

**TITLE: A COMPARITIVE STUDY ON DOMESTIC VIOLENCE ACT IN INDIA  
AND THE USA**

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**ABSTRACT :**

Domestic violence (DV) is common among ladies in India and has been related with poor mental and physical wellbeing. We played out an orderly audit of 137 quantitative investigations distributed in the earlier decade that specifically assessed the DV encounters of Indian ladies to condense the expansiveness of ongoing work and distinguish holes in the writing. Among considers looking over no less than two types of mishandle, a middle 41% of ladies announced encountering DV amid their lifetime and 30% in the previous year. We noted considerable between think about difference in DV pervasiveness gauges, inferable to a limited extent to various examination populaces and settings, yet in addition to an absence of institutionalization, approval, and social adjustment of DV study instruments. There was lack of studies assessing the DV encounters of ladies over age 50, living in live seeing someone, same-sex connections, ancestral towns, and of ladies from the northern districts of India. Moreover, our audit featured a hole in examine assessing the impact of DV on physical wellbeing. We finish up with an examination motivation requiring extra subjective and longitudinal quantitative investigations to investigate the DV associates proposed by this

quantitative writing to illuminate the improvement of a socially custom fitted DV scale and aversion techniques.

**KEYWORDS :**

Intimate partner violence, domestic violence, spouse abuse, India, review

**INTRODUCTION :**

Domestic violence is a quiet emergency that happens every day and with exemption away from plain view and inside cozy connections in numerous Indian homes. Network sex standards implicitly authorize domestic violence. Domestic Violence isn't simply hitting, or battling, or an incidental contention. It's an abuse of energy. The abuser torments and controls the casualty by computed dangers, terrorizing, and physical violence. . Albeit the two people can be abused, much of the time, the casualties are ladies. Kids in homes where there is domestic violence are likewise abused or ignored. Despite the fact that the lady is normally the essential target, violence is once in a while coordinated toward kids, and once in a while toward relatives and companions.

What is the genuine motivation behind any act? It is to give a law which help to make a general public which does not segregate among each other, it give a cure against the criminal or common activities which is in violative of any law.

On the comparative footings " The Protection Of Women From Domestic Violence Act, 2005" • was passed which give security to ladies against the violence done by their male accomplice or his relative. Under Sec. 5 of PWDVA (Protection of ladies against domestic violence act 2005) domestic violence characterizes:

"For the reasons for this Act, any act, exclusion or commission or direct of the respondent might constitute domestic violence in the event that it

(a) hurts or harms or imperils the wellbeing, security, life, appendage or prosperity, regardless of whether mental or physical, of the oppressed individual or has a tendency to do as such and incorporates causing physical abuse, sexual abuse, verbal and psychological mistreatment and financial abuse; or

(b) bugs, hurts, harms or imperils the bothered individual with a view to constrain her or some other individual identified with her to take care of any unlawful demand for any endowment or other property or significant security; or

(c) has the impact of debilitating the distressed individual or any individual identified with her by any direct said in condition (an) or provision (b); or(d) generally harms or causes hurt, regardless of whether physical or mental, to the oppressed person." The aim of this paper is to compare the domestic violence act in India and the USA and also to examine the loopholes of domestic violence act against me. Aim of this paper is to study and compare the domestic violence act in India and in USA .

#### **OBJECTIVES :**

- To study the domestic violence act in India.
- To examine the loopholes of domestic violence act against men.
- To study the domestic violence act in USA.

#### **HYPOTHESIS :**

#### **ALTERNATE HYPOTHESIS :**

There is significant change after the evolution of domestic violence act , 2005.

#### **RESEARCH METHODOLOGY :**

#### **DOCTRINAL RESEARCH :**

Sources for this article are secondary resources like books, journals and other e-sources.

#### **REVIEW OF LITERATURE :**

The review of the related literature is of great significance for researcher, as it guides the investigator to know about the amount of work done in the discipline in which the investigator conduct the research. It also directs the researcher to tackles the problem chosen for research and avoids the risk of duplicacy, in research. It is certain that the review of related literature saves time, money and energy of investigator. In the words of C.V. Goods (1971), "The survey of related literature may provide guiding hypotheses, suggestive methods of investigation and comparative data for interpretive purposes."

