

One day Seminar on Recent Supreme Court Judgment on 498A IPC 2017 to prevent Misuse- Directions and Dilutions: Gender Implications held on 18.09.2017



The Department of Women's Studies, Bharathidasan University, Tiruchirappalli organized a one day Seminar on "Recent Supreme Court Judgment on 498A IPC (Rajesh Sharma Ors Vs Supreme Court of India) to prevent Misuse- Directions and Dilutions: Gender Implications" on 18.08.2017. Dr. N.Murugeswari, Professor, Department of Women's Studies welcomed the gathering. Prof. N.Manimekalai, Director and Head, Department of Women's Studies, Bharathidasan University, Tiruchirapalli rendered the Introductory Remarks. In her oration, she explained the patriarchy system that still exists in our society and the need to understand the situation of women who are always considered as "secondary". She raised a question by asking the audience as to how many women come forward to make a complaint on the issues relating to familial issues. Normally women are complacent to come forward and to register a complaint about the atrocities and torture that they face in the family especially from the husband. When women come into Public place their issues faced by them become a barrier to them leaving them with no avenue to forge ahead .She also shared some incidents from the point of the victims focus who have faced myriad problems related to violence. Dr.N.Manimekalai narrated that the section 498 (A) IPC which was a result of struggle and long

fight for its implementation has become a mere case of falsification. She concluded the introduction speech with Mr. Prabanjans taught "Breaching the traditions".

Adv. T.Banumathi, Advocate, Tiruchirapalli, President, Tamil Nadu Women Advocates Association had served as a Resource Person. In her address she made a clear point that women in the family are not treated as equals. Women are discriminated not only in the family but also in the society. She explained the history on Section 498 (A) section which was amended in 1983 and then a judgment passed (Rajesh Sharma Ors Vs Supreme Court of India) 2017 with some major modifications. The modification was done for the cause of elite people. The law has not substantiated the plight of middle and lower class of people in society which puts a pertinent question of considering the value of women in particular. She explained each and every amendment made to the Law had been carried out with a gender biased motive favouring men. 90 % of the complaints were disclosed by the family welfare officers who mainly opted in reconciliation giving due protection to the institution of family. In this view the perpetrators escaped from the punishment. She also explained that one cannot be arrested under Section 498(A) in the case of suspicion, abetment or physical injuries. At last she insisted in the change in marriage system in our society will make a peaceful life to women.

Mr. A.William John Bosco, Associate Prof and Head, Department of English, EVR College, Tiruchirapalli had served as a Discussant and shared his views and perception of genderd legal language which is interpreted through the male chauvinism. The social institutions language, culture , religion etc are focused mainly on objectification of women where the women and men bodies are viewed as different and this has been a bane for women. All laws are formulated, executed and interpreted based on the family. Finally the session was concluded with the resolutions taken which are as follows:

1. A F.I.R should be made mandatory when complaints made under Section 498(A) are made at the All Women's Police Stations.
2. If a woman is deceased in the event of Section 498(A) the punishment attributed in Section 302 should be implied under any circumstance.
3. Arrest should be made immediately taking into effect the cognizance of the offence before enquiry itself (prima facie evidence).

4. Punishment under Section 306 and 498(A) should not be delivered as concurrent but the penalty imposed under each section should be delivered individually.
5. The family welfare committee should consist of equal number of women to investigate into the complaints which would be most preferable if it consists of Female district magistrate.