



**THE DOMESTIC VIOLENCE (PREVENTION AND
PROTECTION) ACT, 2013**
&
**THE DOMESTIC VIOLENCE (PREVENTION AND
PROTECTION) RULES, 2016**



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Title:

**The Domestic Violence (Prevention and Protection) Act, 2013
and The Domestic Violence (Prevention and Protection) Rules,
2016**

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DOMESTIC VIOLENCE (PREVENTION AND PROTECTION) ACT, 2013

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**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION**
KARACHI, THE 19TH MARCH, 2013.

NO.PAS/Legis-B-19/2013- The Domestic Violence (Prevention and Protection) Bill, 2013 having been passed by the Provincial Assembly of Sindh on 8th March, 2013 and assented to by the Governor of Sindh on 12th March, 2013 is hereby published as an Act of the Legislature of Sindh.

**THE DOMESTIC VIOLENCE (PREVENTION AND PROTECTION) ACT, 2013
SINDH ACT NO. XX OF 2013.
AN
ACT**

to make provisions for protection against domestic violence.

WHEREAS it is expedient to institutionalize measures which prevent and protect women, children and any vulnerable person from domestic violence and for matters connected therewith or incidental thereto;

It is hereby enacted as follows:

- 1. Short title, extent and commencement.** (1) This Act may be called the Domestic Violence (Prevention and Protection) Act, 2013.
 - (2) It extends to the whole of the Province of Sindh.
 - (3) It shall come into force at once.

- 2. Definitions.** (1) In this Act, unless there is anything repugnant in the subject or context,-

- (a) "aggrieved person" means any woman, child or any vulnerable person who is or has been in a domestic relationship with the respondent and who alleges to have been subjected to any act of domestic violence by the respondent;
- (b) "child" means any person under the age of eighteen years living in a domestic relationship with the respondent and includes any adopted, step or foster child;
- (c) "Code" means the Code of Criminal Procedure, 1898 (Act V of 1898);
- (d) "court" means the court of Judicial Magistrate of first class;
- (e) "domestic relationship" means a relationship between persons who live, or have at any point of time lived together in a household when they are related by Consanguinity, marriage, kinship, adoption, or are family members living

- together;
- (f) "domestic violence" has the same meaning as assigned to it in section 5;
- (g) "Government" means the Government of Sindh;
- (h) "household" means a household where the aggrieved person lives or at any stage has lived in a domestic relationship either singly or along with the respondent and includes such a household whether owned or tenanted either jointly by the aggrieved person and the respondent or owned and tenanted by either of them, any such household in respect of which either the aggrieved person or the respondent or both jointly or singly have any right, title, interest or equity and includes such a household which may belong to the joint family of which the respondent is a member, irrespective of whether the respondent or the aggrieved person has right, title, interest in such a shared household;
- (i) "informer" means a person who has credible information that an offence is being committed under this Act and who has no interest adverse to the aggrieved person or to the accused;
- (j) "monetary relief" means a monetary relief which a court may order under section 12;
- (k) "notification" means a notification published in the Official Gazette;
- (l) "prescribed" means prescribed by the rules made under this Act;
- (m) "Protection Committee" means a Committee constituted under section 17;
- (n) "Protection Officer" means an officer appointed by Government under section 21;
- (o) "Protection order" means an order passed in terms of section 11;
- (p) "respondent" means a person who is or has been in a domestic relationship with the aggrieved person and against whom relief has been sought under this Act;
- (q) "residence order" means an order granted in terms of section 11;
- (r) "service provider" means any such government facility or registered voluntary organization established for the protection of aggrieved person providing legal, medical, financial or any other assistance;
- (s) "vulnerable person" means a person who is vulnerable due to old age, mental illness or handicap or physical disability or for other special reason.

(2) Words and phrases not defined in this Act shall have the same meaning as assigned to them in the Pakistan Penal Code, 1898 (Act XLV of 1898) and the Code of Criminal Procedure, 1860, (Act V of 1860).

3. Government to ensure effective implementation of the Act. Government

shall ensure that -

- (a) this Act and the contents thereof receive wide publicity through electronic and print media in Urdu and local languages;
- (b) the Government officers, the police and the members of the judicial service are given periodic sensitization and awareness training on the issues addressed by this Act; and
- (c) effective protocols are formulated by the concerned Ministries and Departments dealing with health, education, employment, law and social welfare to address the issue of domestic violence and that the same are periodically revised.

4. Constitution of Commission. (1) Government shall constitute a Commission which shall consist of a Chairperson and such number of members as may be prescribed.

(2) The Commission shall -

- (a) review from time to time the existing provisions of the law on domestic violence and suggest amendments therein, if any;
- (b) call for specific studies or investigation into specific incidence of domestic violence;
- (c) look into complaints and take *suomoto* notice of matters relating to domestic violence and the non-implementation of the law; and
- (d) participate and advise on the planning process for securing a safe environment free of domestic violence.

5. Domestic Violence. Domestic Violence includes but is not limited to, all acts of gender based and other physical or psychological abuse committed by a respondent against women, children or other vulnerable persons, with whom the respondent is or has been in a domestic relationship including but not limited to -

- (a) "abet" as defined in Pakistan Penal Code (Act XLV of 1860) hereinafter referred to in this section as the said Code;
- (b) "assault" as defined in section 351 of the said Code;
- (c) "attempt" as defined in section 511 of the said Code to commit any of the offenses enumerated in this section;
- (d) "criminal force" as defined in section 350 of the said Code;
- (e) "criminal intimidation" as defined in section 503 of the said Code;
- (f) "Emotional, psychological and verbal abuse" means a pattern of degrading

or humiliating conduct towards the victim, including but not limited to -

- (i) obsessive possessiveness or jealousy constituting serious invasion of the victim's privacy, liberty, integrity and security;
 - (ii) insults or ridicule;
 - (iii) threat to cause physical pain;
 - (iv) threat of malicious prosecution;
 - (v) blaming a spouse of immorality;
 - (vi) threats of divorce;
 - (vii) baselessly blaming or imputing insanity, or citing barrenness of a spouse with the intention to marry again;
 - (viii) bringing false allegation upon the character of a female member by any member of the shared household; and
 - (ix) willful or negligent abandonment of the aggrieved person;
- (g) "harassment" as defined in section 509 of the said Code;
- (h) "hurt" as defined in sections 332, 333, 335, 336A, 337, 337B, 337C, 337E, 337J, 337K, 337L of the said Code;
- (i) "mischief" as defined in section 425 of the said Code against the property of the aggrieved person;
- (j) "physical abuse" means any hurt caused by any act or conduct as defined in section 5(f) of this Act;
- (k) "stalking" includes, but is not limited to –
- (i) accosting the aggrieved person against his or her wishes; and
 - (ii) watching or loitering outside or near the building or place where the aggrieved person resides or works or visits frequently;
- (l) "sexual abuse" includes any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of the aggrieved

person which may include –

- (i) compelling the wife to cohabit with anybody other than the husband;
- (ii) any kind of sexual abuse including sexual harassment of a member of the family;
- (m) "trespass" means entry into aggrieved person's residence either temporary or permanent without his or her consent, and includes workplace or frequently other place where the parties do not share the same residence;
- (n) "wrongful confinement" as defined in section 340 of the said Code; and
- (o) "economic abuse" includes deprivation of economic or financial resources or prohibition or restriction to continue access to such resources which the aggrieved person is ordinarily entitled to.