Keeping in view the stated purposes the researcher has made an attempt to survey the related literature in the field.

[\(Kishwar 1986\)](#) in her study dowry to ensure her happiness or to disinherit her” feels that oppression of wives for bringing inadequate dowry is only another excuse for using violence against them in other words and in fact evidence from other country has indicted as much even without additional tradition of dowry, inter spousal violence is endemic.

[\(Poonacha 2018\)](#) in trying to analyse women's movement in India during the period of freedom struggle and subsequently, after independence clearly pointed out that the women's issues were taken for granted during the freedom struggle and it's almost became a non issues were taken for granted during the freedom struggle .

[\(Levinson 1989\)](#) outlines three other factors that together help predict violence against women: a pattern of using physical violence for conflict resolution, male authority in the home, and a divorce restriction for women. In the current study in Gujarat, only three women reported dowry related violence. This low number may be due to higher prevalence of dowry harassment in urban, higher caste families not represented in a rural sample. The Gujarat findings support Levinson's predictors of violence. The lack of women's power within the home as well as constraining social and economic factors which provide few options outside of marriage were indeed associated with high levels of abuse.

[\(Laskin 1991\)](#) in their study informed the research methodologies and was rooted in belief that women's experiences, perspectives and beliefs are the authoritative voice. To the extent possible, individual women's understanding, feelings, experiences and actions were explored in their own forms in their words, symbols and gestures.

[\(Devasahayam et al. 1991\)](#) in a sample of 153 cases of K.V. Kuppan Block (a village in Gujarat) found that approximately 21 percent admitted the existence of marital violence alcoholism was the major cause of violence in their families (Singh 1985) in a study conducted in a village of Punjab found that violence in different forms existed in 50 per cent of the cases and physical violence was 9 percent of cases out of the sample of 114 cases belonging to different caste group.

[\( Mahajan 1992\)](#) in a study of 200 cases at Chandigarh found that with the exception of 13 families, all the other cases reported presence of one or another form of violence in the relationship thus observed that violence in conjugal relation is common. In 33.5 percent case,

there was a presence of physical violence against the wives. Agarwal (1993) has conducted a study on “Sex Disparity.”

[\(Karlekar 1995\)](#) conducted a study on violence’. The ever-present fact of violence, both overt and covert physical and non-physical has an overwhelming influence on feminine identity formation. Using the life cycle approach this article argues that at every stage there is discrimination and violence, particularly against girl children and later women within the household, either natal or conjugal with age, problems are compounded with increased dependency illness and fatigue. Despite the ubiquity of violence against women, both within the home and in public spaces the celebration of individual experiences has led to the emergence of alternative discourses where the ‘truth’ and validity of established structures, norms and roles are called into question.

[\(Kapur and Cossman 1996\)](#) opined that despite the enactment of laws, not much has changed for women in India. They ascribe the failure of laws to bring about change within a patriarchal structure to the concept of the family, which is seen as a “basic sacred unit in society,” and “women’s roles as wives and mothers as natural and immutable.” These structures form the guiding ideology underlying the laws. According to them, another problem with the Indian legal system is the “protectionist” stance taken by laws pertaining to women that may end up “reinforcing relations of subordination.”

[\(Madhurima 2017\)](#) conducted study “violence against women”: “Dynamics of conjugal relations” in Chandi 45 schedule and was constructed to collect the core data for the study. The purposed study was undertaken with the main objectives: (i) To find out the nature, extent and frequency of wife abuse; (ii) To identify the correlates of physical violence used against the wives by their husband; (iii) To explicate the coping mechanisms adopted by the victims to deal with the abusive relationship.

[\(Sriram 1995\)](#) conducted a study, “Family Violence against Married Women” have analysed the phenomenon of 46 violence of family members against married women and stressed the need for tacking this complex and perpetual problem from manifold perspective to be able to break the cycle of violence, generation after generation. The major aim of this study is to gain and understanding of the phenomenon of violence of family members against married women.

