



Indian Muslims for Secular Democracy  
Equality Justice Compassion Peace

October 11, 2017

### Press Statement

#### **Police can use Domestic Violence Act to assist Muslim women victims of instant triple talaq: IMSD delegation to Police Commissioner, Mumbai**

Office bearers of Indian Muslims for Secular Democracy (IMSD) met Mumbai's Commissioner of Police (CP), Datta Padsalgikar, on Tuesday (October 10) to suggest how pending the enactment of a new law, the police could assist Muslim women victims of instant triple talaq using the provisions of the existing law on domestic violence against women.

The CP gave a sympathetic hearing and assured the delegation that he would have the matter legally examined and act accordingly.

Under the Protection of Women from Domestic Violence Act (PWDVA), 2005, "domestic violence" has been given a wide definition to include physical, sexual, verbal, emotional and economic abuse. The IMSD delegation pointed out to the commissioner of police that given this definition there can be little doubt that instant triple talaq is nothing short of domestic violence.

The secular Act is aimed at ensuring speedy relief to aggrieved women irrespective of religion, including right to reside in matrimonial home, maintenance, compensation etc.

The delegation handed over to the CP references to several verdicts of the lower courts and High Courts, ruling that Muslim women are entitled to the reliefs provided under the PWDVA.

Under Section 5 of the Act, it is the **duty of a police officer**, "*who has received a complaint of domestic violence or is otherwise present at the place of an incident of domestic violence or when the incident of domestic violence is reported to him,*" to provide full information to the "aggrieved person" on the reliefs she is entitled to under the Act and the procedure for obtaining the same.

The delegation included Javed Anand (Convener, IMSD), Noorjehan Safia Niaz (Co-convener, IMSD; Convener, BMMA), Feroze Mithiborwala (Co-convener, IMSD) and Khatoon Shaikh (Member IMSD, Maharashtra Convener, BMMA).

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