6. Punishment. (1) The offences under section 5 (a), (b), (c), (d), (e), (g), (h) (i) and (n) shall be punishable as provided under the Pakistan Penal Code, 1860.

(2) The offences under section 5(f) shall be punishable with imprisonment of minimum six months or with fine to be paid as compensation to the aggrieved person which shall not be less than ten thousand rupees or with both.

(3) Whosoever stalks a person under section 5(k) shall be punished with simple imprisonment of not less than one year or with fine to be paid as compensation to the aggrieved party which shall not be less than twenty thousand rupees or with both.

(4) The offences under section 5(l) shall be punishable with imprisonment of either description not less than two years or with compensation to the aggrieved party which shall not be less than fifty thousand rupees or with both.

(5) The offences under section 5(m) shall be punishable with imprisonment for either description for a term not less than one month or with fine or with both.

(6) Any person who commits the offences under section 5(o) shall be liable to pay compensation under section 12(1)(a).

7. Petition of the Court. (1) An aggrieved person or other person authorized by the aggrieved person in this behalf or informer may present a petition to the Court within whose jurisdiction -

- (i) the aggrieved person resides or carries on business; and
- (ii) the last place where the respondent and aggrieved person last resided together.

(2) The court shall fix the first date of hearing, which shall not exceed seven days from the date of the receipt of the petition by the court.

(3) On receipt of petition from an aggrieved party, the court shall, with or without issuing an interim order, issue a notice upon the person complained against calling upon him to show cause within seven days of receipt of notice as to why a protection order shall not be made against him for committing an act or acts of domestic violence as alleged in the petition.

(4) The petition made under sub-section (1) shall be disposed of within a period of ninety days and any adjournment given during the hearing of the petition shall be granted for reasons to be recorded in writing by the Court.

8. Counseling. (1) The court, at any stage of the proceedings under this Act, may direct the respondent or as the case may be, aggrieved person to undergo mandatory counseling with an appropriate service provider.

(2) Where the court has issued any direction under sub-section (1), it shall fix the next date of hearing of the case within a period not exceeding thirty days.

9. Right to reside in a household. (1) Notwithstanding anything contained in any other law for the time being in force, the aggrieved person shall not be evicted from the household without consent, whether or not he or she has any right, title or beneficial interest in the same.

(2) The aggrieved person shall not be evicted from the household or any part of it by the respondent save in accordance with law.

10. Power to grant interim order. (1) In any proceeding under this Act, the court may pass such interim order at any time and stage of the petition as it deems just and proper.

(2) If the court is satisfied that a petition ***prima facie*** discloses that the respondent has committed an act of domestic violence or that there is a likelihood that the respondent may commit an act of domestic violence, it may issue order on the basis of an affidavit of the aggrieved person or any other evidence or material, before the court as prescribed under sections 11, 12 and 13 against the respondent.

11. Passing of protection orders and residence order. (1) The court on being satisfied that domestic violence has ***prima facie*** taken place may pass a protection order in favour of the aggrieved person and prohibit the respondent from -

- (a) committing any act of domestic violence;
- (b) aiding or abetting in the commission of acts of domestic violence;
- (c) entering the place of employment of the aggrieved person or, if the aggrieved person is a child, his or her educational institution or any other place frequented by the aggrieved person;
- (d) attempting to communicate in any form, whatsoever with the aggrieved person, including personal, oral or written, electronic or telephonic or mobile phone contact;
- (e) causing violence to the dependants, other relatives or any person who gives

the aggrieved person assistance against domestic violence; and

- (f) committing any other act as specified in the protection order;

(2) In addition to the order under sub-section (1), or otherwise, the court on being satisfied that domestic violence has taken place may pass a residence order to -

- (a) restrain the respondent from dispossessing or in any other manner disturbing the possession of the aggrieved person from the household;
- (b) restrain the respondent or any of his relatives from entering the household; and
- (c) direct the respondent to secure alternative accommodation for the aggrieved person or if the circumstances so require to pay rent for the same.

(3) The court may impose any additional conditions or pass any other direction which it may deem reasonably necessary to protect and provide for the safety of the aggrieved person or any child of such aggrieved person.

(4) The court may require from the respondent to execute a bond, with or without sureties, for preventing the commission of domestic violence.

(5) While making an order under sub-sections (1), (2) or (3), the court may also pass an order directing the officer in charge of the nearest police station to give protection to the aggrieved person or to assist the aggrieved person or the person making an application on his or her behalf in the implementation of the order.

(6) While making an order under sub-section (2), the court may impose on the respondent obligations relating to the discharge of rent or other payments, having regard to the financial needs and resources of the parties.

(7) The court may direct the officer in charge of the police station in whose jurisdiction the court has been approached to assist in the implementation of the protection order.

(8) The court may direct the respondent to return the possession to the aggrieved person of any property, valuables or documents to which the aggrieved person is entitled.

(9) The court shall in all cases where it has passed any order under this section, order that a copy of such order, shall be given to the parties to the application, the officer in charge of the police station in the jurisdiction of which the court has been approached as well as to the service provider located within the local limits of the jurisdiction of the court.

12. Monetary relief. (1) The court may, at any stage of the trial of a petition filed by the aggrieved person, pass interim order directing the respondent to pay monetary relief to meet the expenses incurred and losses suffered by the aggrieved person and such relief may include, but is not limited to –

- (a) compensation to the aggrieved person for suffering as a consequence of economic abuse to be determined by the court;
- (b) loss of earning;

- (c) medical expense;
- (d) the loss caused due to the destruction, damage or removal of any property from the control of the aggrieved person; and
- (e) the maintenance for the aggrieved person as well her children, if any, including an order under or in addition to an order of maintenance under family laws.

