disposal of household items, alienation of movable or immovable assets, valuables in which the woman has an interest or is entitled to, prohibition or restriction to access to the resources which the woman is entitled to use or enjoy by virtue of a domestic relationship including access to the shared household.
- (v) harassment, injury for dowry or property or any other valuables.

2. Who can file a complaint?

- (i) A woman who is a victim of domestic violence in the hands of a person with whom she is or was in a domestic relationship with; Or
- (ii) Any person who has reason to believe that an act of domestic violence has been or is being or is likely to be committed. If the informant is not the woman who is facing domestic violence, he/she must sign the information provided. A complaint can be filed based on the information provided only if the woman herself wants to initiate legal proceedings.

3. What is a ‘domestic relationship’?

A domestic relationship is a relationship between two persons who live or have at some point of time lived together in a shared household and these people are:

- (i) Related by consanguinity (blood relations);
- (ii) Related by marriage;
- (iii) Related through a relationship IN THE NATURE OF MARRIAGE (which would include live-in relationships, second marriages that are not considered legal etc);
- (iv) Related through adoption;
- (v) Are family members living in a joint family.

4. What is a 'shared household'?

Means a household where the victim of domestic violence lives or has lived in a domestic relationship with the accused.

5. Who can the complaint be filed against?

A complaint can be filed against:

- (i) any adult male who has been or is in a domestic relation with the victim and against whom the victim has sought a relief under the DV Act; or
- (ii) relatives of the husband or male partner.

6. What are the legal remedies available to a victim of domestic violence?

- DV Act grants immediate protection from domestic violence in the form of protection orders, monetary relief, custody order, shelter and right to live in your place of residence.
- Indian Penal Code punishes the offender with a jail term upto 3 years.

7. What are ways in which domestic violence can be reported?

- Make a complaint to the Protection Officer appointed under the DV Act or a Service Provider registered with the DV Act or the Police or directly with the Magistrate.
- The complaint is made in the form of a Domestic Incident Report. The form in which the Domestic Incident Report is to be filed is provided in Form I of the Rules of the Act. The woman herself can fill in this Form I or the Protection Officer, Service Provider or the Police can fill it on her behalf. The Protection Officer, Service Provider or the Police will then send the complaint (Domestic Incident Report) to the Magistrate/court.

8. What if the accused continues to commit violence or violates the orders passed by the court?

Violation or not complying with the order of the court is a criminal offence under this Act. In such cases, the woman can complain to the magistrate or the police or the Protection Officer. The accused can be arrested following such complaint.

9. Can you approach any NGO for registering a complaint for domestic violence?

- No. Though there will be other unregistered NGOs providing support services to women but the difference between the unregistered organisations and registered Service Providers under the law is that complaints can be lodged only with the registered Service Providers.

10. If a domestic violence complaint is made against someone, will they be arrested immediately?

No, while the investigation in the case can start immediately, accused can only be arrested after a warrant is given by the magistrate.

11. What is an appropriate judicial authority?

Metropolitan Magistrate or the Magistrate of the first class is competent to try offences related to dowry harassment.

12. Is there a Protection Officer in Kadapa and Chittoor districts?

Yes, contact details of Protection officers can be found here:

S.No.	Name of the Officer	Address	Phone Number	Mail ID
1.	Smt. V. Sarada Chittoor	Project Director, DW & CDA, Govt. Hospital Compound, Chittoor	08572-234544, 9440814496	<a href="mailto:pdwdcwchi-a
p@nic.in">pdwdcwchi-a p@nic.in
2.	Smt. K. Leelavathi Project Director, Kadapa	Project Director, DW & CDA, Old RIMS, Kadapa	08562-244039, 9440814489	<a href="mailto:pdwdcwkad-
ap@nic.in">pdwdcwkad- ap@nic.in

13. What does a Protection Officer do?

The role of a PO is to assist the complainant to file a complaint, make her aware of her rights, prepare a safety plan to prevent further domestic violence, to provide with legal aid through the State Legal Aid Services Authority, to assist the complainant or any child to get medical aid or to get to a shelter home.

14. Is it compulsory for you to approach a protection officer to file a domestic violence complaint?

No, you can directly approach the magistrate through a lawyer. However, it is required for the police, court, hospital, shelter home or non-governmental organization to put you in touch with a protection officer if you approach the police first.

15. What can I do if the police officer denies to take down my complaint?

In such a situation, you may contact the SP of your region or go to the Court, the court may then either itself take charge of the matter or direct the appropriate police officer to do so.

16. What is Section 498A?

It is a section under Indian Penal Code, which punishes the husband of a woman or relative of the husband if he subjects her to cruelty. Cruelty will include driving a woman to commit suicide, causing grave injury to her life or health (mental or physical), making demands for dowry, having extra marital relationships etc. It is a non-bailable offence.