



A SURVIVAL GUIDE BY

Street Level Awareness Program

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A stylized illustration of a woman with dark hair in a braid, wearing a yellow hoodie. She is holding a white sign with black text. The sign has a thick black horizontal brushstroke across the middle.

**DOMESTIC
VIOLENCE IS
NOT OK!**

Dear Friend,



Thank You for reaching out to SLAP.

We understand that you or someone you know is facing violence at home and it must be a tough time for you/them both physically as well as psychologically.

We appreciate your courage in reaching out for help. At the very outset, we want to reassure you that you are not alone and that help is available. It is natural for a person facing domestic violence to feel conflicting emotions where they may question themselves and their judgement.

However, this is a time when you have to pull up yourself/the one you are trying to help. If you or someone you know is facing domestic violence please raise your voice and reach for help. If you are reaching SLAP, we assume you have already tried family intervention and it hasn't worked.

In this document we have put together for you

- some situational remedies
- few important numbers
- resources to get free legal aid & counselling

We sincerely hope that this information helps you take charge of the tough situation you are going through.

Warmly,

TEAM SLAP



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UNDERSTANDING DOMESTIC VIOLENCE

Q 1 HOW DOES LAW DEFINE DOMESTIC VIOLENCE?

Contrary to popular perception, the legal definition of domestic violence is not limited to physical violence alone.

It includes physical, sexual, verbal, emotional and economic abuse.

Any such act, omission or conduct by any family members of a woman with whom she is related by blood, marriage or adoption and with whom she is living in a shared household and which causes harm to the physical and mental health of a woman is called domestic violence. S.3 of PWDVACT.

Domestic Violence includes harassment & unlawful demand for dowry made to an aggrieved woman or any person related to her.

Q 2 CAN YOU EXPLAIN FORMS OF DOMESTIC ABUSE?

Emotional and verbal Abuse : This is the most common form of abuse which does not even leave any visible mark of the violence but has the most drastic effect on a woman's mental health which may further deteriorate her physical health.

It includes any name calling, insult, ridicule, humiliation or taunt which has the potential to harm a woman's mental or physical health.

UNDERSTANDING DOMESTIC VIOLENCE

Q 2 CAN YOU EXPLAIN FORMS OF DOMESTIC ABUSE?

Economic Abuse : This is another dangerous form of abuse and because of the fear of this kind of retaliation, women do not speak up about other form of abuses they have to face. The fear that she will not be fed, given required medication or paid for the educational expenses or other daily expenses for her or her children or anyone otherwise entitled.

Sexual Abuse: A partner may force himself upon the woman **when she is not willing** to go for physical relationship. Even during the act of intercourse if the partner forces a woman to indulge into **an act which she feels to be degrading** or she is simply not willing to. There could be instances where a man wants to indulge into sexual intercourse more frequently in a day or does not make physical relation for an unusually longer period. All these are sexual abuses and get covered under the Indian law enacted to protect women from domestic violence.

Physical Abuse: This is actually the one form of abuse or violence which is visible too. It includes **any act which may physically harm the body, health or limb of a woman**. Examples include beating, dragging, kicking and/or any form of criminal intimidation and assault.

REMEDIES AGAINST DOMESTIC VIOLENCE

Q 3 HOW DO I GET DOMESTIC VIOLENCE TO STOP?

1. Call 112/ Women Helpline: Most people are afraid to call police or women helpline (of their respective States), feeling it may backfire. They think if they complain, police will come and arrest their husband immediately and it may lead to breaking up the family when all they want is for the violence to stop. Please understand that calling police for help and filing an F.I.R are two different things. By dialing 112/women helpline you are not filing an F.I.R but upon counselling you may choose to file a Domestic Incident Report (D.I.R)

WHY TO MAKE THIS CALL?

a) Creating a documented record of violence: Once a call is made to police or women helpline a record of it is created. It may deter the abuser when they become aware that their act has been documented.

b) Get immediate violence to cease: When the objective is for the immediate violence to cease, victim or any person aware of the violence may call police. According to DV Act 2005: "no liability civil or criminal shall be incurred by any person for giving in good faith of information." What it means is that even a third party who has knowledge of domestic abuse can report the incident.

c) Getting counselling on next steps available: By reaching out to women helpline/ police you can get information on possible next steps and legal remedies available to you. From protection order to monetary relief or custody order or residence order, an aggrieved woman has many recourse available and it is her right to make an application for obtaining any of the above.

WHY TO MAKE THIS CALL?

d) Get free mediation & legal counselling: A lot of times, the fear of hefty lawyers' fees stops women from taking a legal recourse. When you report an incident of Domestic Violence you benefit from your right to free legal services under the Legal Services Authorities Act, 1987.

Q 3 HOW DO I GET DOMESTIC VIOLENCE TO STOP? (CONTINUED)

2. Get a Medico-Legal Test done: If the nature of domestic violence is physical assault/injury, the aggrieved lady must go to a government hospital and get her medico-legal test done. It is to be noted that this facility is available free of cost in government hospitals. While private hospitals may also offer Medico Legal Test, in courtroom, more weightage is given to word of a govt hospital. **An MLC is an evidence of injuries sustained by a lady.** It is advisable that if the violence is a continuing process, she may get MLC done after each of these incidents to produce a dated evidence of violence faced by her.