(2) The respondent shall pay monetary relief to the person aggrieved within the period specified in the order made in terms of sub-section (1) and in accordance with terms thereof.

(3) The court may, upon failure on part of the respondent to make payment in terms of the order under sub-section (2) direct an employer or debtor, of the respondent, to directly pay the aggrieved person or to deposit with the court a portion of the wages or salaries or debt due to or accrued to the credit of the respondent, which amount may be adjusted towards the monetary relief payable by the respondent.

13. Custody orders. The court may, at any stage of the petition for protection order or for any other relief under this Act grant temporary custody of an aggrieved person who is

- - (a) a child to a person under the Guardians and Wards Act 1890 (VIII of 1890); and
 - (b) an adult to a service provider or some other person in accordance with the will of the aggrieved person:

Provided that in any case where a complaint of sexual abuse of a child has been made and the court is prima facie satisfied that such allegation is true, the court shall grant custody of the aggrieved child to the non-respondent parent or guardian or the person making an application on his or her behalf.

14. Duration and alteration of interim, protection and residence orders. (1) The interim order made under section 10 and the protection order made under section 11 shall remain in force until the aggrieved person applies for discharge of such order.

(2) If the court on receipt of an application at any stage from the aggrieved person or the respondent is satisfied that there is a change in the circumstances requiring alteration, modification or recalling of any order made under this Act, it may, for reasons to be recorded in writing pass such order, as it may deem appropriate.

(3) The residence order shall remain in force until such time it is altered.

(4) Nothing contained in sub-sections (1) and (2) shall prevent an aggrieved person from making a fresh application after the previous order has been discharged.

15. Penalty for breach of an interim or protection order by the respondent.

(1) A breach of protection order, or of the interim protection order, by the respondent shall be an offence and shall be punished with imprisonment of either description for a term which may extend to one year or with fine which may extend to twenty thousand rupees, or with both.

(2) Notwithstanding anything contained in the Code the offence under this section shall

be cognizable, bailable and compoundable.

16. Appeal. Any person convicted by a court under sub-section (1) of section 15, may file an appeal to the court of Sessions within thirty days of the passing of the order of sentence and the court of sessions shall decide the appeal within sixty days.

17. Protection Committee. (1) Government shall, by notification in the official Gazette, constitute Protection Committees for the purposes of this Act.

(2) A Protection Committee shall comprise a Social Welfare Officer who shall be the convener, medical practitioner, a psychologist, psycho-social worker and an official appointed by the court, a female police officer not below the rank of Sub-Inspector and two women members from civil society and the Protection Officer who shall also act as the Secretary of the Protection Committee.

18. Duties and functions of Protection Committee. The Protection Committee may -

- (a) inform the aggrieved person of her or his rights provided under this Act or any other law for the time being in force and the remedies and the help that may be provided;
- (b) assist the aggrieved person in obtaining any medical treatment necessitated due to the domestic violence;
- (c) if necessary, and with the consent of the aggrieved person, assist the aggrieved person in relocating to a safer place acceptable to the aggrieved person, which may include the house of any relative or family friend or other safe place or if any, established by a service provider;
- (d) assist the aggrieved person in the preparation of and filing of any petition or report under this Act, the Code or any other law for the time being in force;
- (e) keep official record of the incidents of domestic violence in its area of jurisdiction, whether on the basis of information received or **suomoto**inquiry, irrespective of whether or not action is taken under this Act. Such record shall include –
 - (i) the first information received about the incident of domestic violence;
 - (ii) the assistance, if any, offered or provided by the Protection Committee to the aggrieved person;
 - (iii) where applicable the reason for not taking action under this Act when an incident was brought to the notice of the Protection Committee;
 - (iv) where applicable, the reason for the aggrieved person's refusal to take assistance from the Protection Committee;
 - (v) the names and contact details of the service provider, if any, from whom

- the aggrieved person sought help;
- (vi) maintenance of the record of applications, protection orders and the service providers operating in the area of jurisdiction; and
 - (vii) perform any other duties that may be assigned to the Protection Committee under this Act or the rules made there under.

19. Powers, privileges and immunities of Protection Committee. (1) Members of the Protection Committee shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

(2) The Protection Committee may file an application for obtaining a protection order under section 11, if so desired by the aggrieved person.

(3) The Protection Committee may procure the assistance of any person or authority, and any person or authority so requested by the Protection Committee, shall be under legal obligation to provide the desired assistance to the Protection Committee.

20. Delegation of functions and powers. The Protection Committee may delegate any of its functions and powers to any of its member or members.

21. Protection officer. (1) Government shall, by notification in the official Gazette, appoint a gazetted officer to act as Protection Officer, for the purposes of this Act.

(2) The Protection Officer shall possess such qualifications and experience as may be prescribed under the rules.

22. Duties of Protection Officer. It shall be the duty of the Protection Officer -

- (a) to make a domestic incident report to the Protection Committee, in such form and in such manner as may be prescribed, upon receipt of a complaint of domestic violence and forward copies thereof to the Protection Committee within the local limits of whose jurisdiction domestic violence is alleged to have been committed and to the service providers in that area;
- (b) to make an application in such form and in such manner as may be prescribed to the court, if the aggrieved person so desires, claiming relief for issuance of a protection order;
- (c) to ensure that the aggrieved person is provided legal aid;
- (d) to maintain a list of all service providers providing legal aid or counseling, shelter homes and medical facilities in a local area within the jurisdiction of the court;
- (e) to make available a safe place of residence, if the aggrieved person so requires and forward a copy of his report of having lodged the aggrieved person in a shelter home to the Protection Committee;
- (f) to get the aggrieved person medically examined, if he or she has sustained

bodily injuries and forward a copy of the medical report to the Protection Committee having jurisdiction in the area where the domestic violence is alleged to have been taken place;

- (g) to ensure that the order for monetary relief under section 12 is complied with and executed in accordance with the procedure prescribed; and
- (h) to perform such other duties as may be prescribed.

23. Assistance of service provider. (1) In any proceeding under this Act, the court may secure the services of a service provider.

(2) Service provider shall have all the privileges and immunities enjoyed by the Protection Committee.

