मानिसु मिलिशा मन्दिर (मैति) अभियुक्त मर।

मानुष सदस्य वि.सि./छोटी/हिमाल मवेल,

मिलिशा अभियुक्त मर।

पेंदर देखी-17674

भिंगी: 29-10-2014

हितम: तीनवा फिटनेस वार्षिक मसूद अवरटिटी मरीना अनुसार 2014 दे मध्ये।

उद्देश्य: अदरक बुद्धि अनुसार, से.टी. विशेषता वरिष्ठ मनाम अवरटिटी अभियुक्त मनी दे पेंदर हे. जेडी.आर.नि.डी. /3850भिंगी 06-10-14 अदे हिम पेंदर दे पेंदर हे. मनी-4/2014-17639 हिंगी 15-10-14 दे मध्ये हितम।

शुरूहून हितम उद्धर अध्यक्ष पेंदर चंद्री मसूं दे दिन मुख्य भंडा तंद्री मी अवरुद्ध मिलिशा मवेल दे उरुति दिन मुख्य भंडा तंद्री मी। हवड पेंदर ही वापसी वापसी वापसी वापसी बारे दृष्टिकोण आये वे लिखिता मरी ति वि डी मी मुख्य दिन मरी मेहता तंद्री dlsa.asr@gmail.com मध्यपाइ दिक्कता हुई मिलिशा उदेश्य दे दिन दे अवरटिटी देनी मरी।

मिलिशा मिलिशा अभियुक्त (मैति)

अभियुक्त 29.10.14
No. ADHC/A/3850 Dated : 6.10.2014

From
Arun Kumar Aggarwal, Secretary,
District Legal Services Authority,
Amritsar.

To
The District Education Officer (Secondary)
Amritsar.

Subject: Legal Literacy Clubs in the Schools—Activity for the month of October 2014;

Sir,

With reference to subject noted above it is respectfully submitted that it is mandatory for all the schools to have a legal literacy clubs for creating awareness amongst students about their rights and duties. In this regard the Legal Literacy Clubs are to conduct the activities of the students on regular basis. The undersigned has prepared a short note on Domestic Violence against Women and the same is attached herewith.

It is, therefore, requested this letter along with the matter of Domestic Violence Against Women may be circulated to all the cluster/schools that all the cluster incharges/legal literacy club incharges in the schools may kindly be requested to make the students aware about the same by holding a seminar/lecture at the time of morning assembly or in the class room as may be convenient on any working day. The report regarding the seminar/lecture may kindly be sent to this office along with the photographs if any. The report should mention the number of the students who have attended the seminar/lecture. The report may also be sent on the e-mail address of this office at dlsa.asr@gmail.com. It is requested that the report of all the schools should reach this office by the 20th October 2014.

With your kind co-operation we shall be collectively able to make the students aware about their rights and duties.

Yours Sincerely,

Arun Kumar Aggarwal, Secretary,
District Legal Services Authority,
Amritsar.
The question then arises as to how one has been empowered under the law to seek remedies against such domestic violence. The law in this regard is The Protection of Women from Domestic Violence Act, 2005. This Act is primarily meant to provide protection to the *wife or female live-in-partner or his relatives*. This Act ensures the reporting of cases of domestic violence against women to a 'Protection Officer' who then prepares a Domestic Incident Report to the Magistrate "and forward copies thereof to the police officer in charge of the police station within the local limits of jurisdiction..."

**What relief can be obtained under the Act**

1. **Protection Orders**

   Magistrate may pass a protection order in favour of aggrieved person prohibiting the respondent from:

   - Aiding or abetting in the act of domestic violence
   - Entering the place of employment of aggrieved person or if the person is child, its school or any other places
   - Attempting to communicate in any form including personal, oral or written, electronic or telephonic contact
   - Alienating any assets, operating bank account, bank locker held or enjoyed by both parties jointly or singly by the respondent including her *sahidhan*
   - Causing violence to the dependents, or other relative or any other person who give the assistance to the aggrieved person or
   - Committing any other acts specified by the protection officer

2. **Residence orders**

   The magistrate being satisfied that a domestic violence has taken place, pass residence order-

   - Restraining the respondent from dispossessing or in any manner disturbing the peaceful possession of the shared household
   - Directing the respondent to remove himself from the shared household
   - Restraining the respondent or his relatives from entering any portion of the shared house hold where the aggrieved person lives
   - Restraining the respondent from alienating or disposing of the shared house hold or encumbering it
   - Restrainting the respondent from renouncing his right in the shared household
   - Directing the respondent to secure same level of alternate accommodation for the aggrieved person as enjoyed by her or to pay rent for the same if the circumstances so require.

