

LAW OF PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE (2016).
By Rajat Baijal, Bharat Law Publications, Jaipur, Pp.1086, 1695/-.

GENDER DISCRIMINATION is a universal phenomenon. Both inside and outside the households, women are excluded from positions of power. They are denied opportunities to participate in the decision-making process in the past. Women empowerment is not an easy task in this country where women are subjected to many deprivations and discriminations. The concept of women's empowerment throughout the world has its roots in women's movements. The feminist jurisprudence seeks to analyze the contributions of law in constructing, maintaining, reinforcing and perpetuating patriarchy and it looks at ways in which this patriarchy can be undermined and ultimately eliminated. Feminist jurisprudence has its foundations on two realm of thought *i.e.* protest against the gender inequalities and social injustices. The framers of Indian Constitution have envisioned an egalitarian society and it incorporates the concepts of justice, equality, fraternity and liberty.

Domestic violence is the most serious offence against women as it happens silently within the four corners of the house. Happening in the private domain of a house often, domestic violence has from time immemorial affected the life and liberty of women by depriving their fundamental human rights. The international human rights law for addressing domestic¹ violence ensures a responsive criminal justice system which provides for social and support services to victims of domestic violence. The forms of domestic violence includes various offences against women like dowry death, minor assault, apprehension of threat and other forms of violence against women. Even though, majority of these kinds of offences² addressed under the Indian Penal Code, 1860 the issue of domestic violence was not addressed as a separate category under the civil and criminal laws in India. With the introduction of the Protection of Domestic Violence Act, 2005 the concept got legal sanctity under Indian law.

The book under review is an analytical and exhaustive treatise on the Protection of Women from Domestic Violence act, 2005 and analogous laws along with rules and allied laws. Authored by Rajat Baijal, this user's manual on law of domestic violence has been divided into four parts sequentially arranging all the relevant topics related to domestic violence and allied laws, along with the detailed discussion of the important provisions of Protection of Women from Domestic Violence Act, 2005. To ensure conceptual clarity, the book thematically structured the various issues of domestic violence. While the first part of the book addresses the significant provisions of the

1 Lawyers Collective, "Staying Alive: First Monitoring and Evaluation Report 2007 on the Protection of Women from Domestic Violence Act 2005" at 46-47 (2012).

2 They are in the form of culpable homicide, dowry death, female infanticide, female infanticide, forcing the wife to terminate pregnancy *etc.*

Act along with the important case laws, the second part dealt with judicial interpretations on 'cruelty by husband or his relatives' under section 498 A of Indian Penal Code, 1860.

Chapter two of the book gives an outline of the definition of domestic violence under the Protection of Women from Domestic Violence Act, 2005 and other allied laws. The wide definition of all kinds of abuses and how it is dealt under the definitional part of the act was is the main focus of this chapter. The remaining chapters explain the procedure for enforcing the remedies provided under the Protection of Women from Domestic Violence Act, 2005 and also the remedies provided under the criminal law. The law on domestic violence with the help of case laws decided by various high courts and Supreme Court is thoroughly discussed in this book.

The book on Protection of Women from Domestic Violence Act, 2005 has been structured and presented in a lucid language with a user friendly approach. Indeed, the book elaborately discussed the law relating to domestic violence by including all the related issues about domestic violence. The book not only act as a comprehensive guide with regard to the Protection of Women from Domestic Violence Act, 2005 but also provides an overview of the entire gamut of laws, procedures and the jurisprudence relating to the issue of domestic violence. Overall, this book is a significant contribution to domestic violence law as it raises questions about the issue and how it results in denial of justice to victims of domestic violence. Elaborate case laws have been provided whenever and wherever necessary. The book is very useful for the judiciary, academicians, lawyers, and other organizations that are concerned and dealing with the issues of domestic violence. It is to be appreciated that the manual comprehensively deals with the different approaches to be adopted in case of domestic violence under various laws.

*Arya. A. Kumar**

* Assistant Professor, The Indian Law Institute, New Delhi.