

Comparative Analysis Between Gender Equality And Gender Biased Laws In India

Author: Gunjan , Ph.D. Research Scholar , Maharaja Agrasen University, Baddi, District Solan, Himachal Pradesh 174103

Co –Author: , Dr. Sheetal Thakur,(Ph.D. Supervisor), Assistant Professor, School of Law, Maharaja Agrasen University, Baddi, District Solan, Himachal Pradesh 174103

ABSTRACT

Gender inequalities are one of the most prominent manifestations of inequality on the planet. Gender disparity in India applies to wellness, employment, social and political differences between males and females in India. After the infamous Delhi gang rape incident that took place in the country in the year 2012, there was a need to condemn and make stricter laws against such crimes against women. The government constituted a committee under the chairmanship of the former Chief Justice of India, Justice J.S. Verma to suggest guidelines for the protection of women and passed the Criminal Law (Amendment) Act 2013. The recommendations of the committee were however not taken into consideration as a whole and gender specific laws were framed as a result of bowing down to feminist pressures opposing to gender neutral laws that were recommended by the committee. The author throughout this article tries to examine the loopholes in the Women Protection Laws in India that are gender specific and penalizes only the male gender and does not give equal protection to the male gender with respect to the same crimes being committed against them. The author delves into analyzing the current protective legislations in India in the light of gender neutral laws and conclude by suggesting the necessary changes that can be implemented so as to protect all the genders equally under the law and not protecting only a single class at cost of the other.

KEYWORDS: Gender-biased Laws, The Criminal Law (Amendment) Act, Men, Social Framework, Society

INTRODUCTION

The Delhi Gang rape and assault in the year 2012 which stunned the country gave rise to protests throughout the entire nation and this prompted the legislature constituting The Justice Verma Committee, to recommend rules for the protection of women and these rules came into light through the Criminal Law (Amendment) Act,2013. As per we recall, a women was always considered as the weaker section of our society, be that physically or mentally. Crime against woman is one of the most regular and prevalent human rights violations. It is rooted in gendered social structures of our society; it cuts across age, socio-economic, educational and geographic boundaries; affects all societies; and is a major obstacle to ending gender inequality and discrimination globally.¹

The Government have introduced several laws for the protection of women.² But many a times the judiciary as well as the legislature forget that equality is not a women empowerment concept but that of gender equality, discrimination strikes at the very heart of being human. It is treating someone differently simply because of who they are or what they believe. We all have the right to be treated equally and not to be discriminated on the basis of our race, ethnicity, nationality, class, caste, religion, belief, sex, language, gender identity, age, health or other status.

The Criminal Law Amendment Act, 1983 inserted Section 498 A (Chapter XX-A) relating to cruelty by husband or relatives of husbands to combat social evil such as dowry and matrimonial atrocities against married women.³This measure helped to make better family system for greater society. In one way to protect society from crime against women and in other way to put matrimonial cruelty under penal code. There are several provisions in penal law

¹ Dr. ParthaPartimMitra, " A new look on matrimonial cruelty with criminal law", *Indian Bar Review*, Vol XL(1) 2013,p.87

²*Ibid.*

³Act 46 of 1983.

relating to matrimonial offences. A married woman is subjected to cruelty by her husband or his relatives⁴ or by same husband and his relatives in demands of dowry preceding unnatural death within seven years of marriage⁵ or causing woman's death⁶ amounting to murder.⁷

RESEARCH METHODOLOGY

In the present paper Doctrinal Methodology has been adopted by the researcher through the primary and secondary sources and by studying books, articles and other relevant materials in different libraries and through Internet. The present study is based on both primary and secondary sources. The primary sources are collected from substantive as well as procedural pieces of legislation such as Indian Penal Code 1860, Code of Criminal Procedure 1973, Dowry Prohibition Act 1961, The Protection of Women from Domestic Violence Act 2005, The Criminal Law (Amendment) Act 2013 etc. The Secondary Sources include crime reports, journals, books, case laws, and Internet Surveys etc.

