

International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

Implementation and Effectiveness of the Protection of Women from Domestic Violence Act, 2005 in Panipat District: A Critical Analysis

Ms. Neha

Research Scholar, Department of Political Science & Public Administration, Baba Mastnath
University, Asthal Bohar 124021 Rohtak

Dr. Sharmila

Assistant Professor, Department of Political Science & Public Administration, Baba Mastnath
University, Asthal Bohar 124021 Rohtak

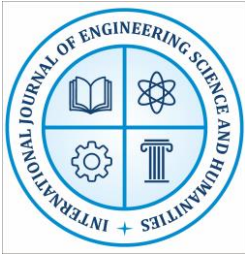
Abstract

The Protection of Women from Domestic Violence Act, 2005 (PWDVA) was enacted to provide comprehensive protection to women against domestic violence and to ensure their right to live with dignity. This Act extends beyond physical abuse to include emotional, sexual, verbal and economic violence. Despite progressive legal provisions, the ground-level implementation remains a challenge in many districts. This research paper critically examines the implementation and effectiveness of PWDVA in Panipat district of Haryana. The study analyzes institutional mechanisms, role of protection officers, judiciary, police and NGOs, as well as practical barriers faced by victims. It highlights the gap between law and practice and suggests policy recommendations for strengthening the protection framework.

Keywords: Domestic Violence, PWDVA 2005, Women Rights, Panipat District, Legal Implementation

Introduction

Domestic violence is one of the most pervasive and persistent violations of human rights, deeply rooted in unequal power relations between men and women. It transcends social class, religion, caste, education and geographical boundaries, affecting women across urban and rural landscapes. Within the private sphere of the household, where safety and emotional security are expected, many women experience physical assault, emotional abuse, sexual coercion, verbal humiliation and economic deprivation. Domestic violence not only causes physical injuries but also inflicts long-term psychological trauma, social isolation and economic vulnerability. Despite social progress and legal reforms, domestic violence continues to remain a hidden crime, largely underreported due to fear, shame, family pressure and social stigma. In India, domestic violence has traditionally been viewed as a private family matter rather than a public legal issue. Cultural norms often promote silence, patience and adjustment among women, discouraging them from speaking out against abuse. Patriarchal values reinforce male dominance within families, legitimizing control over women's mobility, finances and personal choices. As a result, women



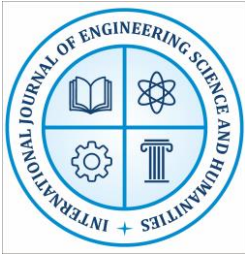
International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

often tolerate violence to protect family honour, children's future and social acceptance. This deep-rooted social conditioning has made domestic violence a complex social problem requiring not only legal intervention but also societal transformation. Before the enactment of the Protection of Women from Domestic Violence Act, 2005 (PWDVA), women in India primarily relied on criminal provisions such as Section 498A of the Indian Penal Code, which deals with cruelty by husband or relatives. However, this provision addressed only extreme forms of cruelty and did not provide immediate civil remedies such as residence rights, maintenance, protection orders or custody of children. Recognizing these limitations, the Indian Parliament introduced a comprehensive civil law framework through PWDVA, 2005.

This Act marked a significant shift in legal thinking by acknowledging domestic violence as a violation of women's human rights and providing preventive as well as remedial measures. The Protection of Women from Domestic Violence Act, 2005 came into force in 2006 with the objective of providing effective protection to women who are victims of violence within domestic relationships. The Act adopts a broad and inclusive definition of domestic violence, covering physical, sexual, verbal, emotional and economic abuse. It recognizes not only legally married wives but also women in live-in relationships, widows, mothers and sisters as "aggrieved persons." One of the most progressive features of the Act is the right of women to reside in the shared household, irrespective of ownership or title. This provision ensures that women are not forced out of their homes due to violence, thereby protecting their shelter and dignity. The Act also introduces several civil remedies, including protection orders, residence orders, monetary relief, custody orders and compensation for mental and physical harm. It mandates the appointment of Protection Officers to assist victims in accessing legal remedies, filing Domestic Incident Reports (DIRs) and coordinating with service providers such as shelter homes and medical facilities. The role of the judiciary, police and non-governmental organizations is clearly defined to ensure a coordinated response to domestic violence cases. Thus, PWDVA represents a holistic legal framework aimed at prevention, protection and rehabilitation of victims.

