

You don't raise
heroes, you raise
sons. And if you
treat them like sons,
they'll turn out to be
heroes, even if it's
just in your own
eyes.

–Walter M. Schirra, Sr.



Men's HUB

My Voice



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Regional language also can be submitted, for regional language acceptance will be based on availability of reviewer for the language.

Whoever interested can join our creative platform by sending a message.

<http://menshub.info>

MEN'S HUB

Jan 1, 2021

From the Desk

Editor

The men's HUB was an initiative to publish experience by common men, the objective will continue as main attractions of the magazine. Articles in hindi or english shared by various readers as well as professional authors will be published. The articles can cover any recent incident, event or experience of the readers. Although we are morally bound to stay with our main objective but to cover more areas we ourself limit to number or articles or number or pages. In any edition we limit yourself to cover 3 to 4 articles in max 20 pages.

Keshav & Sharma

Keshav & Sharma is a cartoon series originally started by Men's HUB & Daaman Welfare Society with the help of Volunteers. Mr. Diljeet & Mr. Anupam Dubey is the main artist of the series and the scripts are written by volunteers. Keshav & Sharma are two main characters representing our society's bias against men. There are many more characters with these two leading characters. Every issue now onward will cover at least 2 scripts and 1 graphic representation of Keshav & Sharma.

Raja Rani

Raja Rani is a series started by Men's HUB with the help of Swastik Day. This series will be covering various gender issues with the help of two dimensional stories. One dimension will be focusing on women and the second will be focused on men.

Each episode will have the motive of the story in form of two liner graphics. All graphics are designed by Swastik Day.

Azaad Parinda

This section is for those who believe in freedom. All sections are not for all but people must remember that no section is for all. Every section of the magazine is for someone special. Azaad Parinda is a collection of stories based on men's freedom.

Men's Panchatantra

The section is a newly introduced section. In this section volunteers will try to raise men's issues they face in daily life with the help of various stories including human as well as animal characters. Animals will be used as representatives. Every issue will cover at least one of such stories.

Special Coverage

This section is an introductory section to tell about something special. The section will be in slides format and will cover important points in brief, we won't go into detail but we will try to cover the important facts about the topic and also we will try to speak about the source of the fact. This issue we are talking about Raja Rani series.

Inspirational Story

An inspirational story for the betterment of men which can motivate men to fight for their rights and justice.

Social Media

This section is to cover various activities by various NGO working for men on social media. This won't be a separate section but will be an integral part of other topics.

<http://menshub.info>

MEN'S HUB

Jan 1, 2021

Editorial

Issue 20th of Men's HUB is in your hand. If you did not notice I would like to inform you that the domain name (website url) which we were using earlier is no longer in use, we already shifted to a new domain <http://menshub.info>.

Men's Hub was started with a solo motive to provide a platform for everyone, everyone including professional as well as non-professional writers. During the last 4 years we have seen many changes, some of them for good reason. One of the major changes was url shifting. Now we have shifted to a new url with full strength.

The men's HUB was an initiative to encourage a common man to share his experience without thinking about his capabilities. With a large number of new writers coming forward to share their experience, we can say we are doing good as long as our target is common men. Articles in Hindi or English shared by various readers as well as professional authors are published in present issue. These articles covered various aspects of life including corona. Although we are morally bound to stay with our main objective but to cover more areas we our-self limit to number or articles or number or pages. In any edition we limit our-self to cover 3 to 4 articles in max 20 pages.

This is the first issue of the year 2021. For the past many months the world is facing a crisis created by corona and we hope to come out of this crisis soon. Meanwhile we need to learn how to stay healthy with corona. Almost everyone has decided few resolutions for the year 2020, because of corona it may be possible that some resolutions are difficult to achieve, now it is time to set new resolutions. This time keep in mind that crisis is still there. Hope everyone has reshaped their resolutions for

the year 2020, make sure resolutions for 2021 are set in a way that reshaping is not required.

Corona attacks humanity with full strength and we need to fight back, but we also need to remember corona is just one aspect of life. It's not life we have many things to do. During the last few months we were having a lot of free time. How to spend time was our choice. Most of us spend a lot of time on social media and during those few months few things like corona, labour, india-china relations, vikas dubey encounter, agriculture bill, economy, job loss etc are major issues in discussion. Corona is part of life we can not ignore, but we can learn living with corona till we get a final solution: a safe medicine and vaccine.