MEN'S RIGHT IN INDIA

India is a common-law nation with varied customs, a variety of religious communities and a history that goes back to centuries. Women in India are safeguarded by the different statutes in India and they can file complaints against anyone for the infringement of their rights. Despite having equal fundamental rights given to men and female, the rights of men are not enunciated as compared to women. The need for gender neutrality is of high requirement in the rape legislation as from the beginning women are only considered as the victim may be due to patriarchy prevalent in Indian society. Even due to the rise of women empowerment and feminism, the concept of gender neutrality laws was hindered. Most of the provisions of IPC which states about offence against women allude men only as a criminal.

Now the scenario is changed, many PIL(s) have been filed in various High Courts and Apex Court for making rape laws to be gender – neutral. In 2017, Sanjiv Kumar had questioned the legality of existing rape laws which only consider men to be the perpetrator in Delhi High Court. It was mentioned that now the scenario is changed and is requisite from the society to think “beyond the male-on-female paradigm”. The Law Commission recommended making laws to be gender neutral by substituting the word “rape” with “sexual assault”. The Union Government agreed to make legislation to be gender-neutral after the Nirbhaya incident. The Justice Verma in its report suggested using “person” instead of “women” to cover all forms of sexual violence. But Criminal Law (Amendment) Act, 2013 restored to the gender-specific definition after criticism from the feminist groups due to prevalent patriarchy present in the society.

WOMEN'S RIGHT IN INDIA

Democratic countries like the USA and the UK which established themselves way before India gained its independence from the Britain, for a long time in these countries women of the society were not allowed to vote during elections. After a long time women started oppressing and revolting against this law, they finally won the battle that they were fighting for and finally got the voting rights in the elections, women of the UK gained the right to vote in 1918 and the women of the United States in 1920. This gives a basic idea of how much time it takes for enacting Judiciary and Legislation to make sure there is gender justice in India. We are still long ahead to achieve what is termed as “equality” in the gender.

EXISTING GENDER BIAS AND GENDER –NEUTRAL LAWS IN INDIA

After The Criminal Law (Amendment) Act, 2013 was enacted, certain acts are recognized as offense which were dealt under related laws. Some new offenses like, sexual harassment, acid attack, voyeurism, and stalking have been incorporated into the Indian Penal Code. Supreme Court in Feb, 2018 dismissed a PIL that demands gender-neutral laws in crimes such as harassment, rape, stalking, etc. SC Chief Justice of India Deepak Mishra announced that these sections cannot be changed because they are victim-oriented and the parliament of India has acknowledged women as the victims. The acts that are done in immoral and mala-fide nature which may cause grievous hurt or damage to the other person are called crime. Some specific crimes against women has been termed as “Crime Against Women”. These are broadly classified into two categories:-

⁴Section 498A of IPC.

⁵Section 304B of IPC.

⁶Section 302 of IPC.

⁷K.D. Gour, *A Textbook on the Indian Penal Code*, (2001), p. 714.

CONSTITUTIONAL PROVISIONS FOR WOMEN :-

Our India's Constitution not only focuses on awarding equivalent rights to women but also focuses on how to empower them in society so that they don't face any sort of discrimination. The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favor of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the Constitution are of specific importance in this regard.⁸

Constitutional Privileges - (i) Equality before law for women (Article 14)⁹ (ii) The State to make any special provision in favor of women and children (Article 15 (3)) (iii) The State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood (Article 39(a)); and equal pay for equal work for both men and women (Article 39(d) (iv) The State to make provision for securing just and humane conditions of work and for maternity relief (Article 42) (v) To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women (Article 51(A) (e)) (vi) Not less than one-third of the total number of seats to be filled by direct election in every Panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat (Article 243 D(3)) (vii) Not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women (Article 243 D (4)) (viii) Not less than one-third of the total number of seats to be filled by direct election in every Municipality to be reserved for women and such seats to be allotted by rotation to different constituencies in a Municipality (Article 243 T (3)) (ix) Reservation of offices of Chairpersons in Municipalities for the Scheduled Castes, the Scheduled Tribes and women in such manner as the legislature of a State may by law provide (Article 243 T (4))¹⁰