Despite the progressive nature of the Act, its success depends largely on effective implementation at the grassroots level. Laws, no matter how comprehensive, remain symbolic if they are not enforced properly. Several studies have pointed out gaps between the legal framework and actual practice. These gaps include shortage of trained Protection Officers, lack of awareness among women, insensitive attitude of police, procedural delays in courts and inadequate infrastructure such as shelter homes. Social barriers such as fear of retaliation, financial dependence and societal pressure further prevent women from seeking legal help. Therefore, it becomes essential to assess how far the objectives of the Act are being realized in practice. Panipat district of Haryana presents an important case for studying the implementation of PWDVA. Panipat is a rapidly urbanizing district with a mixed population comprising urban, semi-urban and rural communities. While



International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

industrial growth and educational development have brought social change, patriarchal attitudes continue to influence family structures and gender relations. Women in Panipat, like in many parts of Haryana, face challenges such as son preference, early marriage, limited economic independence and restricted mobility. These factors contribute to women's vulnerability to domestic violence. Haryana has historically reported skewed sex ratios and strong patriarchal norms, which further highlight the significance of studying domestic violence within the state. Although government initiatives and awareness campaigns have been launched to empower women, domestic violence remains a persistent issue. In Panipat district, cases under PWDVA are being reported, but the actual prevalence is believed to be much higher due to underreporting. Many women hesitate to approach police or courts because of fear of social backlash, family pressure and concern for their children's future.

The present study focuses on critically analyzing the implementation and effectiveness of the Protection of Women from Domestic Violence Act, 2005 in Panipat district. It seeks to examine how institutional mechanisms such as Protection Officers, police authorities, judiciary and NGOs function in addressing domestic violence cases. The study also aims to assess whether women are able to access legal remedies easily and whether these remedies provide real relief and protection. Special attention is given to challenges faced by victims during the legal process, including delays, lack of support and procedural complexities. This research is significant because it provides a district-level understanding of how a national law operates on the ground. While national statistics and policy reports offer a broad picture, district-specific studies reveal practical realities and local challenges. By focusing on Panipat district, this study contributes to the existing literature by highlighting region-specific socio-cultural factors that influence the effectiveness of the Act. It also helps in identifying administrative gaps and areas where policy intervention is required. Furthermore, this study adopts a rights-based perspective, viewing domestic violence not merely as a family dispute but as a serious violation of women's fundamental rights to equality, dignity and personal liberty as guaranteed under the Indian Constitution. Article 14 ensures equality before law, Article 15 prohibits discrimination on the basis of sex and Article 21 guarantees the right to life with dignity. The PWDVA, 2005 reinforces these constitutional principles by providing legal protection within the private sphere of family life.

In recent years, there has been growing recognition of the need to strengthen institutional support systems for victims of domestic violence. Fast-track courts, one-stop crisis centres, women helplines and legal aid services are being promoted. However, their effectiveness depends on coordination among different agencies. In Panipat, while some initiatives exist, their reach and impact remain limited. This study explores how far these mechanisms are accessible and whether they truly empower women to break the cycle of violence. The present research also seeks to understand the socio-economic background of victims, their awareness about legal rights, and their



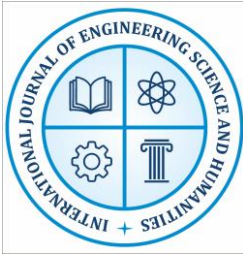
International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

experiences with the justice system. It attempts to capture the voices of women and service providers to provide a comprehensive picture of the implementation process. By analyzing real-life experiences, the study moves beyond legal texts to understand the lived realities of women. In conclusion, the Protection of Women from Domestic Violence Act, 2005 is a landmark legislation that reflects India's commitment to gender justice. However, the true measure of its success lies in its effective implementation at the grassroots level. Panipat district, with its unique socio-cultural dynamics, offers valuable insights into the challenges and possibilities of implementing this law. Through a critical analysis of institutional mechanisms, victim experiences and administrative practices, this study aims to contribute towards strengthening legal protection for women and promoting a violence-free society.