[\(Upmanyu et al. 1996\)](#) has conducted a study on “Domestic violence against women: some observations.” In their study an analytical effort is made to discuss some of the issues related to crime and violence against women. Efforts are made to bring forth the extent of the crimes their factors and consequences. The discussion in the text is based on data collected from various secondary sources, research studies including author’s own work regarding ‘Role of women in Panchyati Raj in Punjab and Role of Mass Media in Rural society of Punjab. Crime and violence against women has been a part of human history.

[\(Ridet et al. 1997\)](#) pointed out that in spite of the legislative measures adopted in favour of women in our country, after independence and in spite of the gradual economic independence countless women continue to be victims of violence. They are beaten, kidnapped, raped, burnt and even murdered. Society created several practices to keep women enslaved, now it is high time that it must change its attitude towards women. Above all, women of all religions, classes and castes should cooperate in the task of their own redemption. Then only they may hope for a state where they can grow to their full stature and serve the human beings in an effective way ‘Women Veiled in Woes’, Ms. Asha Sharma, referred to the fact that even today when we talk of the awakened even we find she is not even allowed to move freely in the society.

[\(Rao et al. 1997\)](#) in his study used the ethnographic and econometric methods to study the determinants of wife-abuse in a community of potters in the Karnataka state in south India. The study used a mix of qualitative and quantitative data to examine the inter-connections among socio-economic conditions, status of women, marriage markets, family decision-making processes, fertility and health and nutrition. In-depth interviews and focus group discussions were conducted to draw hypotheses which were then tested with survey data collected from the same population using econometric techniques.

[\(Jejeebhoy 1998\)](#) is of the view of that wife beating is not only deeply entrenched but also justified. Thus, domestic violence is simply not a personal abnormality but rather has roots in the cultural norms of the family and the society. However, it is expected that women who work at a regular job, who earn cash, and who perceive that their contribution is a substantial part of total family earnings are more likely to be empowered than other employed and unemployed women in the household (Youssef, 1982 Sen, 1990).

[\(Hassan et al. 1998\)](#) while examining the issue in the context of Pakistan’s society, has perceived male patriarchy in terms of honour and claim over women as property the idea of

which is seen in the nations of 'chadder' (the veil) and 'chaar-dewari "the four walls'. According to her, it is the violation of such nations by women which is punished by violence. In India there is a tendency to club most marital violence under the overall heads of dowry 'dowry-deaths' and dowry violence! This categorization glosses over the other causes of violence which pervade familial context. However, to argue that dowry is not to ignore the fact that it is one of the major factors responsible for domestic violence while keeping this fact in mind it is necessary to work towards a fuller understanding of the institution of dowry and its impact on inter-family relationship.

[\(Sen 1998\)](#) examined violence in intimate relationships, namely women's experiences of male violence at the hands of husbands (or male partners) in the city of Calcutta. Information was collected from 52 relationships by interviewing women about their histories including educational experiences, migration patterns, paid employment and physical and sexual violence. It was found that in general, women suffered extreme physical abuse and for long durations. Employment of women was not found to be unassociated with violence, indicating that irrespective of whether a woman is an earning member or not, she faces hostility and violence.

[\(Burton et al. 1999\)](#) found in Kheda district of Gujarat that two-thirds of the women had undergone some form of psychological, physical or sexual abuse. Each form of abuse cut across all ages, castes and education all levels. The most frequently reported types of violence against women were abusive language (80 percent), beating (63 percent), forcing women back to their parental home (52 percent) and threats to throw them out (51 percent). Women from scheduled and other backward castes reported much higher 51 incidence of physical abuse than others. The causes for violence were related to complaints about meal preparation and childcare and economic stress. An important finding in this study is that women living in nuclear families reported more violence than women living in extended or joint families and that higher proportions of women married for long periods of time reported more episodes of physical violence than newly married women.