LEGISLATIVE PROVISIONS FOR THE PROTECTION OF WOMEN:-

There are some special laws and provisions that are made by the Center and State's Legislature to safeguard the dignity of women. Wrongful Acts that are identified as Crime Against Women under the Indian Penal Code, 1860 are defined as under:-

(i) Rape (Sec. 376 IPC) (ii) Attempt to commit Rape (Sec 376/511 IPC)* (iii) Kidnapping & Abduction of Women (Section 363¹¹, 364, 364A, 365, 366 to 369 (IPC)¹²(iv) Dowry Deaths (Section 304B IPC) (v) Assault on Woman with Intent to Outrage Her Modesty (Sec. 354 IPC)(vi) Insult to the Modesty of women (Sec. 509 IPC) ¹³(vii) Cruelty by husband or his relatives (Sec. 498A IPC)¹⁴(viii) Importation of Girl from Foreign Country (up to 21 years of age) (Sec. 366 B IPC) (ix) Abetment of Suicide of Women (Sec. 306 IPC)*¹⁵

“Against the backdrop of the nation-wide outrage over the tragic Delhi gang-rape, Nirbhaya (Fearless) incident of December 16, 2012, propelled the Government of India (GOI) to drive the issue of violence against women to the centre-stage of political discourse. Consequently, on December 22, 2012, GOI appointed a three-member judicial committee headed by the former Chief Justice of India, Justice J.S. Verma.

Taking further cognizance of the strident storm of public protests in general and a tribute to Nirbhaya (Fearless) in particular, on January 23, 2013, the commission submitted its recommendations by identifying lack of good governance” as the central cause of violence against women. Based on some of the recommendations of the Justice Verma Committee (JVC) report, an anti-rape Ordinance was enacted and signed by the Honorable President of India,

⁸ Durga Das Basu, *Commentary on the Constitution of India*, (2007), Vol-I, p.986

⁹ Dr. H.G. Kulkarni, “Erratic Dimensions of Law” Vol:118, *Cri LJ*, January(2012), p.29.

¹⁰ *Law Lexicon*, Vol. I (A-K) 2003, p. 470.

¹¹ *ibid*

¹² Ratanlal and Dhirajlal, *The Indian Penal Code*, (2006), p.919

¹³ Dr. ParthaPartimMitra, “ A new look on matrimonial cruelty with criminal law”, *Indian Bar Review*, Vol XL(1) 2013,p.87

¹⁴ LalsaMohini, “Legitimacy of Section 498A Of Indian Penal Code” *Cri. LJ*, Vol-117, April(2011), p.127,

¹⁵ Kiran Singh, “Protection of Innocent Victims’ Of Matrimonial “ *Cri. LJ*, Vol:116, September(2012), p.243.

Mr. Pranab Mukherjee on February 03, 2013. The Criminal Law (Amendment) Bill, 2013, passed in the parliament".¹⁶

NATIONAL MEN'S COMMISSION (PURUSH AYOG) :-

For women, a statutory body of the government of India called the National Commission for Women has been established that advice the government on those policies that affect women. Our country needs a central body for men on the lines of NCW and its high time that it gets established. As the statistics show men need help to fight false accusations and unlawful use of law by women. Purush Ayog or National Men's Commission can be the right step towards a country which has gender-neutral laws and acts that treats all victims as equal and all perpetrators as criminal, irrespective of their gender.¹⁷

Time and again several people have tried to file a PIL in Indian courts appealing amendments in existing gender bias laws and acts that treats men inferiorly. Today, the laws in India are heavily in favor of women. There is no relevant section in the IPC for men who get raped.¹⁸