24. Powers of service provider. A service provider shall have the power to -

- (a) record the domestic incident in a prescribed form if the aggrieved person so desires, and forward a copy thereof to the Protection Officer having jurisdiction in the area where the domestic violence took place;
- (b) get the aggrieved person medically examined and forward a copy of the medical report to the Protection Officer within the local limits of which the domestic violence took place;
- (c) ensure that the aggrieved person is provided shelter in a safe place of residence, if he or she so requires and forward a report of the lodging of the aggrieved person in a safe place of residence to the Protection Committee within the local limits of the place where the domestic violence took place; and
- (d) provide the aggrieved person with any aid or assistance if he or she may so require.

25. Procedure. Save as otherwise provided in this Act, all proceedings taken and offences committed under the provisions of this Act, shall be governed by the Code.

26. Protection of actions taken in good faith. No suit, prosecution or other legal proceedings shall lie against any Protection Committee, Protection Officer or service provider for anything which is done in good faith or purported to be done under this Act.

27. Act not in derogation of any other law. The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

28. Revision. Chapter XXXII of the Code shall apply to an order passed under sections 10, 11, 12 and 13.

29. Power to make rules. Government may by notification in the Official Gazette make rules for carrying out the purposes of this Act.

30. Removal of difficulties. If any difficulty arises in giving effect to any provision of this Act, Government may make an order not inconsistent with the provisions of this Act to remove the said difficult.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

G.M.UMAR FAROOQ
ACTING SECRETARY
PROVINCIAL ASSEMBLY OF SINDH



The Domestic Violence (Prevention and Protection) Rules 2016

The Sindh Government Gazette

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KARACHI MONDAY APRIL 11, 2016

PART-I

WOMEN DEVELOPMENT DEPARTMENT

Karachi dated the 22 March, 2016

NO SDWTHWH32-100/2:16. In exercise of the powers conferred by section 29 of the Domestic Violence Prevention and Protection) Act, 2013, the Government of Sindh is pleased to make the following ruler namely

1. Short title and commencement. (1) These Rules may be called the Domestic Violence (Prevention and Protection) Rules 2016

- (2) They will extend to the whole Province of Sindh
- (3) They shall come into force at once.

Chapter I

2. Definitions- In these rules, unless the context otherwise requires.-

- (a) "Act" means The Domestic Violence (Prevention and Protection) Act, 2013;-
- (b) "Complaint" means any allegation made orally or in writing by any person to the Protection Officer,
- (c) "Counsellor" means a member of service provider competent to give counselling under sub-section 8 of the Act:
- (d) "Rules" means The Domestic Violence (Prevention and Protection) Rules 2016
- (e) "Section" means a section of the Act:
- (f) Words and expressions used and not defined in these rules but defined in the Act shall have the same meanings respectively assigned to them in the Act.

Chapter II

3. Establishment and Functioning of the Commission on Domestic Violence.

(1) The Provincial Government of Sindh shall constitute a Commission to be known as the Domestic Violence Commission, hereby referred to as "the Commission") which shall be established in Karachi to exercise the powers conferred upon, and to perform the functions assigned to it, as per Section 4 of the Act.

- (2) The Commission shall consist of sixteen (16) members and shall include (1) Chairperson and fifteen (15) Members.
- (3) The Secretariat of the Commission shall file with the Women Development Department
- (4) The Chairperson shall be the Minister of the Women Development Department.

- (5) The Members of the Commission shall include:
- (i) The Secretary of the Women Development Department,
 - (ii) The Additional Secretary of the Women Development Department, who shall be the Secretary of the Commission
 - (iii) Six (6) ex-officio members who shall be representatives of the Provincial Departments of Law, Finance, Social Welfare, Home, Human Rights and Health, not below the rank of Deputy Secretary, and who shall not have the right to vote,
 - (iv) Chairperson, Sindh Commission of Human Rights Chairperson, Sindh Commission on the Status of Women
 - (v) Two members of civil society
 - (vi) Two members of the legal fraternity, one of whom shall be nominated by the Sindh Bar Council
 - (vii) Two members of the media

(6) Delegation of representation by the Commission: The ex-officio members of the Commission may nominate and delegate their representatives to attend Commission meetings.

(7) If due to any circumstances, the Women Development Department is unable to take charge of the Commission, the Chief Minister may notify another Provincial Department to responsibility over the Secretariat of the Commission.

4. Appointment of Members of the Commission. (1) The Women Development Department, Chairperson of the Sindh Commission of Human Rights and Chairperson Singh Commission on the Status of Women shall compile a list of candidates fulfilling the qualifications identified in Rule 5 and present them to the Chief Minister.

5. Qualification of members: - (1) The ex-officio members and their delegated representatives shall not be below the rank of Deputy Secretary,

(2) Members from civil society shall have at least ten (10) years of experience working on women's rights and issues

(3) The member nominated by the Sindh Bar Council shall have at least ten (10) years' experience working on human rights cases and cases involving women's issues.

(4) The member of the legal fraternity not nominated by the Sindh Bar Council shall have at least ten (10) years' experience working in women's rights

(5) Members from the media shall have at least ten (10) years' experience working, reporting or researching on some rights and issues.

(6) Members of the Commission shall be deemed to be public servants with the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860)

Provided at least half of the members shall be women.

6. Term of Office of Member of the Commission.- (1) A person appointed as a Member of the Commission shall hold office for term of three years from the date on which he or she enters upon his or her office. The term of the office may be extended only once.

(2) The Member may resign his or her office in writing under his or her hand addressed to Chairperson of the Commission and on acceptance of such resignation; such vacancy shall be filled within thirty days for the unexpired term of the member

7. Removal of Chairperson and Members. The Chairperson and Members may be removed from office by the Chief Minister if he or she, as the case may be,

- (a) is, after proper inquiry, found guilty of misconduct
- (b) is adjudged an insolvent;
- (c) is unfit to continue in office by reason of being mentally or physically challenged and stands so declared by a competent medical authority,
- (d) does not attend two (2) consecutive meetings without a justifiable reason, and
- (e) has, on conviction of any offence involving moral turpitude, been sentenced to Imprisonment for a term of not less than two years, unless a period of five years has elapsed since his or her release.

Explanation: I "Misconduct shall include behavior which is found to be discriminatory or biased against women

Explanation:-II An inquiry shall be carried out into any charge of 'misconduct' by 2 members of the Commission and 1 independent member.

8. Acting Chairperson.- By reason of a vacancy in the office of Chairperson due to death, illness, resignation or otherwise, the Chief Minister shall appoint the another woman from amongst the members of the Commission to act as Chairperson for a period of not exceeding thirty days or until the appointment of a new Chairperson, whichever is earlier.

