

# HOW GENDER FAVORED LAWS ARE ABUSED IN INDIA TODAY

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I have been a vocal proponent of feminism, worked to tirelessly empower women in terms of their maternal health and for the health of their children and now leading effort to champion women in the area of skill development working closely with number of stakeholders in India. I believe this is crucial and necessary for sustainability of not just women, but for the care of the common family.

However, the same very laws meant to protect vulnerable women today are being used against righteous and innocent men which has created a one-way system leading to grave injustice and in many instances no justice at all. An equal world must be built by pushing women up and not taking men down perpetrated by few educated women who use law for exploitation, harassment and cruelty. It is incumbent on vocal feminists, especially inspiring and motivating women to protect the welfare of women and defend men and not let law or judiciary to stay biased and blinded by truth and reality.

Lalita Nijhawan, an entrepreneur and educationist in her article, rightly puts it, "The law is positively biased towards women, from the availability of reservations to the constitutional provisions. The laws regarding abuse of women ranging from sexual to economic does not acknowledge the abuse that a man faces, showing a disparity in the legal system. Albeit women are the greater number of victims compared to men, that statistic is slowly dissipating in the light of false allegations against innocent men. The rate of false allegations after the fallout of a marriage, after a woman feels scorned, is continuously on the rise in India. The law and judiciary system doesn't provide protection of men from these shaming allegations leading to drastic measures in the form of suicide."

In 2019, police from Rohini arrested six women who honey trapped a man to extort money.

There are also instances where women shameless demand alimony in a failed marriage merely to make money without ever contributing anything to the marriage or the new home, promoting legal extortion. Lately the Honorable Courts have taken cognizance of this fact.

Recently couple of months ago, two instances of woman killing husband with axe in Tumkur, Karnataka and also in Uttarakashi has surfaced. The manner in which men are being tortured is changing rapidly in urban spaces and the cruelty done to men is a growing trend peddled by educated women who interpret law to favour them by legal and illegal means.

In another instance, Advocate Juhi Damodar from the Bombay High Court points out that "The rise of divorce cases in India among the educated and affluent speaks volumes about the mindset of Indians. One out of every two marriages is heading into a divorce. When a man trapped in such marriage seeks divorce, the wife may apply delaying tactics to coerce him to shell out huge sums. Law is now used as playground for extortion and many cases are following the same pattern. Tactics like taking advantage of the pandemic, applying for transfer petition etc to harass the husband and delay divorce proceedings is on the rise."

It calls for wisdom that working women do not deserve alimony of any sort and such historical practices must be immediately abolished if we sincerely aim to create a gender equal world. Struggles of men, the righteous men who have supported women all their lives must be vehemently defended by all.

### **The law and order machinery affected**

The police have become overwhelmed and also surprised at the rate at which honey-trapping in family matters is rising with women faking educational qualifications, entering into marriages for fame and money and suppressing material facts to arm-twist law to favour them.

Dr. Avneet Randhawa, a former Army official, points out that women these days take money and gold from marriages and walk off clean under divorce gaining wealth, at times some of them also get serially married.

### **Overwhelmed Judiciary**

Family Courts must arrive at a time bound solution to dispose off family matters in the interest of justice, taking into account the youthful years that remain for individuals aggrieved. Anything that drags for more than 6 months to a year is a judicial failure and the burden of quality-of-life lost falls

directly on the shoulders of the judiciary. When there are material facts forth-right, the judiciary must dispose of the case within one or two sittings and not drag and add further torture to grieving parties and petitioners who make the first move to seek justice.

Recently Supreme Court also came up with how frivolous petitions and transfer petitions are being filed and time of the Supreme Court getting wasted, this needs deeper alignment and gender equal norms to visualize justice in a time bound manner. It is in the best interest of Supreme Court to dismiss off such frivolous petitions people resort to and choke up the judicial process. Due diligence must be carried out before entertaining the intentions of such petitions.

### **The way ahead:**

Use the law to protect vulnerable women and don't forget to protect the lives of righteous and innocent men. The legal system needs a visible shake up to demonstrate that lives of men matter and the system per se needs to provide time bound respite and not prolong cases for years adding to mental health challenges which are already a sizeable burden in India which leads the world for depression. Probably a generation equality will mean either setting up a Men's commission that checks such injustice or having equal representation of men in women's commission to build a gender inclusive world. Women who lie on affidavits must be jailed for a period of minimum 1 year.

India must teach the world on how gender inclusion is an example, because India gave the world a Woman Prime Minister at a time when gender equality was a utopian concept, so does Bangladesh even to this day give unto themselves a lady Prime Minister. Let us collectively protect and support vulnerable women from all spheres of society and continue to support innocent men who suffer for no reason. Both are precious to the human race and to our world. Shall we?