3. **Monetary relief**

   The magistrate may direct the respondent to pay monetary relief to meet the expenses of the aggrieved person and any child as a result of domestic violence and such relief include

   - Loss of earnings
   - Medical expenses
DOMESTIC VIOLENCE AGAINST WOMEN

It is the primary aim of District Legal Services Authority, Amritsar to create awareness amongst the people about their rights under various laws of the country. Often we come across the incidents of domestic violence against women reported in the print and electronic media. There may be several causes of domestic violence against women and some of these causes may be as follows:-

CAUSES OF DOMESTIC VIOLENCE

- the orthodox and idiotic mindset of the society that women are physically and emotionally weaker than the males.
- dissatisfaction with the dowry and exploiting women for more of it;
- arguing with the male partner;
- neglecting children;
- going out of home without telling the partner;
- not cooking meals properly or on time;
- indulging in Extra Marital Affairs;
- not looking after in-laws;
- desire for a male child;
- greed for dowry, desire for male child and alcoholism

These causes may be common in rural and urban areas.

Further in urban areas there are other causes:-
- income of working woman is more than her partner;
- absence of women from house till late night;
- being more forward socially;

- Violence against young widows and most often they are cursed for their husband’s death;

The domestic violence against women may lead to the following consequences:-

Consequences of Violence Against Women

- Women subjected to violence have tendency to remain quiet, and emotionally disturbed after the occurrence.

- Psychological setback and trauma because of domestic violence affects women’s productivity in all forms of life.

- The suicide case of such victimised women is also a deadly consequence and the number of such cases is increasing.

- A working Indian woman may drop out from work place because of the ill-treatment at home or she may lose her inefficiency in work.

- Her health may deteriorate if she is not well physically and mentally.
• Loss caused due to destruction or removal or damage of any property
• Pass order as to maintenance for the aggrieved person as well as her children any including the order under or in addition to an order of maintenance under section 125 criminal procedure code or any other law.

4. Custody orders
Magistrate can grant temporary custody of any child or children to the aggrieved person or to the person making application on her behalf and specify the arrangements for visit of such child by the respondent. Magistrate can refuse the visit of such respondent in such case if it may harmful to the interest of the child.

5. Compensation orders
Magistrate may pass order directing the respondent to pay compensation to the petitioner for injuries including mental torture and emotional distress caused by the acts of domestic violence committed by the respondent.
Copies of orders passed by the magistrate shall be supplied free of cost to the parties concerned and police officer and service provider
Any relief available under this Act may also be sought in any other legal proceedings before a civil court, family court or criminal court and such relief may be sought in addition to and along with relief sought for in suit, or legal proceeding before civil or criminal court.

MISCELLANEOUS PROVISIONS IN THE ACT
- Provision of NGOs: The Act provides for appointment of Protection Officers and NGOs to provide assistance to the woman w.r.t medical examination, legal aid, safe shelter, etc.
- Breach of Protection Order: The Act provides for breach of protection order or interim protection order by the respondent as a cognizable and non-bailable offence punishable with imprisonment for a term which may extend to one year or with fine which may extend to twenty thousand rupees or with both.
Similarly, non-compliance or discharge of duties by the Protection Officer is also sought to be made an offence under the Act with similar punishment.

Application to the magistrate
An application regarding domestic violence can be presented to the magistrate seeking one or more reliefs mentioned in sections by:
• The aggrieved person,
• Protection officer on behalf of aggrieved person
• Any other person on behalf of aggrieved person

Jurisdiction of court
The first class magistrate court or metropolitan court shall be the competent court within the local limits of which
• The aggrieved person permanently or temporarily resides or carries on business or is employed
• The respondent permanently or temporarily resides or carries on business or is employed or
• the cause of action arises.

Yours Sincerely,

Arun Kumar Aggarwal, Secretary,
District Legal Services Authority,
Amritsar.