3. File a Domestic Incident Report: If intervention and family-based mediation have failed and the violence continues a complaint may be filed in local police station or women cell of your area. Women Cell are specialized police stations created specifically to deal with complaints of crimes against women. In case of Domestic Violence, a woman may exercise her right to file a **Zero FIR** that is she may file complaint at a police station where she resides even if the incident took place at her in-laws place.

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Q 3 HOW DO I GET DOMESTIC VIOLENCE TO STOP? (CONTINUED)

4. File a complaint with the District Magistrate: Sometimes at SLAP we receive mails that the concerned **police officer is not taking action** on an aggrieved woman's complaint or her F.I.R is not being lodged. In this case, a woman can file her complaint directly with the district court. The competent court has the authority to direct police to take relevant action (under section 156/3). The courts may also provide mediation, counselling and other interim relief measures during the pendency of the case .

5. Call/Mail National or State Commission for Women: A woman facing domestic violence, dowry harassment or cruelty by in-laws may also reach out to respective State Commission for Women or NCW (National Commission for women). The procedure is simple and a **complaint may be filed online** at:

ncwapps.nic.in.onlinecomplaintsv2

or e-mailed to complaintcell-ncw@nic.in

Mediation and free legal advice is provided by NCW & State Women Commissions to women in distress.

Q 4 WHAT ARE THE RIGHTS OF A WOMAN FACING DOMESTIC ABUSE WHILE HER CASE IS BEING HEARD

- 1. The Right to remain in her husband's shared household:** A woman can obtain residence order from the court and remain in her matrimonial home, that is she can not be thrown out of her in-laws/husband's home for filing a domestic violence complaint against them. If she doesn't feel safe living with the male, she can apply for an order seeking his removal from the household.
- 2. The Right to a Protection Order:** A competent court may provide a woman with protection order preventing her husband from communicating with her via phone or email, preventing him from entering her workplace and causing harassment, and preventing violence.
- 3. Monetary Relief:** A woman can seek monetary benefit to make up for medical expenses or such she had to incur due to domestic abuse.
- 4. Child Custody:** A court may pass temporary custody order to ensure that a woman is not separated from her kids during the pendency of the case.

Q 5 WHAT NOT TO SAY TO A DOMESTIC VIOLENCE SURVIVOR

1. You really had no idea he/his family were like this:

No the survivor of domestic violence did not choose their circumstances. Don't ask questions that put the blame upon the recipient of the violence while making excuses for the perpetrator.

2. It is very common and it is OK: Just because it is prevalent doesn't mean it is OK. It is not OK for a man or in-laws to insult, hurt, beat or torture a daughter-in-law. The right to live with dignity is a fundamental human right and no one can deny it to another human being.

3. Violence will stop once you have kids: There is nothing more damaging than well-intended ill advice. Often when a woman complains of ill-treatment being meted out to her, her relatives are the first to suggest that if only she were to put up with it a little longer and have kids, things will change. Things may or may not change -- more often not, subjecting the woman and her kids to suffer further. Let the decision to stay in a marriage or walk out of it be a woman's own. What you should suggest instead is professional and psychological counseling for both parties.

4. We support you but society won't understand: Just because of the social stigma attached to a failed/troubled marriage do not push a girl to put up with an abusive person/family. While it is always a good first step to try and salvage a marriage by intervention and mediation, remember that if all else fails, a divorced daughter is better than a dead daughter.

ABOUT SLAP



SLAP was founded in response to Nirbhaya gangrape with a mission to end all forms of gender based violence faced by women. Our vision is to create a safe, harmonious and gender-neutral world where everyone gets equal opportunity to grow and flourish. **In our quest, we have trained more than 11,000 girls on personal safety in Delhi NCR and touched more than a million lives through our media & social media outreach campaigns.** SLAP's work on women safety has been featured by leading media channels including Doordarshan, BBC, CNN IBN, Al Jazeera, Aaj Tak, The Times of India, Hindustan Times, Tribune, The Hindu, The Print, to name a few.

STAY CONNECTED WITH US

We would love to stay in touch with you through our social media handles.

Don't miss out SLAP's youtube tutorials to keep updated on everything that empowers women and girls -- physically, mentally, emotionally, financially & legally.

SUBSCRIBE here: [youtube.com/SLAPNGO](https://www.youtube.com/SLAPNGO)

Status quo changes, when people talk. Join a dialogue with us on facebook on gender violence prevention & challenging gender stereotypes which prevent both men & women from attaining their highest potential

JOIN here: www.facebook.com/slaponline

Check out our Training, Talks & Campaigns here: slaponline.org

IMPORTANT NUMBERS



Police - 112

(Note: previously 100 this number has now changed)

National Women's Helpline - 181

(Domestic Abuse)

National Commission for Women - (011) 26942369

(NCW)

(011) 26944754

NCW WhatsApp Helpline - 7217735372

Note: Call response is not available on this number but a woman can send her complaint via WhatsApp, along with pictures or video evidence if any.

This number is specially launched for the duration of Covid 19 lock-down

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