Similarly, several cases have emerged in the past that shows that some women exploit laws to harass their husbands and in-laws. While the protection of women is extremely important, it should not be at the cost of other people, specifically men. Indian men have been demanding a Purush Ayog since several years to help them get justice. Recently, Harinarayan Rajbhar, a BJP MP is a lawmaker in Uttar Pradesh said that he will ask the government to establish a Purush Ayog in the Parliament.¹⁹

This idea of Purush Ayog is not new and there are several social media pages that talks about the misuse of laws by women and they give a platform to male victims to speak up and raise awareness about it. There are also several websites online operated by individuals or NGOs that provides legal support to men who are falsely accused by women under gender bias laws. On 2nd September 2018, 2 BJP MPs demanded a commission to be established to look into the complaints by men who are suffering at the hands of their wives or any women. Harinarayan Rajbhar along with Anshul Verma are gathering support for the establishment of Purush Ayog to help the men get justice. In their view, they are not blaming all the women for taking illegal advantage of gender bias laws but certainly, there are some who do it which is reflected through statistics and data.²⁰

Nowadays, some other MPs and MLAs are also supporting the idea of the National Men's Commission and they feel that it is the right thing to do. Several parliamentarians has debated that there is an urgent need to amend section 498A of IPC to prevent the misuse of this law. Along with it, several other laws also need amendments to make them gender-neutral.²¹ National Commission of Women was established to give voice to women and to get them justice at the hands of the law. Similarly, men must also have a commission that give voice to the voiceless populace of India. Maneka Gandhi, Women and Child Development Minister had made a statement recently that a new window should be provided to men who are victims of false case and accusations on the online complaint system of the women's panel.²²

SOME SPECIAL ACTS AND PROVISIONS THAT PROTECT THE INTERESTS OF A WOMEN

- (i) The Maternity Benefit Act, 1961
- (ii) Women's Reservation Bill, 2008
- (iii) The Commission of Sati Prevention Act, 1987

¹⁶ Partha Pratim Mitra, "A New Look on Matrimonial Cruelty within Criminal Law", *Indian Bar Review*, Vol. XL (1), 2013, p. 87.

¹⁷ Amarjit Mahajan, *Family Violence and Abuse in India* (1997), p. 31.

¹⁸ A.S Arora, *Law on Cruelty against husband*, (2010), p.1

¹⁹ Poornima Advani, *Crimes in Marriages-A Broad Spectrum*, 1st ed. 1994, p. 96.

²⁰ PreetiMitra, *Domestic Violence against Women Legal Control And Judicial response*,(2007),p.29

²¹ Prof. Ajay Kumar, "Institution Of Marriage-Judicial Approach", *All India Reporter (J)*,January (2010),p.6,

²² K.D. Gour, *A Textbook on The Indian Penal Code*, (2001), p.714

- (iv) The Protection of women from domestic Violence Act, 2005*
- (v). The Employees State Insurance Act, 1948
- (VI). The Sexual Harassment of Woman at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- (VII). The Criminal Law Amendment Ordinance, 2018
- (VIII). Pre-Conception & Pre-Natal Diagnostic Techniques Act, 1994
- (IX). The Medical Termination of Pregnancy Act, 1971
- (X) The Immoral Traffic (Prevention) Act, 1956²³

SOME OF THE IMPORTANT INITIATIVES FOR WOMEN BY INDIAN GOVERNMENT

(i) National Policy For Empowerment Of Women, 2001:- This policy was made in the year 2001 by the department of women and Child Development under the Ministry of Human Resource Development and this policy aims to empower women.²⁴Mid-year projected population figures in respect of newly created States of Andhra Pradesh and Telangana has been arrived using district population ratio of the Population Census 2011.²⁵In an incident that shakes the country on 16 December 2012 where a female student intern was beaten and gang rape.²⁶

(ii) National Commission For Women:- A committee was made by the Center in the year 1992 to constantly check and see all the matters related to the rights of women and amend new law as necessary for the benefit and protection of the women. Its main objective is to represent the rights of women in India and to provide a voice for their issues and concerns.²⁷

