

THE MALE POPULATION VIEWS ON DOMESTIC VIOLENCE ACT, 2005

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Abstract

The domestic Violence Act was enacted in the year 2005 even though most of male population does not have idea about this Act, if they have sufficient idea about this Act, they can protect their daughters, sisters, mother easily. Under this Act, we have lots of protective measures and relief measures, this study made a small effect to find out the knowledge about Domestic violence Act, about the male population in Tirunelveli District of Tamil Nadu.

Keywords: *domestic violence, aggregated person, custody orders, protection officer, compensation orders*

Introduction

the Domestic violence is not a new topic in society. It refers to physical, verbal, sexual, and financial abuse between intimate partners. According to the World Health Organization, one out of every three women has been subjected to physical or sexual violence at some point in their lives, and 30% of women have been subjected to physical or sexual abuse in their relationships. Women are subjected to male violence, which harms their mental and physical health. Women in India fear for their safety in the married house. It's because patriarchal culture doesn't provide women with enough chances. They are threatened with violence by their husbands, in-laws, or others. Because of traditional society and traditions, many domestic abuse cases are not reported by women.

Significance of the Study

And this Act enacted in the year 2005, it has completed 19 years, most of the male population not have idea about this Act, if the male population knows about the basic provisions, Relief measures, and other Provisions of the Act, the adult male members of the victim's (women) family, can guide the victim and take the domestic violence to the

appropriate forum and getting justice on behalf of the victim. The general presumption is that the male has no idea about domestic violence Act. and more over As per the 2011 Census report, the Tirunelveli district Female population is higher than the male population, so the researcher chosen the Tirunelveli District as sample place.

Meaning

According to Section 3 of the Protection of Women from Domestic Violence Act of 2005 (DV Act), any act or omission by the Respondent that damages, injures, threatens, or abuses physically, sexually, verbally, or economically constitutes domestic violence.

Types of Domestic Violence

In *Bhartiben Bipinbhai Tamboli v. State of Gujarat 2018*¹, the following category of domestic violence was further clarified. **Sexual violence** Sexual violence is a type of physical force that involves any act in which a woman is compelled to engage in undesired, dangerous, or demeaning sexual

1. *Bhartiben Bipinbhai Tamboli vs State of Gujarat & 3 on 8 January, 2018*

behaviour. It includes calling her names, harming her by using objects and weapons during sex, and even forcing her to have sex by a spouse or intimate partner with whom she has consensual sex. **Emotional violence** Not all abusive relationships are violent and result in physical harm. Many women are subjected to emotional abuse, which is as damaging as physical violence. It involves loud names calling, accusing, isolating, scary, displaying domineering behavior, insulting or constantly criticizing her. Economic violence defined as, a woman not being supplied with enough money by her spouse to support herself and her children by purchasing clothes, food, medications, and so on. It also involves prohibiting women from working. Apart from that, forcibly evicting her from her home by not paying her rent, denying her financial resources to which she is entitled under any custom or law, and limiting her access to shared domestic resources also come under this category. It also involves selling or alienating her movable or immovable assets, jewellery, shares, stocks, and other items in which she has a stake.

Literature Review Karlekar

In (1995) study revealed that domestic violence includes not only inter-spousal violence but also violence perpetrated by other family members. Generally, an important part of the power relationship between spouses and their families relates to dowry and its ramifications. The study author further argued that there is a wide societal tolerance for wife abuse, which is very often even considered justifiable under certain circumstances: Disputes over dowries, a wife's sexual infidelities, her neglect of household duties, and her disobedience of her husband's dictates are all considered legitimate causes for wife-beating. It is only when the torture becomes unbearable, or death appeared imminent that most women appeared willing to speak out,

Bedi K, (1999) study stated that domestic violence includes harassment, maltreatment, brutality, cruelty and even the threat of assault - intimidation. It includes physical injury; placing a spouse in fear of injury and forcing her for sex are also termed as acts of violence.

Visaria (1999)² revealed that joint family tends to offer women some protection or acts as a deterrent to husbands using physical force to subdue them. **Ram (2004)** in his intensive study on "Social Problems in India" considers violence against women or

Ram (2004) in his intensive study on domestic violence a major social problem in India. He points out that this problem is not new. Women in Indian society have been victims of humiliation, torture exploitation for as long as we have written records of social organization and family life. Today women are being gradually recognized as important, powerful meaningful contributors to the life of men; but till a few decades back, their condition was pitiable. Ideologies, institutional practices the existing norms in society have contributed much to their harassment. Despite the legislative measures adopted in Favors of women in our society after independence, the spread of education women's gradual economic independence, countless women continue to be victims of violence. They are beaten at homes, raped, and burnt murdered. Violence towards women in the Context of marriage becomes more significant when a husband who is supposed to love and protect his wife beats her.

Object of the Study

1. To study the level of understanding male respondents on the basic provisions of Domestic Violence Act, 2005.

² Visaria, Leela (2000): Violence against Women: A Field Study. Economic & Political Weekly. May 13, 2000. P. 1742-1751.

Hypothesis

There is no significant difference among marital status of the male respondents and the level of understanding of the protection of women from Domestic Violence Act, 2005.