[\(Abraham et al. 2000\)](#), in her work on domestic violence among South Asian immigrants, summed up the basic expectations of all Indian families, irrespective of location, by stating that "South Asian women are expected to sacrifice their individual identity to the priorities of their fathers, husbands, in-laws, children and community." She continued, while a woman's cultural and economic roles are constantly being shaped and shifted by economic and

structural forces such as colonization, urbanization, capitalism and globalization, the monolith image is one that cuts across class, religion and material specificity to define women in cultural terms and in relation to men.

[\(Poornima Chikarmane and Lakshmi Naray...\)](#) in her work on police responses to domestic violence, the general perception among the police was that these days young women have “become too big for their boots,” the “tolerance level among young women had gone down” and, most notably, “there are no laws to protect men.” Given the socioeconomic relationships within households, between neighbours and between servants and employers, no one who is cognizant of domestic abuse is willing to risk their relationships and jobs to defend the victim.

## **CHAPTERIZATION :**

### **CHAPTER 1**

#### **DOMESTIC VIOLENCE ACT IN INDIA :**

Domestic violence is characterized by Section 3 of the Act as "any act, exclusion or commission or lead of the respondent should constitute domestic violence in the event that it:

hurts or harms or jeopardizes the wellbeing, security, life, appendage or prosperity, regardless of whether mental or physical, of the oppressed individual or has a tendency to do as such and incorporates causing physical abuse, sexual abuse, verbal and psychological mistreatment and monetary abuse; or

irritates, hurts, harms or imperils the bothered individual with a view to constrain her or some other individual identified with her to take care of any unlawful demand for any endowment or other property or important security; or

has the impact of debilitating the wronged individual or any individual identified with her by any direct specified in provision (an) or condition (b); or

Generally harms or causes hurt, regardless of whether physical or mental, to the abused individual."

The Act goes ahead, through the segment Explanation 1, to characterize "physical abuse" ,"sexual abuse", "verbal and psychological mistreatment" and "monetary abuse".



In the event that you are casualty you can way to deal with following specialists under this law–

- 'Security Officer' or the
- 'Specialist organization'
- You can likewise way to deal with the Police or a Officer straightforwardly

Obligations of Authorities-

The law powers certain commitments on the standard pros accountable for executing this law. Exactly when a cop, Protection Officer, Service Provider or Magistrate comes to understand that some individual is encountering injurious conduct at home, they ought to instruct the setback of the going with rights:

The setback can apply for any of the reliefs saw under this law i.e. a confirmation organize, monetary help, specialist orchestrate, residence mastermind or a compensation orchestrate.

- The loss can use the organizations of certain official Service Providers.
- The loss can approach a Protection Officer and approach them for help.
- The loss can ask for nothing authentic guide.
- The loss can moreover record a criminal challenge under the general law on infringement (the Indian Penal Code, 1860).

Application to Magistrate –

An application in regards to domestic violence can be introduced to the officer by:

- The bothered individual,
- Assurance officer in the interest of oppressed individual
- Some other individual in the interest of oppressed individual.
- Discipline

There are distinctive controls or game plans being made for insurance of ladies against domestic violence under the statute, for instance, Sec.304B of IPC identifying with enrichment passing. Under fragment 313-316 of IPC female tyke kill has been made at fault which suggests relentlessly finishing the pregnancy of a women. Diverse zones of IPC dealing with these issues are fragment 305-306 related to abetment of suicide and 340,349 of IPC separately wrongful confinement and wrongful constraint. A complaint can in like manner be recorded under zone 498A of IPC for mercilessness which also falls under forceful conduct at home.

Various types of request issued by Court-

The judge or the Magistrate can arrange various measures under this law with a specific end goal to guarantee your assurance and prosperity. This incorporates

- security orders (requesting the guilty party to stop violence)
- living arrangement orders,
- money related help,
- guardianship orders and
- remuneration orders.

Brief outline of PWDV, 2005

This is the main law in India to expressly perceive every Woman's Right to be in a home without Violence. Actually, it was seen as a critical progress forward in securing Women's Rights and more effective protection. It is a long and broad law that unobtrusive components a couple of basic methodologies and techniques planned to support Women.

In any case, it gives a specific significance of Domestic Violence: veritable or risks of physical, mental, energetic, sexual, or verbal mistreat, and incitement concerning Dowry or Property. Lady's are given the benefit to search for protection against such acts, and their relatives can record a discord for them against mates who exceed the law.