9. Secretariat of the Commission. - (1) The Secretariat of the Commission shall lie with the Women Development Department at Karachi.

(2) The Women Development Department shall have the administrative and financial responsibility of the Commission.

(3) There shall be a separate desk and office for record keeping within the Women Development Department at Karachi.

(4) Extra staff may be hired by the Women Development Department when and if deemed necessary

10. Role and Responsibilities of the Commission. - The roles and responsibilities of the Commission as identified by Section 4(2) of the Act include:

- (a) review from time to time the existing provisions of the law on domestic violence and suggest Amendments therein, if any,
- (b) call for specific studies or investigation into specific incidence of domestic violence;
- (c) look into complaints and take *suo moto* notice of matters relating to domestic violence and the non-implementation of the law, and

- (d) participate and advise on the planning process for securing a safe environment free of domestic violence
- (e) mobilize grants from domestic and international sources in order to meet any of its obligations and for the performing of its functions

11. Appointment of a Sub Committee. - (1) There shall be a Sub Committee appointed consisting of five persons which shall be responsible to oversee the implementation of the decisions and recommendations of the Commission

(2) The Sub Committee shall set its own process and procedures with approval of the Commission.

(3) The Commission may establish such other Committees from amongst its members as it deems fit and may refer to them any matter for consideration and report. Any such Committee shall be time barred. The Commission may, if it considers necessary, co-opt to the Sub Committee or any other Committee any person possessing special knowledge and expertise on the relevant subject.

12. Functioning of the Commission. - (1) The Commission shall meet at least quarterly at such times and at such place as the Chairperson may decide. The Chairperson may call additional meetings if and when required.

(2) All decisions of the Commission shall be authenticated by the signature of the Chairperson or any person authorized in this behalf by the Chairperson.

(3) The quorum for the meeting of the Commission shall not be less than one third of the total voting strength of the Commission.

(4) The decisions of the Commission shall be taken by the majority of the members present. In case of a tie, the Chairperson of the meeting shall have the casting vote.

(5) No act or proceeding of the Commission shall be invalid on the ground merely of the existence of any vacancy in or defect in the constitution of the Commission.

(6) In case of an emergency, the Sub Committee shall meet and respond as the situation may require. If deemed necessary, the Sub Committee may convene a meeting of the entire Commission.

(7) While Inquiring into complaints of violations of women's rights, the Commission may call for information or report from the Government, civil society organizations and autonomous or concerned bodies; and in this regard the Commission shall have the powers vested in a civil court under the Code of Civil Procedure, 1908 (Act V of 1908) for enforcing the attendance of any person and compelling the Production of documents

13. Annual Report of the Commission. - (1) The Commission shall prepare its Annual Report and it shall be presented to the Chief Minister and concerned Department. The Annual report shall include an Account of its performance and utilization of funds.

(2) The Annual Report of the Commission shall be laid and discussed in the Provincial Assembly.

14. Assistance to the Commission. All Provincial executive authorities and departments shall assist the Commission in the performance of its functions.

Chapter III **Appointment of Protection Officer**

15. Appointment of Protection Officer- (1) The Women Development Department shall appoint a gazetted officer not below the rank of BPS 17 as a Protection Officer in each district of Sindh, as per Section 21(1) of the Act, to perform duties and functions for the purposes of this Act.

(2) The post shall be advertised through the newspaper.

(3) Preference shall be given to females

(4) The appointment of the officer shall be notified through the Official Gazette

(5) The Government through the Women Development Department, shall provide necessary office assistance to the Protection Officer for the efficient discharge of his or her functions under the Act and these rules.

16. Qualifications of the Protection Officer. - (1) The Protection Officer shall be a gazetted officer not below BPS-17.

(2) The Protection Officer shall have at least 3 years' experience in the social and welfare sector with degree in law, social work, social sciences, psychology or gender, preferably with experience on working on issues relating to violence against women.

(3) If for any reason whatsoever a person identified in the sub-sections (1) to (2) are not available in a district, the Domestic Violence Commission through its Sub Committee may appoint any other person in their place on the basis of a majority vote.

17. Duties of the Protection Officer.-The duties of the Protection Officer are defined in Section 23 of the Act:

(a) to make a domestic incident report to the Protection Committee, in such form and in such manner as may be prescribed, upon receipt of a complaint of domestic violence and forward copies thereof to the Protection Committee within the local

limits of whose jurisdiction domestic violence is alleged to have been committed and to the service providers in that area:

- (b) to make an application in such form and in such manner as may be prescribed to the court, if the aggrieved person so desires, claiming relief for issuance of a protection order;
- (c) (e) to ensure that the aggrieved person is provided legal aid;
- (d) to maintain a list of all service providers providing legal aid or counseling, shelter homes and medical facilities in a local area within the jurisdiction of the court,
- (e) to make available a safe place of residence, if the aggrieved person so requires and forward a copy of his report of having lodged the aggrieved person in a shelter home to the Protection Committee;
- (f) to get the aggrieved person medically examined, if he or she has sustained bodily injuries and forward a copy of the medical report to the Protection Committee having jurisdiction in the area where the domestic violence is alleged to have been taken place,
- (g) to ensure that the order for monetary relief under section 12 is complied with and executed in accordance with the procedure prescribed, and
- (h) to perform such other duties as may be prescribed.

18. Reports of the Protection Officer. - (1) The Protection Officer shall submit a written quarterly report to the Protection Committee established under Section 17 (1) of the Act.

(2) The Report shall contain details of every incident of domestic violence the Protection Officer investigated or was made aware of and his response and current status of the incident.

Chapter- IV Establishment of Protection Committees

19. Establishment of Protection Committees. (1) The Government through the Women Development Department shall establish Protection Committees (hereby referred to as "the Committee") in every district of Sindh under Section 17 (1) of the Act. The Protection Committees shall be constituted by notification in the Official Gazette.

(2) The Members of the Protection Committee in each district, as identified in Section 17(2) of the Act shall comprise of a;

- (i) Women Development Department official, who shall be the Secretary;
- (ii) Social Welfare Officer, who shall be the Convener;
- (iii) Medical Practitioner,
- (iv) Psychologist;

- (v) Psycho-social worker,
- (vi) Official appointed by the court.
- (vii) Female police officer not below the rank of Sub-Inspector,
- (viii) Two women members from civil society: and
- (ix) Protection Officer.

(3) If for any reason whatsoever a person identified in the sub-section (1) is not available in a district, the Women Development Department in consultation with the Domestic Violence Commission through its Sub Committee may appoint any other person in their place on the basis of a majority vote.

