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## Domestic Violence Act 2005, Features, Assessment of the Act, Hindu Marriage Act and Special Marriage Act

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### Features

- Recognizes violence in relations of consanguinity, marriage, relationships in the nature of marriage (live-in) , adoption or joint family.
- Domestic violence includes actual abuse or threat of abuse, whether physical, sexual, verbal, economic and harassment by way of dowry demands.
- Preventing one's wife from taking up a job or forcing her to leave job are also under the purview of the act
- Provides a woman the right to reside in a matrimonial or shared household even if she does not hold a title in the property. < this is an important step towards economic security >
- All crimes under this act are non-bailable. Imprisonment upto one year and fine upto ₹ 20000
- The act also covers sexual violence like forced intercourse. Also addresses child sexual abuse. Covers verbal violence as well.
- Economic violence: no providing money, food, clothes, medicine, hindering employment opportunities, forcing a woman to vacate her house.
- Provides for setting up and function of Protection Officers. Non compliance of duty by the protection office is also an offence.
- The other relief envisaged under the Act is that of the power of the court to pass protection orders that prevent the abuser from aiding or committing an act of domestic violence or any other specified act, entering a workplace or any other place frequented by the abused, attempting to communicate with the abused, isolating any assets used by both the parties and causing violence to the abused, her relatives and others who provide her assistance from the domestic violence.

### Assessment of the Act

Pros	Cons

Inclusion of economic, verbal and sexual violence under domestic violence a step forward in protecting women in households.	Can be used as a device to blackmail men
The women can live in the same household even while fighting a court case against the husband. Gives greater economic security.	Though protection officers have been provided for in the act, with the exception of West Bengal and Delhi no state had appointed them by June 2010. The Protection Officers also need legal training.
<i>Assessment of the Act</i>	

Delhi HC recently (2010) ruled that woman can also be held liable under the Protection of Women from Domestic violence Act 2005. Its pros and cons are presented below

Pros	Cons
Violence in the family may be propagated by woman relative, say mother-in-law. So this ruling an impose a check on that	
<i>Assessment of the Act</i>	

## My Views

- There is a certain degree of acceptance of domestic violence in the Indian society. The mindset needs to be changed.
- NFHS-3 reveals that uneducated women are the largest victims of domestic violence. There is a need to raise awareness among such women about their rights. The law should be targeted to minimize domestic violence against poor and uneducated women.
- Though there is a possibility of abuse of the act, we need to look at the act as protecting women and not necessarily as anti-men

## Hindu Marriage Act and Special Marriage Act

### Divorce laws

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