Concept and Nature of Domestic Violence

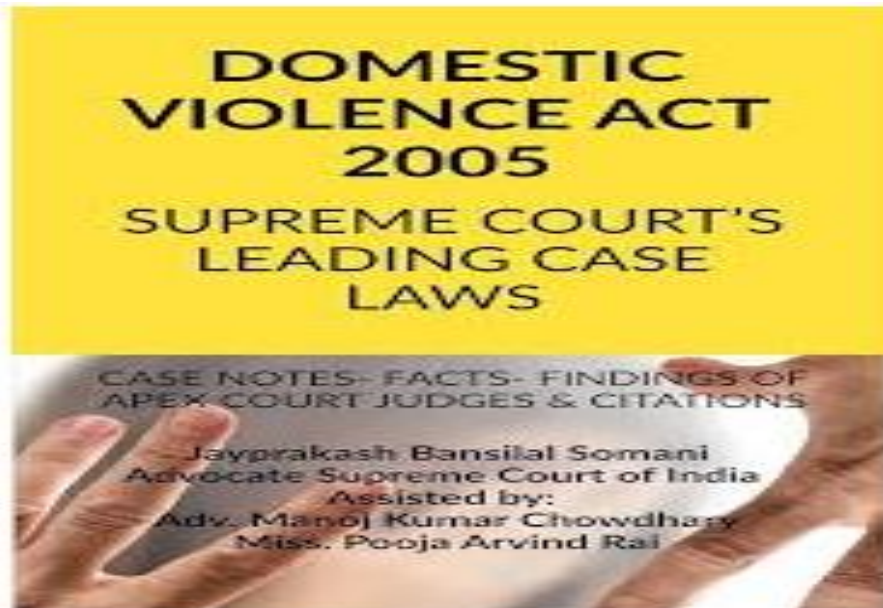
Domestic violence refers to a pattern of abusive behaviors used by one individual to establish power and control over another within a domestic or intimate relationship. It is not limited to physical assault alone but also includes emotional, psychological, sexual, verbal and economic abuse. Such violence often occurs within the private sphere of the household, making it difficult to detect and report. The concept of domestic violence is rooted in unequal power relations, patriarchal social structures and gender-based discrimination, where women are frequently subjected to domination and subordination. Acts such as physical beating, threats, humiliation, isolation, forced sexual relations, denial of financial resources, restriction on movement and control over personal choices are all manifestations of domestic violence. The nature of domestic violence is repetitive and systematic rather than isolated incidents, gradually creating an atmosphere of fear and dependency. It affects women across all socio-economic, educational and cultural backgrounds, though its intensity and forms may vary. Domestic violence not only causes physical injuries but also results in long-term psychological trauma, loss of self-esteem and social withdrawal. Recognizing its multifaceted nature, the Protection of Women from Domestic Violence Act, 2005 adopts a broad definition to include physical, sexual, verbal, emotional and economic abuse, thereby acknowledging domestic violence as a serious human rights violation rather than a private family issue. In the post-independence period, several legislative measures were enacted to protect women's rights in various spheres. The Hindu Marriage Act, 1955 and the Hindu Succession Act, 1956 sought to reform personal laws by granting women rights in marriage, divorce and inheritance. The Dowry Prohibition Act, 1961 aimed to curb the practice of dowry, which had become a major source of violence against women. Similarly, provisions under the Indian Penal Code, such as Section 498A dealing with cruelty by husband or relatives, Section 304B addressing dowry deaths, and Section 376 relating to rape, strengthened criminal law protection for women. These laws reflected the State's growing recognition of violence against women as a public issue requiring legal intervention.



International Journal of Engineering, Science and Humanities

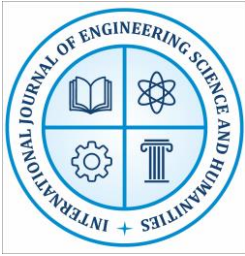
An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