20. Appointment of Members of the Protection Committees. (1) The Women Development Department, through its district offices shall compile a list of persons with the relevant qualifications for Members of the Committee as specified by Section 21 of this Act.

Explanation: Members of the Committee shall include all members with the exception of the Protection Officer who shall be appointed as per the procedure identified in Section 14 of the Rules.

(2) The Commission shall finalise the Members of the Committees from the list identified by the Women Development Department.

(3) The Minister Women Development Department shall notify the Protection Committees.

21. Qualification of members: (1) All Members, with the exception of the Woman Development Department Officer, Social Welfare Officer and Police Officer, shall have at least ten (10) years' experience working on social and women's issues.

(2) Any gazetted officer shall not be below the rank of BPS-17.

(3) The Women Development Department and Social Welfare Officer shall not be below the rank of BPS-17.

(4) The police officer shall not be below the rank of DSP.

(5) In case of non-availability of required qualifications, the Women Development Department in consultation with the Sub Committee of the Commission may make recommendations on the qualifications of alternative members:

(6) Members of the Commission shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860)

22. Term of Office of Member of the Commission. (1) A person appointed as a Member of the Committee shall hold office for a term of three years from the date on which he or she enters upon his or her office. The term of the office may be extended only once.

(2) The Member may resign his or her office in writing under his or her hand addressed to Chairperson of the Committee and on acceptance of such resignation such vacancy shall be filled within thirty days for the unexpired term of the member.

23. Role and Responsibilities of the Protection Committee. - (1) The role and responsibility of the Committees as identified by Section 18 of the Act include:

- (a) inform the aggrieved person of her or his rights provided under this Act or any other law for the time being in force and the remedies and the help that may be provided;
- (b) assist the aggrieved person in obtaining any medical treatment necessitated due to the domestic violence;
- (c) if necessary, and with the consent of the aggrieved person, assist the aggrieved person in relocating to a safer place acceptable to the aggrieved person, which may include the house of any relative or family friend or other safe place or if any, established by a service provider,
- (d) assist the aggrieved person in the preparation of and filing of any petition or report under this Act, the Code or any other law for the time being in force;
- (e) keep official record of the incidents of domestic violence in its area of jurisdiction, whether on the basis of information received or suo moto inquiry, irrespective of whether or not action is taken under this Act. Such record shall include-
 - (i) the first information received about the incident of domestic violence;
 - (ii) the assistance, if any, offered or provided by the Protection Committee to the aggrieved person;
 - (iii) where applicable the reason for not taking action under this Act when an incident was brought to the notice of the Protection Committee;
 - (iv) where applicable, the reason for the aggrieved person's refusal to take assistance from the Protection Committee;
 - (v) the names and contact details of the service provider, if any, from whom the aggrieved person sought help;
 - (vi) maintenance of the record of applications, protection orders and the service providers operating in the area of jurisdiction; and perform any other duties that may be assigned to the Protection Committee this Act or the rules made there under.

24. Functioning of the Committee. - (1) The Committee in its first meeting which shall be convened by the Converter, shall appoint through a simple majority vote, a Chairperson

(2) The Committee shall meet quarterly at such times and at such place as the Chairperson may decide

(3) The convener may call additional meetings with the permission of the Chairperson if and when required

(4) In addition to discussing any cases of domestic violence the Committee may be handling, the committee shall also evaluate its work, process and the situation of domestic violence in its district;

(5) All decisions of the Committee shall be authenticated by the signature of the Chairperson or any person authorized in this behalf by the Chairperson.

(6) The quorum for the meeting of the Committee shall not be less than one third of the total voting strength of the Committee.

(7) The decisions of the Committee shall be taken by the majority of the members present. In case of tie, the Chairperson of the meeting shall have the casting vote,

(8) No set or proceeding of the Committee shall be invalid on the ground merely of the existence of any vacancy is or defect in the constitution of the Committee.

(9) In case of an emergency, the Protection Officer shall call an emergency meeting to shall meet and respond as the situation may require. If deemed necessary, the Committee may appoint a smaller sub-committee to respond so the situation at hand. Any such sub-committee shall be time-barred.

(10) While inquiring into complaints of violations of women's rights, the Committee may call information or report from the Government, civil society organizations and autonomous or concerned bodies, and in this regard the Committee shall have the powers vested in a civil court under the Code of Civil Procedure, 1908 (Act V of 1908) for enforcing the attendance of any person and compelling the production of documents

25. Removal of Chairperson and Members.-The Chairperson and Members may be removed from office if he or she, as the case (nay be,

(a) Is, after proper inquiry, found guilty of misconduct;

(b) Is adjudged an insolvent;

(c) is unfit to continue is office by reason of being mentally or physically challenged and stands so declared by a competent medical authority;

(d) Does not attend two (2) consecutive meetings without a justifiable reason; and

(e) Has, on conviction of any offence involving moral turpitude, been sentenced to imprisonment for a term of not less than two years, unless a period of five years has elapsed since his or her release.

Explanation: "Misconduct shall include behavior which is found to be discriminatory or biased against women

Explanation: An inquiry shall be carried out into any charge of 'misconduct by 2 members of the Commission and independent member.

26. Acting Chairperson.- By reason of a vacancy in the office of Chairperson due to death, illness, resignation or otherwise, the Commission shall appoint another person from amongst the members of the Committee to act as Chairperson for period not exceeding thirty days or until the appointment of a new Chairperson, whichever is earlier.

27. Secretariat of the Committee. - (1) The Secretariat of the Committee shall lie with each District Women Development Department.

(2) The District Women Development Departments shall have the administrative and financial responsibility of the Committee

(3) There shall be a separate desk, office for record and staff keeping within the district offices of the Women Development Department.

(4) Extra staff may be hired for the offices by the Women Development Department when and if deemed necessary.

Provided if for any reason the Women Development Department is unable to hold a Secretariat of a Committee, the Chief Minister may appoint another provincial department to hold the Secretariat and report to the Secretary, Women Development Department.

28. Reporting of the Committees.-(1) The Committees shall prepare and send a quarterly report to the commission.

(2) The Committees shall prepare and present an Annual Report and shall be presented to the Commission and concerned Department. The Annual report shall include an account of its performance and utilization of funds.

29. Assistance to the Committees. All Provincial executive authorities and departments shall assist the Committee in the performance of its functions.

