



ALL INDIA FORGOTTEN WOMEN (Regd.)
Against Misuse of Protections and Privileges Granted to Women
Say No to Legal Terrorism! Say Yes to family Harmony!
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Memorandum on the occasion of Women's Equality Day, 26 August 2008

Sub: Seeking immediate resignation of Renuka Chaudhary and Girija Vyas for perpetrating human rights abuses and promoting family destruction

Women's empowerment and gender equality are two of the oft-repeated phrases by Women and Child Development (WCD) Ministry and National Commission for Women (NCW). On the occasion Women's Equality Day 2008, members of All India Forgotten Women highlight how laws pushed in the name of women's empowerment and gender equality are promoting discrimination, injustice and serious human rights abuses against men, women and children. We also demand the immediate resignation of Mrs. Renuka Chaudhary as WCD Minister and removal of Girija Vyas as NCW Chairperson for perpetrating these abuses and promoting family destruction.

Data from the National Crime Records Bureau indicates that every year, over 1 lakh innocent persons (one innocent person every 5 minutes) are arrested under IPC Section 498A. Every year, close to 30,000 innocent women (one innocent woman every 20 minutes) and 4,000 innocent senior citizens (one innocent elderly person every 2.5 hours) are arrested under IPC Section 498A. Every year close to 350 children (one child per day) are arrested under IPC Section 498A.

Is allowing arrests of innocent citizens and treating them as "guilty until proven innocent" a measure to promote Women's Equality?

At present, unnatural death of a woman within seven years of her marriage is considered as dowry death, attracting punishment to the accused husband and relatives under IPC Section 304(B). While every death of a young married woman is converted into a case of dowry death leading to immediate arrest of the husband and in-laws, large-scale suicides of men do not cause any outrage. While husbands and their relatives are under constant suspicion leading to frequent violation of their basic human rights, wives are rarely ever questioned leave alone prosecuted if a husband dies or ends his life under similar circumstances.

Is this outright discrimination against men and their families a means to promote Women's Equality?

The Domestic Violence (DV) Act claims to protect women from physical, verbal, emotional, sexual and economical abuse. While this law is heavily biased against men, there are many gross inconsistencies in the law, which prove that the DV Act is not good for women either. The DV Act allows legally wedded women, divorced women and girlfriends (former or present) to subject a man and his relatives to domestic violence and legal harassment. The law also allows a daughter-in-law to evict the husband along with his dependent mother, father, brothers and sisters from their own property.

Does providing a woman the ability to have a man stripped of his possessions and kicked out of his house along with his family members (on the mere basis of her accusation of domestic violence) qualify as Women's Equality?

CrPC 125 is a Criminal Section under which any legally married woman who cannot sustain life on her own can legally claim maintenance from the husband. It is a well-known fact that a large proportion of women who are well educated, employed or qualified enough to find gainful employment are approaching courts to demand maintenance from the husband. Such women also simultaneously entangle the husband and his family in false criminal cases under Section 498A and Dowry Prohibition Act. They also use civil provisions like the Domestic Violence Act and Section 24 of Hindu Marriage Act (in addition to CrPC 125) to demand maintenance from the husband.

Does allowing women to treat men as ATM machines and encouraging them to lead a parasitic life qualify as Women's Equality?

Women also misuse legal provisions to alienate children from fathers when marriages break down. Many fathers suffer immensely due to separation from their children and many children are deprived of access to fatherly love and care.

Is misuse of the judicial process to violate a child's right to both parents a symbol of Women's Equality?

There is ample evidence to show that the so called "pro-women" laws in India are disempowering innocent men, women and children. The laws have turned into weapons of family destruction, and have largely empowered women who indulge in perjury, blackmail, extortion and harassment of their husbands and in-laws. The laws have empowered money-hungry lawyers and corrupt officials in the police and the judiciary.

NCW and WCD Ministry have time and again opposed amendments to IPC 498A saying that it is the only provision that provides a quick solution to women facing marital problems, since civil remedies take a long time to redress their grievances. The Domestic Violence Act, which was promoted by NCW and WCD Ministry, as a quick civil remedy has also been designed to violate the rights of men and their family members. The NCW is now pushing for providing maintenance not only to legally wedded/separated/divorced wives but also to female live-in partners and adulterous wives who disregard the sanctity and the legal contract of marriage. NCW is also pressuring the Government to broaden the scope of Dowry Prohibition Act so that unnatural death of a woman at ANY stage of her marriage qualifies as dowry death

NCW and WCD Ministry are denying domestic abuse against our fathers, brothers and sons and refusing protection to husbands and their relatives from abusive wives. As a result, twice as many married men, compared to women, are committing suicide every year unable to endure physical, emotional, verbal and economic abuse and legal harassment.

Is the pain of a mother who lost a son to domestic abuse or legal terrorism any less than that of a mother who lost a daughter?

Aren't mothers and sisters women? Don't they deserve a life of dignity and respect?

Does penalizing innocent mothers and sisters under false cases bring justice to genuinely abused women?

Does women's empowerment mean destroying family harmony and creating a fatherless society?

Is protection of women's rights synonymous with gross violation of basic human rights?

Is legal terrorism the solution to all women's problems?

These are the questions we have posed time and again to the National Commission for Women and the Ministry of Women and Child Development, while they conveniently ignore and divert attention from these very pertinent and pressing issues.

On the occasion of Women's Equality Day, we the members All India Forgotten Women, make the following demands:

1. Mrs. Renuka Chowdhury should resign from the position of Minister for Women and Child Development, and Girija Vyas should be removed as the Chairperson of NCW, both for perpetrating human rights abuses against innocent citizens, especially women, children and elders, and for promoting family destruction in the name of women's equality and rights.
2. Grievances of mothers and sisters who are falsely accused and harassed under IPC Section 498A, Dowry Prohibition Act, Section 304(B) and Domestic Violence Act must be heard and redressed by State Women Commissions as well as National Commission for Women and the Women and Child Development Ministry.
3. No arrests of any of the accused (man, woman or child) should be made without proper investigation and written approval of police officials of the rank of DCP or above.
4. Persons filing false cases should be severely punished for misusing the judicial process and blocking the path of justice for genuine victims. The State should initiate prosecution suo motu against those found to be misusing laws to settle personal scores.
5. All civil and criminal laws should be made applicable to men and women equally. Specifically, provisions of IPC 498A, Domestic Violence Act, adultery laws, laws against rape and sexual harassment and family laws (divorce, maintenance and child custody) should be made gender-neutral.
6. Equal protection should be given to men and women against verbal, emotional, economic, physical and sexual abuse at home and in the work place.
7. Family-friendly, gender-neutral organizations like All India Forgotten Women should be included in every discussion, draft and review committee on laws related to women.

Sincerely,

Members of All India Forgotten Women (Regd.)

Cc:

Dr. Manmohan Singh (Prime Minister of India), **Ms. Renuka Chaudhary** (Minister, Women and Child Dev), Sh. Hansraj Bharadwaj (Minister of Law & Justice), Minister of Social Justice and Empowerment, **Girija Vyas** (Chairperson, NCW), **Ms. Sonia Gandhi** (UPA Chairperson), **Shri, L. K. Advani** (Leader of Opposition in Parliament), **Member Secretary** - Law Commission of India, **Chief Information Commissioner** - Central Information Commission, **Ms. Priya Hingorani**, **Ms. Manali Singhal**, **Mr P V Kapur**.