Image 1: Domestic Violence Act 2005



Evolution of Legal Protection for Women in India

The evolution of legal protection for women in India reflects a gradual transformation from traditional customary practices to a comprehensive rights-based legal framework. In ancient India, women enjoyed a relatively respectable position in society, as evident from Vedic texts which recognized women's participation in education, religious rituals and public life. However, over time, particularly during the medieval period, women's status declined due to rigid patriarchal norms, social customs such as child marriage, purdah system, sati and denial of property rights. These practices subjected women to social subordination and legal invisibility. During this period, women were largely dependent on male family members and had limited access to justice or legal remedies. The colonial era marked the beginning of legal reforms aimed at improving the status of women. British administrators, along with Indian social reformers like Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar and Jyotiba Phule, initiated movements against social evils. Legislative interventions such as the abolition of sati (1829), the Hindu Widows' Remarriage Act (1856) and the Age of Consent Act (1891) laid the foundation for women's legal protection. These reforms, though limited in scope, challenged deeply entrenched patriarchal practices and introduced the idea of state intervention in personal matters affecting women. However, women's rights during this period were still framed within a welfare approach rather than a rights-based framework. After independence, the Constitution of India provided a strong foundation for gender equality and women's rights. Articles 14, 15 and 16 guarantee equality before law and prohibit discrimination on the basis of sex. Article 15(3) empowers the State to make special provisions for



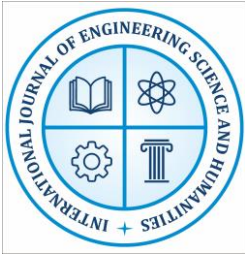
International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com **ISSN: 2250 3552**

women, while Article 21 ensures the right to life with dignity. Directive Principles of State Policy further mandate the State to ensure equal pay for equal work and just conditions of work. These constitutional safeguards marked a significant shift by recognizing women as equal citizens entitled to fundamental rights. The judiciary also played an important role by interpreting constitutional provisions in favor of women through progressive judgments.

In the post-independence period, several legislative measures were enacted to protect women's rights in various spheres. The Hindu Marriage Act, 1955 and the Hindu Succession Act, 1956 sought to reform personal laws by granting women rights in marriage, divorce and inheritance. The Dowry Prohibition Act, 1961 aimed to curb the practice of dowry, which had become a major source of violence against women. Similarly, provisions under the Indian Penal Code, such as Section 498A dealing with cruelty by husband or relatives, Section 304B addressing dowry deaths, and Section 376 relating to rape, strengthened criminal law protection for women. These laws reflected the State's growing recognition of violence against women as a public issue requiring legal intervention. Despite these legislative developments, women continued to face challenges in accessing justice due to social stigma, lack of awareness and institutional barriers. The criminal justice system often proved inadequate in addressing domestic violence, as it focused mainly on punishment rather than protection and rehabilitation. Recognizing these limitations, the government enacted the Protection of Women from Domestic Violence Act, 2005, which marked a landmark shift in women-centric legislation. Unlike earlier laws, this Act provided civil remedies such as protection orders, residence rights, monetary relief and custody orders, thereby offering immediate relief to victims. It also broadened the definition of domestic violence to include emotional, verbal, sexual and economic abuse, reflecting a more comprehensive understanding of women's experiences.

In the 21st century, legal protection for women has further expanded through various legislations such as the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, which ensures a safe working environment for women, and the Criminal Law (Amendment) Act, 2013, which strengthened laws related to sexual offences following the Nirbhaya case. The Prohibition of Child Marriage Act, 2006 and the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act also aim to address gender-based discrimination and violence at different stages of women's lives. Judicial activism has significantly contributed to the evolution of women's rights in India. Courts have expanded the interpretation of fundamental rights to include protection from sexual harassment, marital cruelty and workplace discrimination. Landmark judgments such as Vishaka v. State of Rajasthan and Shayara Bano v. Union of India have strengthened women's legal position by addressing sexual harassment and triple talaq respectively. Public Interest Litigations (PILs) have also emerged as effective tools to address systemic gender injustices. In conclusion, the evolution of legal protection for women in India



International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

demonstrates a gradual shift from welfare-oriented reforms to a rights-based legal framework. While early reforms focused on eliminating social evils, contemporary laws emphasize dignity, equality and empowerment. Despite significant progress, challenges remain in terms of implementation, social attitudes and access to justice. Continuous legal reforms, judicial support and societal awareness are essential to ensure that women can fully realize their rights and live free from violence and discrimination.

