

**GOVERNMENT OF INDIA
WOMEN AND CHILD DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:4443

ANSWERED ON:07.09.2012

DOMESTIC VIOLENCE ACT

Joshi Shri Pralhad Venkatesh;Maadam Shri Vikrambhai Arjanbhai;Mitra Shri Somendra Nath

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the details of domestic violence cases registered and disposed by courts after implementation of Domestic Violence Act, 2005 in the country, State-wise and year-wise;

(b) whether it is not a fact that as per the Domestic Violence Act, 2005, the judgment has to be delivered within 60 days of registering a case;

(c) if so, the whether it is also a fact that courts are not delivering judgments within sixty days thereby defeating the very purpose of the Act; and

(d) the steps taken by the Government for timely disposal of such cases?

Answer

MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH)

(a): The Protection of Women from Domestic Violence Act, 2005 (PWDVA, 2005) came into force w.e.f. 26.10.2006. National Crime Records Bureau (NCRB) data relating to Protection of Women from Domestic Violence Act showing State-wise details of cases registered, cases charge-sheeted, cases convicted, persons arrested, persons charge-sheeted and persons convicted during the period 2006 to 2011 is given at the Annex.

(b) to (d): Under Sub-Section (5) of Section 12 of the Act, the Magistrate is required to endeavour to dispose of every application made under Sub-Section (1) of Section 12 within a period of sixty days from the date of its first hearing. The Government does not have definite information about the time taken by the Magistrates in disposing of the cases and it is possible that judicial process might not be completed within the stipulated period in all the cases. But the increasing number of cases registered under the Act shows that more and more aggrieved persons are accessing reliefs and services under the provisions of the Act.

The Act is implemented by the State Governments/UT Administrations. The Central Government reviews the implementation of the Act from time to time with the States/UTs. for its effective implementation. The Central Government has been emphasising upon the need to impart training to First Class Judicial Magistrates/Metropolitan Magistrates to deal with the cases under the Domestic Violence Act, through National/State Judicial Academies.

In a National consultation organized on 11th & 12th January, 2012 to review implementation of the Protection of Women from Domestic Violence Act. 2005 (PWDVA), it was inter-alia recommended that:-

(i) State Governments may organize training and sensitization programmes to sensitize members of the judiciary on timely disposal of cases.

(ii) States may approach the High Courts for issuing instructions to Magistrates to earmark days in a week exclusively for cases filed under the PWDVA.