The end of year 2020 was not a silent one. Protests against agricultural bills are on high and many farmers are protesting at the Delhi border. Many people are supporting the protest and many are opposing. There are people on social media who call these protesting people anti-nationalist or terrorists or something similar. What I know is they are using their fundamental right to protest, they are not violating our constitution. They can be anything but not terrorists, their protest itself is the proof. Govt and SC of India allow them to protest. What will be the outcome, I don't care what I care about is their protest is a reminder that we are living in democracy.

Happy New Year

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Law News

The woman who remarries after the death of her husband is not entitled to receive widow pension

Suman Vs State of Haryana and Ors

Punjab & Haryana HC

13/03/2020

CWP No. 28008/2017

The High Court has clarified that a woman who solemnizes 'Kareva' marriage after the death of her husband, is not entitled to receive widow pension as she is no longer a "destitute".

Mother has an indefeasible legal right to natural guardianship vis-à-vis an illegitimate child

Dharmesh Vasantrai Shah Vs Renuka Prakash Tiwari

Bombay HC

09/06/2020

WRIT PETITION NO. 2928 OF 2019

While deciding the instant custody matter, the court held that as per the provisions of Section 6 of Hindu Minority and Guardianship Act, 1956, it is a mother who

is the natural guardian of an illegitimate child (whether boy or girl) and a father's claim only comes in second to mother's.

Wife entitled to maintenance even if she runs a business and earns

Sanjay Damodar Kale Vs Kalyani Sanjay Kale and Anr

Bombay HC

26/05/2020

CRIMINAL REVISION APPLICATION NO.164 OF 2019

The High Court recently while hearing a criminal revision application filed by a 51-year-old man from Pune against a family court judgment directing him to pay monthly maintenance to his ex-wife, held that she is entitled to maintenance even if she runs a business and has her own source of income.

'Disgruntled' Wives Using Section 498A IPC As A Weapon To Harass Relatives Of Husband

Amarjit Kaur and others Vs Jaswinder Kaur and another

Punjab and Haryana HC

15/05/2020

CRM-M No.13517 of 2018

The High Court has expressed its concern against the misuse of Section 498A IPC by 'disgruntled wives'.

While quashing a case filed by a woman against her in-laws, justice Jaishree Thakur observed:

"It has become a common practice to use the provisions of Section 498- A IPC as a weapon rather than shield by disgruntled wives. The simplest way to harass is to get the relatives of the husband roped in under this provision, no matter they are bed ridden grand parents of the husband or the relatives living abroad for decades."

The accused in-laws of the complainant had approached the High Court seeking to quash the criminal case registered against them. On a perusal of the complaint, the court observed that it does not disclose specific allegations against the petitioners except casual reference of their names that the husband of the complainant gave her beatings at the instance of petitioners.

The court then quashed the complaint on the ground that prima facie case was not attracted against the in-laws in the absence of specific allegations.

Evidence collected in breach of Right To Privacy alone doesn't make it inadmissible

Deepti Kapur Vs Kunal Julka

Delhi HC

30/06/2020

CM(M) 40/2019

In a significant judgment pertaining to rules for collection and admissibility of evidence, the Delhi High Court has held that evidence collected in breach of the fundamental right to privacy alone, would not make it inadmissible in court of law. The observation has been made by the court while deciding an appeal preferred by the wife from the order of the Family Court, allowing the husband to bring on record the evidence comprised in a Compact Disk that allegedly violated her right to privacy.

MEN'S HUB

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HAPPY NEW YEAR



1. M-Network
2. M-Guru



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MEN'S HUB

Jan 1, 2021

Representation of India based International Men's Rights Group on proposed law against alleged Women Harassment arising out of issues like Dowry abuse, in Australia.



Dept of Home Affairs,

Australia

Subject: Representation of India based International Men's Rights Group on proposed law against alleged Women Harassment arising out of issues like Dowry abuse, in Australia.

We are writing to you with reference to ongoing discussions in regards to the law-making process against alleged Women Harassment arising out of issues like dowry abuse in your country.

We introduce ourselves as Daaman Welfare Society, a registered not-for-profit in India, working in the area the prevailing unilateral gender bias against men and their families. We address this bias at various levels in the society, the laws which also gets reflected in the working of the state and all its organs. Our affiliates in Australia tell us about this initiative of the Government being in the process of framing some law to address the issue of dowry abuse, allegedly prevalent in certain South East Asian Communities, especially the people of the Indian Sub-continent.