Conceptual Studies on Domestic Violence

Conceptual studies on domestic violence aim to develop a deeper understanding of the theoretical foundations, root causes and recurring patterns of abuse within intimate and family relationships. Scholars do not view domestic violence merely as isolated incidents of aggression, but rather as a persistent social phenomenon embedded in unequal power relations, gender hierarchy and patriarchal social structures. These studies emphasize that domestic violence is not accidental or situational, but systematic and intentional, used as a tool to dominate, control and subordinate women within the private sphere of the household. Feminist theorists argue that domestic violence is a direct outcome of male dominance and structural oppression of women in society. According to this perspective, violence is used as a mechanism to maintain patriarchal authority, enforce traditional gender roles and restrict women's autonomy. Feminist scholarship highlights how social institutions such as family, marriage and religion often legitimize male control over women's bodies, labor and mobility, thereby normalizing abuse. This approach situates domestic violence within broader power relations rather than attributing it solely to individual behavior or psychological disorders. Sociological perspectives further analyze how socialization processes, cultural values and family structures contribute to the normalization of violence. From childhood, individuals are conditioned into gender roles that promote male authority and female submissiveness. Cultural norms emphasizing family honor, obedience and silence discourage women from reporting abuse. Sociologists also examine how caste, class and community structures influence women's vulnerability to violence, showing that marginalized women often face greater risks due to social exclusion and limited access to resources. Psychological studies focus on individual behavior patterns, emotional attachment and trauma responses among victims. Concepts such as trauma bonding, learned helplessness and low self-esteem explain why many women remain in abusive relationships despite repeated harm. Victims may develop emotional dependency on abusers or fear the consequences of leaving, including social rejection and economic insecurity. Psychological research also explores the impact of long-term abuse on mental health, leading to depression, anxiety, post-traumatic stress disorder (PTSD) and suicidal tendencies. Economic theories associate domestic violence with financial dependency, unemployment and lack of access to productive resources. When women lack independent income, education or property rights, they become economically dependent on their abusers, reducing their



International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

ability to escape violent environments. Poverty and unemployment among male partners can also increase stress and aggression, contributing to domestic violence. Thus, economic empowerment of women is viewed as a crucial strategy for reducing vulnerability to abuse.

Conceptual frameworks also recognize domestic violence as a cyclical process rather than a one-time event. The “cycle of violence” theory explains abuse in three phases: tension-building, acute violence and reconciliation or honeymoon phase. During the tension-building phase, conflicts increase and the victim attempts to appease the abuser. This is followed by a violent episode, after which the abuser may express remorse and promise change, leading to temporary reconciliation. This cycle repeats, trapping victims in abusive relationships. These interdisciplinary approaches collectively establish that domestic violence is a complex, multidimensional problem requiring comprehensive legal, social, psychological and economic interventions. Conceptual studies emphasize that legal measures alone are insufficient unless supported by social awareness, counseling services, economic empowerment and institutional support systems. Such studies have significantly influenced policy formulation and legal reforms in India, including the Protection of Women from Domestic Violence Act, 2005, which adopts a holistic understanding of abuse beyond physical harm. By integrating insights from feminist, sociological, psychological and economic perspectives, the Act reflects a comprehensive approach to protecting women and addressing the root causes of domestic violence.

National Studies on PWDVA, 2005

National-level studies on the Protection of Women from Domestic Violence Act, 2005 (PWDVA) provide a comprehensive understanding of how the law has been implemented across different states and socio-cultural contexts in India. Researchers, legal scholars and policy analysts have examined the effectiveness of the Act in addressing domestic violence and empowering women through civil remedies. These studies collectively highlight that PWDVA marked a significant shift in India’s legal framework by recognizing domestic violence as a human rights violation rather than a private family matter. Scholars widely appreciate the Act for its broad definition of violence, which includes physical, sexual, emotional, verbal and economic abuse, thereby capturing the complex realities of women’s lived experiences. Several national studies emphasize that PWDVA introduced a rights-based approach by ensuring women’s right to reside in the shared household and access immediate relief through protection orders, monetary support and custody arrangements. Research conducted by women’s rights organizations reveals that the Act has helped many women seek legal protection without resorting to criminal prosecution, which often carries social stigma. The availability of civil remedies under the Act is seen as a progressive step, enabling women to negotiate safety and dignity within their families. National surveys and reports suggest that awareness of the Act has gradually increased, especially in urban areas, due to legal literacy campaigns and NGO interventions. However, despite its progressive provisions, national



International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

studies consistently point out gaps in implementation. One major concern highlighted is the shortage of trained Protection Officers across states. Researchers note that in many districts, Protection Officers are assigned additional responsibilities, limiting their ability to provide focused support to victims. Studies also reveal inconsistencies in the appointment of service providers such as shelter homes and counseling centers, resulting in uneven access to support services. This institutional weakness undermines the effectiveness of the Act, particularly in rural and semi-urban areas.