Chapter- V

Miscellaneous

30. Information to Protection Officers. (1) Any person who has reason to believe that an act of domestic violence has been, or is being, or is likely to be committed may give information about it to the Protection Officer having jurisdiction in the area either orally or in writing.

(2) In case the information is given to the Protection Officer under sub-section (1) orally, he or she shall cause it to be reduced into writing and shall ensure that the same is read out, understood and signed by the person giving such information and in case the informer is not in a position to furnish written information the Protection Officer shall keep a confidential record of the identity of the person giving such information.

(3) The Protection Officer shall give a copy of the information recorded by him immediately to the informant free of cost.

31. Domestic incident reports. - (1) Upon receipt of a complaint of domestic violence, the Protection Officer shall prepare a domestic incident report in the form prescribed as FORM I and submit the same to the Magistrate and forward copies thereof to the police officer in charge of the police station within the local limits of jurisdiction of which the domestic violence alleged to have been committed has taken place and to the service providers in that area.

(2) Upon a request of any aggrieved person, a service provider may record a domestic incident report and forward a copy thereof to the Magistrate and the Protection Officer having jurisdiction in the area where the domestic violence is alleged to have taken place.

32. Petitions to the Magistrate, - (1) An aggrieved person shall prepare a written petition to submit to the concerned Magistrate.

(2) An aggrieved person may seek the assistance of the Protection Officer in preparing her or his petition and forwarding the same to the concerned Magistrate

(0) In case the aggrieved person is illiterate, the Protection Officer shall read over the petition and explain to her or him the contents thereof.

(4) The petitions under section 7 of the Act shall be dealt with and the orders enforced in the same manner laid down under the Code of Criminal Procedure, 1989.

33. Action to be taken in cases of emergency.- If the Protection Officer of a service provider very reliable information through any mode of communication including e-mail, telephone call or either from the aggrieved person, an Informer or from any person who has reason to believe that an of domestic violence is being or is likely to be committed and in a such an emergency situation, the Protection Officer or the service provider, as the case may be, shall seek immediate assistance of the police who shall accompany the Protection Officer or the service provider, as the case may be, to the place of occurrence and record the domestic incident report and present the same to the Magistrate without any delay for seeking appropriate orders under the Act.

34. Certain other duties of the Protection Officers. - (1) The Protection Officer, if directed to do so in writing, by the Magistrate shall-

- (a) conduct a home visit of the shared household premises and make preliminary enquiry if the soon requires clarification, in regard to granting ex-parte interim relief to the aggrieved person under the Act and pass in order for such home visit:
- (b) after making appropriate inquiry, file a report on the emoluments, assets, bank accounts or any other documents as may be directed by the court:
- (c) restore the possession of the personal effects including gifts and jewelry of the aggrieved person and the stared household to the aggrieved person:
- (d) assist the aggrieved person to regain custody of children and secure rights to visit them under his or her supervision as may be directed by the court:
- (e) assist the court in enforcement of orders in the proceedings under the Act in the manner directed by the Magistrate, including orders under section 10, section 11

section 12, section 13 or section 14 in such manner as may be directed by the court.

(f) take the assistance of the police, if required, in confiscating any weapon involved in the alleged domestic violence.

(2) The Protection Officer shall also perform such other duties as may be assigned to him by the Government or the Magistrate in giving effect to the provisions of the Act and these rules from time to time.

(3) The Magistrate may, in addition to the orders for effective relief in any case, also issue directions relating general practice for better handling of the cases, to the Protection Officers within his jurisdiction and the Protection Officers shall be bound to carry out the same.

35. Means of service of notices. - (1) The notice for appearance in respect of the proceedings under the Act shall contain the names of the person alleged to have committed domestic violence, the nature of domestic violence and such details which may facilitate the identification of person concerned.

(2) The Court may issue notices as per the Civil Procedure Code 1908 and the Code of Criminal Procedure 1898 by all three modes at once, namely, through Bailiff, pasting and publication all at once and if notice is served by any of these modes, the notice shall be deemed to have been served.

(a) The notice may be served at the place of residence of the accused or where he or she is painfuIly employed.

(b) In addition to the procedure prescribed under the Civil Procedure Code 1908 and Code of Criminal Procedure 1898, the court may direct any other steps necessary with a view to expediting the proceedings to adhere to the time limit provided in the Act

(3) On statement on the date fixed for appearance of the respondent, or a report of the person authorized to serve the notices under the passed by the court on respondent, or both. Act, that service has been effected appropriate orders shall be passed by the court on any pending application for interim relief, after hearing the complainant or the respondent, or both.

(4) When a protection order is passed restraining the respondent from entering the shared household or the respondent is ordered to stay away or not to contact the aggrieved person, no action of the aggrieved person including an invitation by the aggrieved person shall be considered as waiving the restraint imposed on the respondent, by the order of the court, unless such protection order is duly modified in accordance with the Act.

36. Appointment of Counselors. - (1) A person from the list of available Counselors forwarded by the Protection Officer, shall be appointed as a Counselor, under intimation to the aggrieved person.

(2) The following persons shall not be eligible to be appointed as Counselors in any proceedings namely:-

- (i) any person who is interested or connected with the subject matter of the dispute or is related to any one of the parties or to those who represent them unless such objection is waived by all the parties in writing.
- (ii) any legal practitioner who has appeared for the respondent in the case or any other suit or proceedings connected therewith.

(3) The Counselors shall as far as possible be women.

37. Procedure to be followed by Counselors. - (1) The Counselor shall work under the general supervision of the court or the Protection Officer or both.

(2) The Counselor shall convene a meeting at a place convenient to the aggrieved person or both the parties.

(3) The factors warranting counseling shall include the factor that the respondent shall furnish an undertaking that he would refrain from causing such domestic violence as complained by the aggrieved person and in appropriate cases an undertaking that he will not try to meet, or communicate in any manner through letter or telephone electronic mail or through any medium except in the counseling proceedings before the counselor or as permissibly by law or order of a court of competent jurisdiction.

(4) The Counselor shall conduct the counseling proceedings bearing in mind that the counseling shall be in the nature of getting an assurance, that the incidence of domestic violence shall not get repeated

(5) The respondent shall not be allowed to plead any counter justification for the alleged act of domestic violence in counseling and the fact that any such justification for the act of domestic violence by the respondent is not allowed to be a part of the Counseling proceeding should be made known to the respondent before the proceeding begin.

(6) The respondent shall furnish in undertaking to the Counselor that he would refrain from causing such domestic violence as complained by the aggrieved person and in appropriate cases an undertaking that he will not try to meet, or communicate in any manner through letter or telephone, e-mail, or through any other medium except in the counseling proceedings before the Counselor.

