

# Unhappily HARRIED

By Swagata Sen and Arvind Chhabra in Shimla

This is one Shimla Declaration that adds an intriguing twist to the meaning of freedom and independence. While Prime Minister Manmohan Singh spoke of the nation's growth in his Independence Day address in the Capital, in Shimla, the summer capital under the British, a group of men and women at that very moment declared they were better off in the British Raj. That freedom to them was still a dream. The Save Indian Family Foundation (SIFF) comprises young, angry, "harassed" husbands, who claim they represent 25 NGOs and 40,000 equally "tortured" persons like them. Their grouse: they were being "betrayed" by those who framed laws and enforced them; that the law erroneously assumed all wives were "innocent angels" who could only be sinned against, and are not sinners. At the end of the two-day meet, the participants announced that they would no longer take things lying down and declared the SIFF's Shimla Declaration that Section 498A of the Indian Penal Code and Domestic Violence Act, 2005, was "unconstitutional".

Flashing their red caps and attired in colourful T-shirts with slogans loudly decrying 498A and certain other laws, about 100 key members of the SIFF spat venom. To them 498A is the biggest evil and they spoke of it as our freedom fighters did of the Rowlatt Act and Simon Commission, calling it equally draconian. When asked about their wives, they retorted: "Ex-wife, please." But was

Harassed husbands come together in Shimla on Independence Day to protest against cruel treatment by their wives

she a housewife, was the next question? "No, a house-breaking wife." And they screamed in unison: "Do as we say to save the families."

There's a little known world in urban India which seems ridiculous in its existence. "Help, my wife beats me," could only invite guffaws from people around you with specific notions of male domination, and you might even be relegated to the lunatic fringe of society. But the complaints extend to strange circles. As in the case of a senior IAS official and the principal secretary of the West Bengal Government who wouldn't find food for dinner day after day because his wife threw it all away and a software engineer whose harassment was so severe that a high court judge termed it "legal terrorism".

At the Shimla conference, SIFF members sounded agitated. Each one

had his sad story to share. Like Pune-based software engineer Atit, 29, who was booked under Section 498A just because he had asked his wife to take adequate rest and proper medicines instead of attending late-night movies and day-long shopping while she was unwell. Nagpur-based real estate agent Rajesh Vakharia was put behind bars as his wife had filed a false dowry harassment case against him because she didn't get along well with Vakharia and wanted separation.

For a long time, these were stray cases, but now the country's harassed husbands and their families have decided to unite. They feel that they have enough evidence to show that "men's welfare" is as important as women's rights issues in India, and they are making a consolidated effort to make it known to the Government.

What started as a small group on



ANIL DAYAL



## WHAT SIFF CLAIMS

# 55,200

married men commit suicide every year (57,593 for 2007) as compared to 30,000 married women, according to the National Crime Bureau.

# 98%

of dowry harassment cases are false. Married women have been extorting money from their husbands by threatening them with false cases.

# 13 lakh

men lost their jobs between 2001 and 2006, mostly due to frivolous cases lodged by wives.

## WHAT MEN WANT

- One unverified complaint under Section 498A IPC lands a man and his family in jail. No probe is done to verify the tenacity of the complaint.
- The Constitution states that no person shall be tried twice for the same offence. However, in a harassment case, the man and his family face multiple litigations, prosecutions, trials for the same cause of action.
- Under the Domestic Violence Act, men aren't provided protection against abuse by their wives and in-laws, and the complainant woman's sole testimony is considered as evidence of violation enough to convict the man.

distribution of household chores, or is it the declining moral fabric? Not quite. In 2005, the Sehore district in the Bundelkhand region of Madhya Pradesh witnessed quite a turn-around in terms of harassment cases. The district's police-run family counselling centre recorded that the cumulative complaints by men outnumber those by women (468 by men against 449 by women). In 2005, the numbers reached new heights—of the 125 recorded cases, 78 were filed by men seeking protection from their wives. A survey conducted by the Orissa State Commission for Women found that between 2002 and 2007, 567 cases were recorded in the state of women torturing men, with the numbers showing a sharp rise.

The SIFF has so far held seven protest marches against "women-oriented laws", but this conference is a watershed as they now have their charter of demands to be presented to the Government. With 40,000 members and the number set to increase, the foundation leaders are happy. "Now harassed husbands and their family members know they are not alone as they've the moral support to fight the misuse of these laws," says Bangalore-based Pandurang Katti, SIFF's founder member.

Is it really that simple? Criminal psychologist Rajat Mitra, who is director of the Delhi-based NGO Swanchetan and works closely with the Delhi Police, acknowledges that a large percentage of false cases are also filed "because the police is passive and unwilling to investigate the genuineness of a complaint". However, in a male-dominated society, the claim that men have become the weaker sex and are being discriminated against sounds a trifle hollow, even though husband-beating and husband-baiting seems to be on the rise, if the statistics bandied about in Shimla are any indication. Marriages, they say, are made in heaven. The Shimla Declaration suggests that it could very well be designed in hell.

with inputs by Ambreesh Mishra



PARTICIPANTS AT THE SHIMLA MEETING AIR THEIR GRIEVANCES

a website on March 10, 2005, is now a movement. In several cities, the "harassed" husbands and relatives meet weekly. "The idea is to counsel them how to fight the law and other forces," says Nitin Gupta, who coordinates meetings in Chandigarh on Sundays. While Delhi has Crime Against Man cell run by advocate R.P. Chugh, Ahmedabad has the Akhil Bharatiya Patni Atyachar Virodhi Sangh and Mumbai has the Protect Indian Family Foundation which has not just husbands, but even fathers, mothers and sisters as members.

So is husband-beating just an urban malaise, brought on by spouses who both work and therefore deal with constant squabbles over equal