

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

UNSTARRED QUESTION NO:1618  
ANSWERED ON:16.08.2013  
DOMESTIC VIOLENCE CASES  
Jindal Shri Naveen

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

(a) whether the Government has assessed the reasons behind low number of convictions under the Protection of Women from Domestic Violence Act, 2005 including any deficiency in the legislation, possible misuse of the law, pressure on the complainant for withdrawal of the case etc.;

(b) if so, the details thereof and the reaction of the Government thereto; and

(c) the steps taken or proposed to be taken by the Government to enhance the effectiveness of the said legislation?

**Answer**

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

(a) & (b): The Protection of Women from Domestic Violence Act, 2005 is a civil law meant for providing reliefs to women facing domestic violence. Under this law women can apply for reliefs in the nature of protection order, residence order, compensation order, monetary relief and custody order. It is only when the Protection Orders granted by the Courts are breached that criminal action is taken against the respondent under Section 31.

As per the seventh schedule "police" and "public order" are the State subjects under the Constitution and as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crimes including crimes against women pertaining to domestic violence, lies with the State Government/Union territory Administrations. The Union Government attaches highest importance to the matter of preventing of crimes against women and in this regard. Advisory was also sent to all the State Governments/UTs wherein they were advised to make comprehensive review of the effectiveness of the administrative machinery in tackling the problems of violence against women.

(c): The Protection of Women from Domestic Violence Act, 2005 (PWDVA) was notified on 14th Sept., 2005 and thereafter Rules were notified in 2006. The PWDVA requires the appointment of Protection Officers, registration of Service Providers and notification of shelter homes and medical facilities. As on date, all State Governments have appointed Protection Officers, 24 States/UTs have registered Service Providers, 22 States/UTs have notified medical facilities and 24 States/UTs have notified shelter homes. A National Consultation was also organized by the Ministry to review the implementation of the PWDVA, 2005. Further, advertisements are regularly brought out in various newspapers to create awareness on various laws relating to rights of women.