Second, a lady's qualification to abide in their "Marital Household" is evidently seen. She can't be expelled from it as she authentically shares it with her significant other. In case she is ousted, she has the benefit to search for Monetary Compensation and Safe Shelter, and also free lawful and therapeutic guide.

Taking everything into account, the two NGOs and divisions of the Indian Government , for instance, the National Commission for Women ventured up with respect to mastermind care classes that could be easily gone to by women who are impacted by this exhibition, e.g., Woman's in high peril domains.

Violators of this law will either be directed to reimburse the woman financially, or will be served a controlling solicitation to fight off them from the complainant.

## **THE 2013 CRIMINAL LAW AMENDMENT**

As a reaction to the requesting made by the Justice Verma Committee, a little Commission named after and headed by one of India's most extremely regarded law masters, a long summary of modifications to the Indian Penal Code, Code of Criminal Procedure, and the Indian Evidence Act were exhibited in this 2013 show.

The purpose of the Amendment was to give harsher and swifter train to those criminals who submitted misuse against women. Experiences concerning assault and ambush were illustrated and included onto. For instance, "attack" was given a predominant and more exhaustive authentic definition, to fuse non-consensual invasion using non-sexual things, and furthermore non-penetrative sexual acts.

Disciplines for offenses, for instance, strike, assault, and unseemly conduct were extended. In particular, heavier sentences were reported for aggressors, despite including the death penalty for particularly aggravating cases, for instance, amass strike where the setback was left in a vegetative state after the bad behavior.

New offenses that are deserving of law were presented by the amendment too. These incorporate, yet are not restricted to:

- corrosive assaults
- stalking
- voyeurism
- freely and powerfully uncovering a lady.

## **CHAPTER 2**

### **DOMESTIC VIOLENCE ACT , USA :**

The U.S. Office on Violence against ladies (OVW) characterizes domestic violence as an "example of damaging conduct in any relationship that is utilized by one accomplice to pick up or keep up power and control over another personal accomplice. Domestic violence can take numerous structures, including physical abuse, sexual abuse, enthusiastic, financial, or as well as mental abuse."

Subchapter III of section 136 of title 42 of the US Code:

The term 'domestic violence' incorporates lawful offense or wrongdoing violations of violence conferred by a present or previous companion of the casualty, by a man with whom the casualty shares a youngster in like manner, by a man who is cohabitating with or has cohabitated with the casualty as a mate, by a man likewise arranged to a life partner of the casualty under the domestic or family violence laws of the jurisdiction accepting award monies, or by some other individual against a grown-up or youth casualty who is shielded from that individual's acts under the domestic or family violence laws of the jurisdiction."

### **FEDERAL LAWS :**

In 1994, the U.S. government reacted to the country over issue of private and sexual severity by setting up the Violence Against Women Act (VAWA), planned to improve both setback organizations and catch and prosecution of batterers. VAWA 1994 developed gathering encouraged reactions to forceful conduct at home and assault (attracting the criminal value system, social organizations, and NGOs), made a National Domestic Violence hotline and assigned noteworthy resources for different kinds of activities and ventures, including covers and distinctive organizations for battered women, legitimate direction and getting ready tasks, and undertakings to grow push to common ladies.

[1] VAWA not simply reauthorized STOP endowments, which reinforce programs expected to upgrade law prerequisite and arraignment reaction to oppressive conduct at home, yet moreover requested that harsh conduct at home supporters be locked in with the orchestrating and utilization of these projects.

[2] VAWA in like manner reauthorized holds for Victim and Witness Counselors, who work with damaging conduct at home setbacks in government arraignments, offered confirmations to battered pariah women, and developed chose disciplines for interstate Domestic Violence and assault infringement.

The Victims of Trafficking and Violence Prevention Act of 2000 made another kind of assistance for casualties of domestic violence in the United States. The new law made "U-Visas," which allow pilgrims who are casualties of particular bad behaviors, including domestic violence, or have information about those infringement, to apply for residency in the United States. A law approval official must certify that the individual's assistance is vital for the examination.