Methodology

It is Socio legal research the employed Empirical method of methodology and used both qualitative and quantitative data, The primary data were collected from the Adult Male population from Tirunelveli District. Proportionate representative sampling method is used for collecting data, for analysis Chi-square and Co- Relation test were used. For testing hypothesis.

The aggrieved person,

DV Act in Section 2 (a) **any woman who is, or has been, in a domestic relationship with the respondent** and who alleges to have been subjected to any act of domestic violence by the respondent

Domestic Relationship Section 2(f) of DV Act, "domestic relationship" ³means a relationship between two persons living in a shared household. Domestic relationship can be through marriage such as wives, daughters-in-law, sisters-in-law, widows and any other members of the family; or blood relationship such as mothers, sisters or daughters; and other domestic relationships including through adoption, live-in relationships, and women in bigamous relationship or victims of legally invalid marriages. The law addresses the concerns of women of all ages irrespective of their marital status. The definition of "domestic relationship" under the DV Act is exhaustive: when a definition clause is defined

³ <https://www.sconline.com/blog/post/2020/07/27/law-on-domestic-violence-protection-of-women-from-domestic-violence-act-2005/>

to "mean" such and such, the definition is prima facie restrictive and exhaustive, Indra Sarmav. V.K.V Sarma,

Monetary Relief the Magistrate May Direct the Respondent to Pay Monetary Relief to Meet the Expenses of the Aggrieved Person and any Child because of Domestic Violence and such Relief Include

- Loss of earnings
- Medical expenses
- 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 if any

Including the order under or in addition to an order of maintenance under section 125 Criminal Procedure Code or any other law.

Protection Orders

After allowing the aggrieved person and respondent of being heard and the magistrate is satisfied that a prima facie case of domestic violence has taken place or is likely to take place, pass a protection order in favors of the aggrieved person prohibiting the respondent from the following acts such as Committing any acts of domestic violence.

- Aiding or abetting in the act of domestic violence
- Entering the place of employment of an aggrieved person or if the person is a 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 stridhan.

- Causing violence to the dependents, other relatives or any other person who assists the aggrieved person or
- Committing any other acts specified by the protection officer.

Custody Orders

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

Compensation Orders

The magistrate may pass an 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 the 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 a suit, or legal proceeding before the civil or criminal court.

Hy, there is no significant relationship between the Marital Status of the respondents and their opinion about the Basics of the Act.

Statistical test: Correlation Test

Correlation Test

	Marital Status of the Respondents			Statistical inference	
		Married	Unmarried		Total
Low	F	132	50	182	r=0.070 0.168>0.05
	%	49.6%	42.0%	47.3%	

High	F	134	69	203	Not Significant
	%	50.4%	58.0%	52.7%	

Findings The above table 76 reveals that Hence, the calculated value is greater than the level of significant value ($p>0.05$). the null hypothesis is accepted. Hence, it could be concluded that there is no significant relationship between the Marital Status of the respondents and their opinion about the Basics of the Act.

Relationship between the Marital Status of the respondents and their opinion about Relief Measures of the act

Research hypothesis (H_1): There is a significant relationship between the Marital Status of the respondents and their opinion about the Relief Measures of the Act.

Statistical Test: Correlation Test

Correlation Test

	Marital Status of the Respondents			Statistical inference	
		Married	Unmarried		Total
Low	F	148	58	206	r=0.064 0.211>0.05
	%	55.6%	48.7%	53.5%	
High	F	118	61	179	Not Significant
	%	44.4%	51.3%	46.5%	

Findings Table reveals that the calculated value is greater than the level of significant value ($p>0.05$). Hence, the research hypothesis is rejected, and the null hypothesis is accepted. It could be concluded that there is no significant relationship between the Marital Status of the respondents and their opinion about the Relief Measures of the Act.

Relationship between the Marital Status of the respondents and their opinion about Other Provisions of the Act

Research hypothesis (H_1): There is a significant relationship between the Marital Status of

the respondents and their opinion about Other Provisions of the Act.

Statistical Test: Correlation Test

Correlation Test

	Marital Status of the Respondents			Statistical inference
	Married	Unmarried	Total	
Low	F	146	65	r =0.002 0.962>0.05 Not Significant
	%	54.9%	54.6%	
High	F	120	54	
	%	45.1%	45.4%	

Findings

The above table 78 reveals that the calculated value is greater than the level of significant value ($p>0.05$). Hence, the research hypothesis is rejected, and the null hypothesis is accepted. It may be concluded that there is no significant relationship between the

Marital Status of the respondents and their opinion about Other Provisions of the Act.

Conclusion

The Domestic Violence promotes crimes against women. It occurs every single minute across the world. Domestic violence is a major serious issue for women who are easy target which are in many forms, it starts from birth till death and women face various types of violence such as dowry and torture which has led the women to depression and affect physical and psychological development, so as the Protection of Women from Domestic Violence is an essential task in the society. The study concludes that the adult male population have fully aware of domestic violence and its consequences. the effect of Domestic Violence 2005, it enhances equality among both gender of men and women.