(iii) Reservation For Women In Local Self-Government:- The Parliament passed the 73rd Constitutional Amendment in the year 1992 which made sure that women get one-third of the total number of seats in local offices whether in city or village. It set forth guidelines for local systems of self-rule and created a whole new section known as Part IX: The Panchayats.²⁸

MISUSE OF LEGAL PROVISIONS BY WOMEN

Marriage is a basic social and legal institution. The new concepts like live-in-relationships, gay and lesbian marriages have eroded the traditional concept of marriage. At the same time matrimonial offences are rising high in our country. At the same time, there are persons who are falsely implicated in these cases. They are accused but they are ‘innocent victims’ of matrimonial offences. Because, they have to face trial for no guilt. Their only guilt is that they are relatives of husband. The cases of false implication in dowry related matter has reached on the alarming level.²⁹

Commenting upon the situation in our country, Hon’ble Apex Court in *Shushil Kumar Sharma Vs. Union of India*³⁰ has observed that by misuse of the provision a New Legal Terrorism can be unleashed. This observation of Hon’ble Apex Court came in year 2005. The question is – does a provision of law have become synonymous of a very negative thought like terrorism? It is an arguable question and needs a close examination of prevailing socio-legal position.

Law is always to protect its subjects and to ensure justice, which is its end. But if the situation arrives when a ‘piece of legislation’ becomes a ‘symbol of terror’ for the subjects, its horrible. Before we can term this scenario as New-Legal Terrorism, there has to be very strong and sound reason in support thereof. Terrorism has no face, no caste, no creed, no religion, no geographical limits, no defined objects, its lurking everywhere, be it temple, church, mosque, gurudwara sahib. Certainly, its war against humanity. What is terrorism? The cases of false implications In dowry related matter has reached to such level that almost every married male persons and his relatives are fearful of it

²³ Ajay Kumar Singh, “Dowry Problem In India: Rethinking Anti-Dowry Laws” *Cri. LJ*, Vol.119, September (2009), p. 256.

²⁴ Kiran Singh, “Protection of ‘Innocent Victims’ Of Matrimonial “ *Cri. LJ*, Vol:116, September(2012), p.243.

²⁵ 91st Law Commission Report, 10th August, 1983.

²⁶ Proffulah Padhy, Social Legislatoin and Crime, (2005), p.143.

²⁷ Durga Das Basu, *Commentary on the Constitution of India*, (2007), Vol-I, p.986

²⁸ Dr. H.G. Kulkarni, “Erratic Dimensions of Law” Vol:118, *Cri LJ*, January(2012), p.29.

²⁹ Kiran Singh, “Protection of ‘Innocent Victims’ Of Matrimonial “ *Cri. LJ*, Vol:116, September(2012), p.243.

³⁰ AIR 2005 SC 2394

every time. Thanks to the Protection of Women from Domestic Violence Act, 2005, this has added one more lethal weapon in the armory of unscrupulous litigants.³¹

The observation of Hon'ble Apex Court that "Unfortunately a large number of these complaints have not only flooded the courts but also have led to enormous social unrest affecting peace, harmony and happiness of the society"³², clearly shows that these provisions are causing extreme fear in the society, therefore, synonymous with New-Legal Terrorism, perhaps has now been unleashed.