The Institute for Law and Justice conveys Review of State Laws Relevant to Violence Against Women (Domestic Violence, Sexual Assault, Stalking, and Related Laws), Neal Miller, 1 December 2002. This report contains a survey of U.S. state laws on domestic violence, including laws that impact prosecutor and police game plans.

Overhauled Penalties Statutes, by Eve Zamora, portrays the different kinds of enhanced disciplines for domestic violence that have been requested in different states in the United States.

VAWA 2013 extended lodging securities to incorporate extra federally-sponsored lodging programs excluded in the 2005 reauthorization, gave extra insurances to understudies and foreigner survivors, and reauthorized basic VAWA allow programs. For more data on VAWA, including stipend programs, see the U.S. Branch of Justice Office on Violence Against Women.

#### **STATE LAWS :**

Minnesota's Domestic Abuse Act, Section 518B.01 of Minnesota's statutes, makes a common cure of an Order for Protection (OFP), assigns the strategies that must followed in applying for and giving an OFP, and portrays the sort of alleviation that can be conceded. For instance, the Act puts forward the conditions under which an ex parte request might be conceded and requires that a hearing be held inside ten days after the issuance of such a request. The Act additionally portrays punishments for infringement of both OFPs and No Contact Orders, orders issued against a litigant in criminal procedures for domestic violence, and depicts how law implementation authorities should uphold such requests. What's more, the Act incorporates various arrangements that encourage casualties' entrance to the legitimate framework. For instance, the Act postpones the documenting expenses for requests of assurance and gives that an individual recording to an OFP may ask for that his or her deliver not be unveiled to the general population.

Section 609.224 of Minnesota's statutes criminalizes domestic violence. Under this law, an individual perpetrates the wrongdoing of domestic strike by making another dread prompt substantial damage or demise, or delivering, or endeavoring to dispense, such mischief. Punishments are expanded when the culprit has already dedicated at least one domestic strikes inside a specific timeframe.

Minnesota has likewise enacted a domestic violence capture law, Section 629.341, that enables officers to capture a person without a warrant if there is reasonable justification to trust that the individual has submitted domestic abuse, and that expects officers to furnish casualties of domestic violence with notice of their lawful rights.

Area 629.342 of Minnesota's statutes gives that police divisions must create strategies and conventions for managing domestic violence, and expressly requires cops to help casualties in acquiring medicinal treatment and giving the casualty a notice of his or her legitimate rights.

New York State's Domestic Violence Prevention Act makes a total arrangement of organizations for casualties of Domestic Violence. The Act requires social organizations territories to offer emergency shield and distinctive organizations, including backing, directing and referrals. The Act requires covers that get financing under its courses of action must to keep up a mystery address and moreover arranges that other government workplaces keep such tends to characterized.

New York State also passed a law making an Office for the Prevention of Domestic Violence. The Office is blamed for provoking the representative and lawmaking body "on the best courses for state government to react to the issue of Domestic Violence" and to "make and execute methodologies and projects proposed to help losses of forceful conduct at home and their families, and to give direction and counteractive action, getting ready and concentrated help."

California Passes Tough New Domestic Violence Laws, Marie De Santis, Women's Justice Center, gives an outline of California's new domestic violence law and talks about the manners by which the law could be additionally progressed. The California Penal Code incorporates connections to Section 836, the state's law on capture, and in addition areas of Part 4 Title 5 of the Penal Code, overseeing the law requirement reaction to domestic violence.

California's Family Code contains arrangements representing securities for casualties of domestic violence, including the issuance and implementation of OFPs (called "defensive requests" under the Family Code), and the obligations of law requirement officers.

**CHAPTER 3 :****LOOPHOLES OF DOMESTIC VIOLENCE ACT :**

Though the Domestic Violence Act, 2005 guarantees justice to women who suffer domestic violence, but the Act hasn't been implemented properly and there is a dire need to raise awareness among people, especially in rural India.

In a country, where constitution guarantees equal rights to women and men, it is a shame that women still have to struggle even for small things. A simple example of this is the domestic violence against women.