(7) If the aggrieved person desires, the Counselor shall make efforts of arriving at a settlement of the matter.

(8) The limited scope of the efforts of the Counselor shall be to arrive at the understanding of the grievances of the aggrieved person and the best possible redressal of her or his grievances and the efforts shall be to focus on evolving remedies or measures for such redressal.

(9) The Counselor shall strive to arrive at a settlement of the dispute by suggesting measures for redressal of grievances of the aggrieved person by taking into account the measures or remedies suggested by the parties for counseling and reformulating the terms for the settlement, wherever required.

(10) The Counselor shall not be bound by the provisions of the Law of Evidence 1984 or the Code of Civil Procedure, 1905, or the Code of Criminal Procedure, 1898, and his or her action shall be guided by the principles of fairness and justice and aimed at finding way to bring an end domestic violence to the satisfaction of the aggrieved person and in making such an effort the Counselor shall give due regard to the wishes and responsibilities of the aggrieved person.

(11) The Counselor shall submit his or her report to the Magistrate as expeditiously as possible for appropriate action.

(12) In the event the Counselor arrives at a resolution of the dispute, she or he shall record the terms of settlement and get the same endorsed by the parties.

(13) The court may, on being satisfied about the efficacy of the solution and after making a preliminary inquiry from the parties and after, recording reasons for such satisfaction, which may include undertaking by the respondents to refrain from repeating acts of domestic violence, admitted to have been committed by the respondents, accept the terms with or without conditions:

(14) The court shall, on being so satisfied with the report of counseling, pass an order, recording the terms of the settlement or an order modifying the terms of the settlement on being so requested by the aggrieved person, with the informed and voluntary consent of the parties.

(15) In cases, where a settlement cannot be arrived at in the counseling proceedings, the Counselor shall report the failure of such proceedings to the Court and the court shall proceed with the case in accordance with the provisions of the Act.

(16) The record of proceedings shall not be deemed to be material on record in the case on the basis of which any inference may be drawn or an order may be passed solely based on it.

(17) The Court shall pass an order, only after being satisfied that the application for such an order not vitiated by force, fraud or coercion or any other factor and the reasons for such satisfaction shall be recorded in writing in the order, which may include any undertaking or surety given by the respondent.

38. Breach of Protection Orders. - (1) An aggrieved person may report a breach of protection order or an interim protection order to the Protection Officer.

(2) Every report referred to in sub-section (1) shall be in writing by the aggrieved person or informer and duly signed by him or her.

(3) The Protection Officer shall forward a copy of such complaint with a copy of the protection order of which a breach is alleged to have taken place to the concerned Magistrate for appropriate orders.

(4) The Aggrieved person may, if he or she so desires, make a complaint of breach of protection order or interim protection order directly to the Magistrate or the Police, if he or she so chooses.

(5) If at any time after a protection order has been breached, the aggrieved person seeks his assistance, the protection officer shall immediately rescue her or him by seeking help from the local police station and assist the aggrieved person to lodge a report to the local police authorities in appropriate cases.

(6) When charges are framed under sections 5 or 13 of this Act, or any other offence not summarily triable, the Court may separate the proceedings for such offences to be tried in the manner prescribed under Code of Criminal Procedure, 1989 and proceed to summarily try the offence of the breach of Protection Order under section 15.

(7) Any resistance to the enforcement of the orders of the Court under the Act by the respondents or any other person purportedly acting on his behalf shall be deemed to be a breach of protection order or an interim protection order covered under the Act.

(8) A breach of a protection order or an interim protection order shall immediately be reported to the local police station having territorial jurisdiction and shall be dealt with as a cognizable offence.

(9) While enlarging the person on bail arrested under the Act, the Court may, by order, impose the following conditions to protect the aggrieved person and to ensure the presence of the accused before the court, which may include

(a) an order restraining the accused from threatening to commit or committing an act of domestic violence;

(b) an order preventing the accused from harassing, telephoning or making any contact with the aggrieved person;

(c) an order directing the accused to vacate and stay away from the residence of the aggrieved person or any place she is likely to visit;

(d) an order prohibiting the possession or use of firearm or any other dangerous weapon;

(e) an order prohibiting the consumption of alcohol or other drugs;

(f) any other order required for protection, safety and adequate relief to the aggrieved person.

39. Shelter to the aggrieved person. - (1) On a request being made by the aggrieved person, the Protection Officer or a service provider may make a request to the person in charge of a shelter home in writing.

(2) When a Protection Officer makes a request referred to in sub-section (1), it shall be accompanied by a copy of the domestic incident report registered by the Protection Officer

Provided that shelter home shall not refuse shelter to an aggrieved person under the Act, for her not having lodged a domestic incident report, prior to the making of request for shelter in the shelter home.

(3) If the aggrieved person so desires, the shelter home shall not disclose the Identity of the aggrieved person in the shelter home or communicate the same to the person complained against.

40. Medical Facility to the aggrieved person.-(1) The aggrieved person or the Protection Officer or the service provider may make a request to a person in charge of a medical facility in writing.

(2) When & Protection Officer makes such a request, it shall be accompanied by a copy of the domestic incident report:

Provided that the medical facility shall not refuse medical assistance to an aggrieved person under the Act, for her not having lodged domestic incident report, prior to making a request for medical assistance or examination to the medical facility.

(3) If no domestic incident report has been made, the person-in-charge of the medical facility shall make a domestic incident report and forward the same to the local Protection Officer.

4) The medical facility shall supply a copy of the medical examination, report to the aggrieved person free of cost.

FORM NO. I
**Form and manner - Domestic incident Report under Sindh Domestic Violence
(Prevention and Protection) Act 2013**

1. Name of the complainant/aggrieved person

2. Address

3. Mode of transmission of complaint

Oral/verbal _____ Writing _____

4. Nature of complaint (brief gist)

(Enclosed copy of the complaint)

5. Name/Address of the respondent

6. Person to whom information first communicated.

7. Report recorded by: -
provider.....

protection

officer/

service

8. Designation /address

(Signature/thump Impression of complainant)
(Counter signature of SP/PO)

Complaint Received by:

1. Name/designation of Protection Officer
2. Address
3. Whether the complaint is covered under Section 5 of the Act.

Yes _____ No _____

Signature of Protection Officer

Copy forwarded to:-

1. Local police station
2. Service provider
3. Complainant
4. Magistrate

Karachi: Printed at the Sindh Government Press

11-04-2016