A shift to Gender-neutral or Gender-specific Offence

The laws are supposed to make deliver justice to its citizens, But, what happens if the law itself is biased? Here are some Indian laws, which are gender biased and have amounted to lot of controversies:

A. Dowry death laws – If a woman dies of an unnatural death within 7 years of marriage, a criminal case is to be filed against the husband under s. 304-B, I.P.C. If the investigation leads to any slight proof that she was being subjected to cruelty and torture for dowry by him or any of his relatives, the death will be considered murder for dowry. The punishment will be imprisonment for seven years for the husband and the relatives.³³

B. Laws for sexual harassment and rape – A woman can just go to the police station and file a first information report, accusing the man for rape. The man will be arrested immediately without any proof or investigation. This has become a weapon for some cheap woman to ruin the life of man and his family's name in two minutes. This amendment was made in 2013.³⁴

C. Domestic Violence Act and other laws – This is the most draconian law ever and was referred to as "legal terrorism" by the Hon'ble Supreme Court of India. Under this law, if a woman goes to the police station and files first information report against her husband and his family, accusing them of domestic violence under the Domestic Violence Act and s. 498A, I.P.C., they are automatically considered guilty. It would be their job to prove themselves innocent or else, rot in jail. In most cases, arrests were done before investigation. However, Supreme Court saw the misuse and took a corrective step later, and that is that the arrests to be made only after magistrate's nod only.³⁵

D. Adultery – Now, consider this scenario. Ravi and Rekha are married to each other. Amit is another person. Rekha and Amit decide to have intercourse. This is not rape nor done forcefully, but purely consensual. What Rekha did was adultery s. 497, I.P.C. – had physical relation outside marriage. Though this is not a crime, but is morally not acceptable and has legal consequences. The legal consequences amounting to adultery are Amit is imprisoned for five years with fine. Rekha? She does not have to face a single thing. Why? Because woman are not considered as punishable, even as an abettor. Even if the man is let off the false charges thrown at him by liars, will it be easy for him to let go of the mental trauma, he went through jail? Seeing his old parents rotting behind the bars? Justice is absolute right, but laws like these are only convenient for woman, who just wants to take revenge for nothing. In 2011, 19,772 cases were filed under S. 498 A, IPC, the conviction rate was only 6.5 %. Rest of the cases was false.³⁶

What can be Changed?

Laws for the safety and security of women should be made and similar laws should be made for men's human rights protection too. The major concern and problem that this article highlights is that gender-biased laws have been misused in the past by women in India and its time to change this. Some of the basic changes and amendments that our current laws need is becoming gender-neutral in crimes like stalking, rape, harassment, dowry, etc.

The term victim in these laws should describe both men and women and not just women, as is the case now. Both men and women should be protected under the Nirbhaya Act. Supreme Court of India can take another look into the PIL of suffering victims and actions must be taken on them. Women must be subjected to the equal term of imprisonment if she is found guilty of filing a fake or the woman to be lying then the woman must be subjected to

³¹Ibid

³²*Preeti Gupta Vs. State of Jharkand*, AIR 2010 SC 3363

³³ 91st Law Commission Report, 10th August, 1983.

³⁴ ShobhaSaxena, *Crime against Women and Protective Laws*, (2004), p.359

³⁵ Hemant Kumar, "Legal Terrorism", *Lawyer's update*, October (2010), p.11.

³⁶ Kiran Singh, "Protection of Innocent Victims' Of Matrimonial " *Cri. LJ*, Vol:116, September(2012), p.243.

equal punishment, without any mercy. This way, certainly, the fake cases will reduce when the word is spread out. It is predicted that almost 80% decrease in the filing of false cases will be seen in just one year.

The Indian Judiciary system should give a message to the society the laws and sections exist to protect women and not be misused by them. Moreover, courts should take article 14 and 21 as the basis to provide equal rights protection to men. Article 14 stands for equality before law along with equal protection by the law. Article 15 stands prohibition of any kind of discrimination on the basis of region, race, caste, sex, place of birth, etc. Article 21 stand for the personal liberty of life of every person. Keeping these articles of the constitution in mind, the Indian Courts must take adequate steps to protect men from fake cases. Promotion of gender-neutral laws in India and National Men's Commission are the need of the hour for the Indian society to be just and unbiased.³⁷

CONCLUSION AND SUGGESTIONS

The violence against the women of our country has been one that has been fought against for decades and this gained widespread protests across the country. We have been witness to some heinous crimes and thus emphasizing much on the need for coming up with stringent laws of punishing men and enacting pro women legislations and implementing them to the fullest. One question still remains, have these legislations been able to curb such crimes and have the real offenders been punished at all? Several activists and organizations have tried to highlight the plight of men been victimized in the midst of such pro women protection laws. This brings in the necessity of framing gender neutral laws. Men should have the equal access to come into the open just like women and not be judged for their manhood for reporting crimes against them.