In Focus Considering the fact and problems regarding the domestic violence, government of India framed Protection of Women from Domestic Violence Act 2005, which came into force on October 26, 2006, but as far as the justice is concerned, victims are less aware about the provisions of the Act.

A research work was done by Kranti Gautamrao Salunke, a social works student, to highlight the loopholes of the Act and what measures should be taken to improve it. While talking with Aruna Gajbiye, Associate Professor, Tirpude Social Works College, she explained, "The act is mainly to protect the victim (woman) from the offenders and to reduce the domestic crime in the society. But due to some negligence by government, the victims are unable to raise their voice against the harassment."

As per the Act, the victim can directly approach the Protection Officer (PO) for justice. But, it is found that, not a single person has directly approached PO in any domestic violence case. Most of the time, victims approached the police and then they informed the POs about the case. She said, "Government delivered the charge of Protection Officer to senior officers who already have other responsibilities. And those officials who are appointed as Protection Officers, are unaware about their responsibility. Similarly, no recruitment of Protection Officer was done in last seven years."

As per the survey, the victim should get protection within 60 days of the registration of a case. Even, the first hearing will be done within that 60-day period, but due to the delay by officials it takes a long time. Most of the time, the cases reach the officials at the last stage of the domestic violence, due to lack of awareness.

Rekha Barahate, a lawyer who deals with the domestic violence cases explained, "Protection Officers are very lenient about their work. They handle the cases just as a work and not to show their performance to help someone. The domestic violence act is very beneficial for the victims. As per the law, the result should come up within 90 days. But, due to leniency of officials not a single case was solved during the time period." Barahate also explained that awareness among the people regarding the act is very essential.

Even, media is the best way to increase the awareness among the people. Some improvement is needed in the law as well as in the behavior of the officials. Similarly, Dr Seema Sakhre, President of Sri Atyachar Virodhi Parishad said, "It comes under civil law and it is helpful for women. But, the mechanism is not properly working. The Revenue Officers holding the additional post of Protection Officer in Maharashtra are not working up to the mark. Hence, the major rectification needed is that government should appoint separate Protection Officers for domestic violence. A separate PO will concentrate on the responsibilities allotted to him."

A survey was carried out regarding many facts of the Act, which are as follows:

Women are the soft targets for domestic violence, but 88 per cent Protection Officers are male and just 12 percent are female. 52 percent lawyers who deal with domestic violence are male and 48 per cent are female.

To solve the domestic violence cases, experience is the most important factor. As per the survey, 30 per cent Protection Officers have the experience of more than 25 years while 28 per cent lawyers have the experience of 5 to 10 years.

Around 68 percent officials are trained to deal with domestic violence cases.

In domestic violence, 30 per cent protection officers believe that physical assault on women is very common and 40 per cent believe that both physical and mental harassment are the major issues.

#### **SUGGESTIONS :**

- Separate Protection Officer (PO) should be recruited by the government to reduce domestic violence.



- The court or legal procedure should be easy for the victims and proper protection should be provided to them by the authority.
- Justice should be delivered in the mentioned time period (60 Days).
- Majority of POs are male but victims are females, hence government should recruit female PO's for the benefit of female victims.
- Proper implementation of the Act and quick decision making should be done during solving a case.

### **CONCLUSION :**

Now, society and legislature need to understand that DV does mean torture to female it means any physical, verbal, emotional or any other kind of abuse by one on other with the four walls is crime, and discriminating it on the basis of gender is not just fair and it is against the principle of natural justice.

Domestic violence not only effect life of individual but also the lives of their children who are innocent, it doesn't matter violence is against male or female it's violence and so law must stringent for both and not only to men, everyone who commits this heinous crime must be punished

We do need act like domestic violence but not in the current form we need it with some amendment like it will not only contain the provision for women but also for male, gay, lesbian etc., all should come under the ambit of such legislation. The present form of this act wholly biased towards women and men are discriminated there fundamental and legal right are been violated. Now there is a need that media must play an active role to remove this discriminatory and biased law, and only then society will come overcome from this evil.

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