Judicial responses under PWDVA have also been critically examined at the national level. Legal scholars observe that although magistrate courts are empowered to grant immediate interim relief, delays in hearings often defeat the purpose of timely protection. Some studies highlight judicial reluctance in granting residence orders due to lack of clarity regarding property rights. Moreover, variations in interpretation of the Act across courts have resulted in inconsistent judgments, affecting women's access to justice. National case law analysis indicates that courts increasingly recognize economic and emotional abuse, yet enforcement of orders remains weak. Police response under PWDVA has been another area of focus in national research. Studies suggest that police officers often lack gender sensitivity and legal awareness regarding the Act. Many victims report being discouraged from filing formal complaints and are instead advised to "settle" disputes through family mediation. Such practices reflect the persistence of patriarchal attitudes within law enforcement agencies. National studies emphasize the need for capacity building and training of police personnel to ensure victim-centered approaches. Research conducted by the National Commission for Women (NCW) and other government bodies highlights that underreporting remains a significant challenge. Fear of social stigma, economic dependency and concern for children's future prevent women from approaching legal institutions. Studies also reveal that women from marginalized communities face additional barriers due to illiteracy, poverty and lack of access to legal aid. Thus, while PWDVA provides legal remedies, structural inequalities continue to restrict women's ability to exercise their rights. Several national-level evaluations have focused on the role of NGOs and civil society organizations in supporting victims. These studies acknowledge that NGOs play a crucial role in awareness generation, counseling and legal assistance. However, lack of funding and institutional support limits their outreach, particularly in remote areas. Researchers argue that strengthening NGO-government collaboration is essential for effective implementation of the Act.

National studies also examine the intersection of domestic violence with socio-economic factors. Scholars note that unemployment, alcoholism, dowry demands and gender norms contribute significantly to domestic abuse. These studies emphasize that legal intervention alone cannot address domestic violence unless accompanied by social and economic empowerment programs for women. Skill development, financial inclusion and education are identified as critical tools for



International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

reducing women's vulnerability to violence. Policy-oriented research highlights the need for monitoring and evaluation mechanisms to assess the performance of institutions under PWDVA. Recommendations include the establishment of fast-track courts, regular training of Protection Officers and digitization of case records to ensure transparency. Some studies also advocate for integrating PWDVA implementation with existing schemes such as One Stop Centres and women helplines. In conclusion, national studies on PWDVA, 2005 present a balanced assessment of the law's achievements and limitations. While the Act has undoubtedly strengthened women's legal position and expanded the scope of protection, its effectiveness remains constrained by institutional gaps, social attitudes and administrative challenges. Scholars consistently stress that the true potential of PWDVA can be realized only through effective implementation, awareness generation and coordinated institutional efforts. These national studies provide a valuable framework for district-level analysis, including the present study on Panipat district, by highlighting key challenges and best practices in implementation.

International Legal Framework

The international legal framework for the protection of women against domestic violence is grounded in various human rights instruments and global conventions that recognize violence against women as a serious violation of fundamental human rights. The Universal Declaration of Human Rights (1948) lays the foundation by affirming the principles of equality, dignity and freedom for all individuals, regardless of gender. Building upon this, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979, is one of the most significant international treaties addressing gender-based discrimination and violence. CEDAW obligates State Parties to take appropriate legislative, administrative and judicial measures to eliminate discrimination against women and ensure their protection from violence in both public and private spheres. The Declaration on the Elimination of Violence against Women (1993) further defines violence against women and urges governments to adopt effective policies to prevent, investigate and punish acts of violence. Additionally, international commitments under the Beijing Declaration and Platform for Action (1995) emphasize the need for legal reforms, institutional mechanisms and awareness programs to combat domestic violence and promote gender equality. Regional human rights instruments and UN resolutions also reinforce State responsibility in addressing domestic violence through victim protection, rehabilitation and access to justice. These international frameworks have significantly influenced national legislations, including India's Protection of Women from Domestic Violence Act, 2005, by encouraging a rights-based approach and aligning domestic laws with global human rights standards.

