

Legal terrorism – Misuse of laws against the husband and his family

Press Conference on the misuse of the dowry law (498A) and other related laws

Press Note

Indian Penal Code section 498A, commonly known as the anti-dowry law, was enacted to protect married Indian women from dowry harassment. Unfortunately, unscrupulous women have been misusing this law as a legal tool to extort money or seek revenge on husbands and their families. A single written or oral complaint by a woman, irrespective of its authenticity, is enough to arrest her husband, in-laws and anyone else named in the complaint, without investigation. Falsely accused families are presumed guilty and are harassed by none other than the protectors of law, until the accused prove their innocence in the court. Many accused families are forced to settle their cases by paying exorbitant amounts of money and assets demanded by the complainant woman. Several other cases drag on for years without a verdict, and very often due to failure on the part of the complainant wife to appear in the court. Prolonged legal battles worsen the suffering of the already wounded innocent families. Though projected to be a law benefiting women, 498A has, ironically, victimized countless innocent women related to the husband's family.

The majority of cases filed under IPC 498A are not cases of actual dowry demands, but represent malicious intentions and attempts to legally blackmail innocent husbands and in-laws for money or other reasons. Women who want to stay in a marriage or obtain a divorce have been using the law to manipulate unwilling husbands to concede to their demands. A study conducted by The Center for Social Research indicated that 98 percent of the cases filed under IPC section 498A are false. Some startling statistics (year 2005) about IPC 498A and related sections reveal that the level of misuse is astonishing (Source – RTI File No. 24013/20/2006-SC/ST-W)

- More than 80% of cases that complete trial under section 498a are found to be without merit by the courts. This means that for every case of 498a that the courts find genuine, there are FOUR cases without merit.
- More than 66% cases of dowry deaths that complete trial are found to be without merit by the courts. This means that for every case of dowry death that the courts finds genuine, there are TWO cases without merit.

The Supreme Court of India has termed misuse of 498A as "Legal Terrorism." Judicial authorities nationwide have been urging for measures to stop such misuse of dowry laws. The World Health Organization has expressed grave concern over the way old parents are legally abused by their daughters-in-law misusing 498A. The situation is so serious that even foreign governments have taken

note of it. Specifically, the US and the Canadian Governments have issued warnings about the misuse of the dowry law on their official websites.

Despite documented evidence that section 498A of IPC has been heavily misused affecting more and more men and women everyday, no amendments to this law have been proposed so far. Instead another new law, the Domestic Violence Act, has been recently introduced. The DV Act is also replete with loopholes and has enormous potential for misuse, as demonstrated by the recent case where Azim Premji, the CEO of Wipro, was accused by an employee's wife under the DV Act.

498A.org is organizing a press conference on the "Legal terrorism – Misuse of laws against the husband and his family". The purpose is to spread awareness among the media personnel about the provisions of laws such as such as 498A and the DV Act and the misuse of these laws.

Gaurav Nigam will brief on his case filed by his wife under the new Domestic Violence Act 2005 in which Wipro's CEO Mr. Azim Premji was made co-accused. Dr. Anupama Singh will highlight the reasons behind filing a false and bogus case by wife. Nishant Kumar will share his views on the common features related to such false cases. The harassed families from all over India have come together to seek justice against the misuse of laws to blackmail husbands and his family members. The harassed husbands and their relatives will share their views at the Press Conference.

DATE: December 12th, 2006 (Tuesday), **TIME:** 12:00pm – 3:00 pm (sharp)

VENUE : Press Club of India, Raisina Road, New Delhi

Topics to be discussed at Press Conference:

1. Know about false dowry cases (sec. 498A) against husbands and his family
2. New Domestic Violence (DV) Act 2005
3. Question & Answers on Section 498A of IPC and DV Act
4. Get in touch with Victims

Media Coordinator: Dr J. K. Grover, Cell: 9868212593, Ph: 011- 26196042

498A.org is an international volunteer based organization consisting of Indian citizens (all around the world) who have joined hands to fight the evil of 'misuse of 498A' (commonly known as dowry law). We have 24-hour help lines for counseling victims implicated in a false dowry case. We have volunteers in most major cities in India, USA and other countries around the world. Please visit www.498A.org for more information.

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