As Australia prepares to frame a law in this regard, it is imperative to learn beforehand from the experiences of such laws in the home countries of the targeted beneficiary communities. In this regard, we are aptly suited and well versed with the Indian experiences arising out of similar laws. We make our humble submission as below:

- 1. In 1961, the Government of India passed The Dowry Prohibition Act, which criminalizes any act of demand and acceptance of Dowry in marriages.**
- 2. In 1981, The Indian Government amended Indian Penal Code by adding Section 498A which gave the state unbridled powers to arrest and prosecute the entire family and even extended relatives of the husband on mere verbal allegations by the wife.**
- 3. While making the above amendments the Indian state believed that there were high incidences of dowry abuse prevalent in Indian marriages and there was a need to check this social evil.**
- 4. The experience of working and implementation of these laws in India over a period of around forty years presents an entirely different picture, in contrast to the touted benefits of such laws.**

- 1. The above laws allow married Indian women or anybody on her behalf to merely make verbal allegations on the Husband & his family members and also his extended relatives to initiate a claim of Dowry abuse. The state machinery is set in motion on such mere verbal allegations leading to police action of unbridled arrests & prosecution by the state. In most such claims there is hardly any evidence (other than verbal allegations) to substantiate such claims and crime.**
- 2. Such a situation of state action upon unsubstantiated verbal allegations has given rise to these laws being used as a tool by women for settling personal scores & vendetta against the husband's side. On many occasions, the Indian Courts, including the Supreme Court of India have commented & passed strictures on the rampant misuse of such laws in more than one ways. The Courts in India in their orders even directed/expected the Indian Parliament to amend these laws and ensure that their misuse is stopped.**
- 3. On various occasions, it was discovered during police investigations or judicial proceedings that these laws were rampantly misused by women due to multitude of reasons & ulterior motives. Some of them being an extramarital affair of women, property disputes, desire to live separately from the joint family of the Husband, unrealistic expectations of women from married life, the inability of the husband in spending quality personal & leisure time and also personal adjustment issues with the family members of the husband.**
- 4. The law is framed with a biased intent that the husband's side is guilty of misconduct. The underlying thought being a perception of guilt which remains unsubstantiated in state investigations & also not proved beyond doubt in most judicial proceedings. The Indian state & the judiciary starts with a presumption of guilt against the husband which violates the basic tenet of criminal jurisprudence that entitles any individual to be presumed innocent till proven guilty.**
- 5. Due to the skewed behaviour of Indian state & judiciary against the husband's side, there remain prolonged litigations till Supreme Court, running as long as twenty years. In the intermediary time-period, many litigants choose to settle out of court thus leaving the truth behind. Adding to the woes of the litigants the system keeps extracting money from them. Those who are not able to come to terms with the associated injury and insult take the extreme step of committing suicide.**

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- 6. Even if the cases are found to be false the courts are never willing to take counteraction against the complainant leaving the husband's side high and dry. The social stigma on the husband's side remains forever even after acquittal from courts. Faulty implementation of such laws is damaging the social fabric and slowly demolishing the institution of marriage.**
 - 5. Due to the discovery of rampant misuse of such laws the Indian society has been making constant demand for change in these laws. Save Indian Family (SIF) is one such group of interested individuals and organizations. Active for more than a decade, we represent the unheard voice of men in India. Daman Welfare Society is an affiliate of SIF.**
 - 6. On the basis of above facts arising out of Indian experiences as narrated above, we**
 - 1. We strongly oppose the proposed idea of dowry abuse legislation in your country as it would open a wide scope of abuse as evidenced in the Indian experience.**
 - 2. We believe that the existing laws in your country are sufficient to handle any reported & genuine crime of such nature thereby negating the need for any special legislation in this regard.**
 - 3. The Australian Family Violence Act, 1975 amply covers similar issues of abuse/coercion.**
 - 7. There is no need to redefine, amend or duplicate the legislation with overlapping jurisdictions for a migrant community especially when the social, legal and psychological outcomes of similar laws have been grim in their very own home country.**

We believe that the above submissions are self-explanatory in presenting the Indian experience of dowry laws covering a period of around 40 years. Any similar exercise for the same community in your country would most likely to meet a similar fate. Indian exp has clearly amplified that such an exercise creates more negative social, legal and psychological values. Any positive value is merely a false perception.

Submitted by:

Anupam Dubey

(President)

Daaman Welfare Society

Date: 03/12/2020

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