Salient Features of PWDVA, 2005

The Protection of Women from Domestic Violence Act, 2005 (PWDVA) is a landmark and progressive legislation that establishes a comprehensive civil law framework for protecting women



International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

from domestic abuse and ensuring their right to live with dignity and security. Unlike earlier criminal laws, which focused primarily on punishment, this Act adopts a victim-centric and rights-based approach by emphasizing prevention, protection and rehabilitation. One of the most significant features of the Act is its broad and inclusive definition of domestic violence. It extends beyond physical assault to include sexual, verbal, emotional and economic abuse, thereby recognizing the complex and multidimensional nature of violence experienced by women within domestic relationships. This expanded definition acknowledges that violence is not only bodily harm but also psychological trauma, humiliation, deprivation of financial resources and restriction of personal freedom. The Act recognizes women in a wide range of domestic relationships as “aggrieved persons,” including legally married wives, women in live-in relationships, widows, mothers, sisters and other female family members. This inclusive approach ensures that legal protection is not limited to formal marital relationships but extends to all women who face abuse within a shared household. By doing so, the Act addresses emerging social realities and provides protection to women who were previously excluded from legal safeguards. Another important feature of PWDVA is the recognition of a woman’s right to reside in the shared household, irrespective of ownership or title. This provision is crucial as it prevents women from being forcibly evicted from their homes by abusive partners or family members. It safeguards women’s right to shelter and protects them from homelessness, social exclusion and further victimization. This right reinforces the principle that a woman’s dignity and security must be protected within her domestic space. The Act empowers Magistrates to grant immediate and effective civil reliefs to victims, including protection orders, residence orders, monetary relief, custody of children and compensation for physical and mental injuries. These remedies provide immediate support and stability to victims, helping them rebuild their lives without the fear of continued abuse. The provision for interim and ex-parte orders further strengthens victim protection by allowing courts to pass urgent orders even in the absence of the respondent, ensuring that women receive prompt relief in emergency situations.

A distinctive feature of the Act is the mandatory appointment of Protection Officers, who serve as a crucial link between victims and the justice system. Protection Officers assist women in filing Domestic Incident Reports (DIRs), accessing legal aid, securing medical assistance and coordinating with service providers such as shelter homes and counseling centers. Their role is essential in guiding victims through legal procedures and ensuring that they are not discouraged or intimidated during the process. The Act also recognizes the role of NGOs and registered service providers in offering counseling, medical care, legal assistance and temporary shelter to victims. Their involvement strengthens the institutional support system and ensures a holistic response to domestic violence. NGOs play a vital role in awareness generation, community outreach and emotional support, especially for women from marginalized backgrounds. Furthermore, PWDVA



International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

emphasizes speedy justice and effective implementation by setting time limits for case disposal and encouraging coordination among police, judiciary and social welfare departments. The Act ensures that police officers provide necessary protection and assistance to victims, thereby promoting a gender-sensitive approach within law enforcement agencies. By adopting a rights-based and victim-centric framework, the Act shifts the focus from mere punishment of offenders to prevention of violence, protection of victims and their long-term rehabilitation. It recognizes domestic violence as a serious violation of human rights rather than a private family issue. Overall, the Protection of Women from Domestic Violence Act, 2005 stands as a progressive and empowering legal instrument that has significantly strengthened the legal protection framework for women in India. However, its true effectiveness depends on proper implementation, institutional commitment and continuous awareness among women about their rights.

Effectiveness of the Act

The effectiveness of the Protection of Women from Domestic Violence Act, 2005 lies in its ability to provide timely protection, legal remedies and institutional support to women facing abuse within domestic relationships. The Act has significantly broadened the legal understanding of domestic violence by including physical, emotional, sexual, verbal and economic abuse, thereby enabling more women to seek justice. One of the major strengths of the Act is the provision of immediate civil reliefs such as protection orders, residence rights, monetary assistance and custody orders, which help victims secure safety and stability without initiating criminal proceedings. Over the years, the Act has contributed to increased awareness among women regarding their legal rights and encouraged reporting of domestic violence cases. The establishment of Protection Officers and involvement of service providers and NGOs have further strengthened the support mechanism for victims. However, the effectiveness of the Act varies across regions due to administrative limitations, lack of trained personnel, delays in judicial proceedings and social barriers such as stigma and fear. While in many cases women have successfully obtained legal protection and financial relief, enforcement of court orders remains a challenge. Despite these constraints, the Act has played a crucial role in shifting domestic violence from a private issue to a public legal concern, promoting a rights-based approach and empowering women to challenge abuse. Thus, the Act has shown significant potential in protecting women, though its full effectiveness depends on improved implementation, awareness and institutional commitment.