Judiciary also demands that if provisions of law are misused and subjected to the abuse of the process of law, it is for the legislature to amend, modify or repeal it, if deemed necessary. Under the Dowry Prohibition Act both giving and taking are punishable offence but no one has been penalized till date for giving dowry. The repeatedly misuse of anti-dowry laws can lead to new legal terrorism as have been suggested by the Malimath Committee Report. The gross misuses are reported in respect of dowry related I.P.C. provisions. Undoubtedly, the dowry prohibition act is also being misused, it can be said that all laws are capable of and subject to abuse and misuse.³⁸

In the light of this, the author attempts to put forth the following suggestions:-

(1).The Criminal Law (Amendment) Act, 2013 brought in new sections among which Sections 354C and 354D-the offences of voyeurism and stalking were added to include only men being penalized for such offences making it gender specific while the same amendment brought about acid attack which was gender neutral. Recognizing a few offences to be gender neutral and others to be gender specific making only the man liable is what contended to be unreasonable because the same acts can be done by women also. The legislature has to note that protection of one class of the society does not come at the cost of penalizing or not protecting the other class of the society at all. The Justice Verma report had proposed the term "whoever" to refer to the offenders, but this was not taken into consideration and thus giving a complete clean ticket to women who are capable of committing the same act is unjustified and unconstitutional.

(2). Where as the Section 125 of Crpc is meant for support of a women who is not able to support or maintain herself, in reality the same is being grossly misused by unscrupulous women at large. In some cases wives although working, but they deliberately hidden this fact in the court case and has mentioned that she is not working, just to get maintenance from the courts from her husband. The innocent husband is unnecessary burdened to face the trial of such false case. A lot of the women are getting married just to immediately file false cases and getting their husbands arrested and then they ask for lots of money to settle the case. So, I would like to suggest that there should be any law which protects the husbands against such erring wives who are misusing the law and harassing the husbands.

(3).With respect to Sexual Harassment at workplace and the Act is the The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 that is gender specific to protecting only the women from sexual harassment, taking into consideration the nuances of reforming the law, the various institutions and organizations at the grass root level should take into consideration that even women employees or women superiors can sexually harass men employees. Taking into consideration the current employment opportunities and women reaching at top positions over men, the redressal of sexual harassment at workplace should be made gender neutral.

³⁷ Nishant Kumar, Misuse of Anti-Dowry Laws to Blackmail Husband, *Independent Media Centre India*, (2006), p. 6.

³⁸ Ramesh, "Cruelty as Compoundable Offence: A Critique", 2001, Cr. L.J. (Journal), Vol. 117, 205.

(4). With respect to rape reforms, the recommendations of the Verma Committee need to be re-analyzed and gender neutrality of rape and sexual assault as given in the recommendation must be put forth as law. Only by normalizing the rape of males into the law can men come forward with complaints. This is also psychological impact, that is if men too are included under the definition of rape, they too will realize that such a heinous crime can be committed even against himself by another person a male or female, and that the same pain and agony will be faced by him too and thus if it deters a male from committing such an act, we can curb this offence.

(5). To stop this legal terrorism of India and demand to replace the word Husband / wife to spouse to all marriage related law or policy like all over world follow instead of making assumption that all wives born in Raja Harish Chandra family (never lie) and all husbands born in criminal family. Crime is crime; punishment should be irrespective of gender, religion and caste. All the acts liked Domestic Violence Act, 2005, Section 498A of Indian Penal Code, etc. should get replace the word wife with husband. So modify all the acts by reversing the gender.