Conclusion

In conclusion, the Protection of Women from Domestic Violence Act, 2005 has emerged as a progressive and victim-centric legislation that has significantly strengthened the legal protection framework for women in India. By recognizing domestic violence in its multiple forms and providing civil remedies such as protection orders, residence rights and monetary relief, the Act has empowered women to assert their rights and seek justice with dignity. It has played a crucial



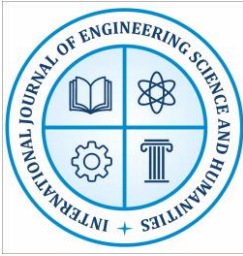
International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

role in shifting the perception of domestic violence from a private family matter to a serious social and legal issue. However, the true potential of the Act is yet to be fully realized due to challenges such as weak implementation, lack of trained officials, judicial delays and social stigma. While many women have benefited from the provisions of the Act, effective enforcement and institutional coordination remain areas of concern. Therefore, strengthening administrative mechanisms, enhancing legal awareness and ensuring gender-sensitive training of officials are essential to improve the effectiveness of the Act. With sustained efforts and policy support, the PWDVA, 2005 can become a powerful instrument in creating a safer and more just society for women.

References:

1. Agarwal, B. (1994). *A field of one's own: Gender and land rights in South Asia*. Cambridge University Press.
2. Agnes, F. (2011). *Law and gender inequality: The politics of women's rights in India*. Oxford University Press.
3. Babu, R., & Kar, S. (2010). Domestic violence against women in India. *Social Change*, 40(2), 235–249. <https://doi.org/10.1177/004908571004000206>
4. Bhattacharya, R. (2015). Understanding domestic violence in India. *Journal of Interpersonal Violence*, 30(2), 285–304.
5. Choudhary, A., & Paul, P. (2018). Domestic violence in India: Evidence from NFHS-4. *Journal of Biosocial Science*, 50(6), 774–792.
6. Convention on the Elimination of All Forms of Discrimination against Women. (1979). United Nations.
7. Das, P. (2019). Implementation of PWDVA, 2005: Issues and challenges. *Indian Journal of Gender Studies*, 26(1), 125–142.
8. Government of India. (2005). *The Protection of Women from Domestic Violence Act, 2005*. Ministry of Law and Justice.
9. Government of India. (2016). *National Family Health Survey (NFHS-4)*. Ministry of Health and Family Welfare.
10. Government of India. (2021). *National Family Health Survey (NFHS-5)*. Ministry of Health and Family Welfare.
11. International Institute for Population Sciences. (2021). *NFHS-5 India report*. IIPS.
12. Kaur, R., & Garg, S. (2008). Addressing domestic violence against women. *Journal of Family Welfare*, 54(1), 1–10.
13. Kumar, R. (2017). Domestic violence and women's rights in India. *Economic and Political Weekly*, 52(3), 45–52.
14. Menon, N. (2012). *Seeing like a feminist*. Zubaan.



International Journal of Engineering, Science and Humanities

An international peer reviewed, refereed, open access journal
Impact Factor: 8.3 www.ijesh.com ISSN: 2250 3552

15. National Commission for Women. (2020). *Annual report 2019–20*. NCW.
16. National Crime Records Bureau. (2021). *Crime in India 2020*. Ministry of Home Affairs.
17. National Crime Records Bureau. (2022). *Crime in India 2021*. Ministry of Home Affairs.
18. Sahoo, H., & Pradhan, M. R. (2009). Domestic violence in India. *Population Review*, 48(1), 76–96.
19. Sarkar, S. (2010). Domestic violence against women in India. *Indian Journal of Medical Research*, 131(3), 491–492.
20. Sharma, K. (2015). Protection of women from domestic violence. *Journal of Law and Public Policy*, 6(2), 55–70.
21. Singh, S. (2014). Gender justice and domestic violence law in India. *Indian Journal of Social Work*, 75(2), 257–272.
22. United Nations. (1948). *Universal Declaration of Human Rights*.
23. United Nations. (1993). *Declaration on the elimination of violence against women*.
24. United Nations. (1995). *Beijing Declaration and Platform for Action*.
25. Vishaka & Ors. v. State of Rajasthan, (1997) 6 SCC 241.