

“Me Too- Is it the Right Approach for Equity?”

*Shloka Verma,
BA. LLB,
New Law College,
BVDU, Pune*

ABSTRACT

The article here focuses on the movement ME TOO. The article here covers all the parts and features of that following. #ME TOO from its background to its ultimate existence, the whole discussion is included in the article. Making a scrutiny on the same it's a question glares to us that- Is it the right approach for seeking justice? Will it work in real sense? The entire discussion including its influences and also involving the political and legal aspects related to the same. The paper brings the entire analysis on this movement Me Too engaging with author's views.

INTRODUCTION

The Me Too development in India is a sign of the worldwide Me Too development that is as of now occurring in parts of Indian culture including government, media, and the Bollywood film industry. In India, the Me Too development is viewed as either an autonomous outgrowth impacted by the global battle against inappropriate behavior of ladies in the working environment, or a branch of the American "Me Too" social movement.¹ Me Too started picking up conspicuousness in India with the expanding fame of the universal development, and later assembled sharp energy in October 2018 in media outlets of Bollywood, focused in Mumbai, when performer Tanushree Dutta blamed Nana Patekar for sexual harassment². This prompted numerous ladies in the news media, Indian movies, and even inside the administration to stand up and bring charges of lewd behavior against various noticeable men³.

INFLUENCE OF HOLLYWOOD'S "Me Too" MOVEMENT-

MeToo started in October 2017 as a hashtag begun by American on-screen character Alyssa Milano who shared her account of rape against Harvey Weinstein. The hashtag got like fierce blaze when ladies from over the world started discussing their survivor stories. In India, in any case, this MeToo development⁴ didn't take off until on-screen character Tanushree Dutta chose to talk up once against performer Nana Patekar. What started as one lady's story before long turned

¹ Goel, Vindu; Venkataraman, Ayesha; Schultz, Kai (2018-10-09). "After a Long Wait, India's #MeToo Movement Suddenly Takes Off". *The New York Times*.

² "India's #MeToo: Some of the sexual harassment charges that have surfaced this month"

³ Faleiro, Sonia. "India's #MeToo Moment Came Late, but It Will Be Transformative"

⁴ "MeToo Movement India - Everything You Need To Know About The #MeToo Movement". *popxo.com*. October 29, 2018.

into a marvel when names of influential men in the nation began surfacing. From on-screen character Alok Nath to columnist MJ Akbar, the development has exposed numerous accounts of lewd behavior and misuse.

After charges against Harvey Weinstein, the utilization of the #MeToo hashtag via web-based networking media as for the occasion spread rapidly in India,⁵ where lewd behavior is ordinarily alluded to by the word 'eve-prodding', a term portrayed as misdirecting, tame, and weakening the earnestness of the crime⁶. in light of #MeToo, there have been endeavors to train Indian ladies about working environment rights and safe detailing, and additionally teaching men about the extent of the problem⁷. Some have compared #MeToo to a 2012 social development which pursued a savage assault in New Delhi that later brought about a lady's demise, which made the Indian government establishment harsher disciplines for rape.[25][28][29] Others have recommended there was basic open indignation regarding a Delhi assault conviction that was upset by Judge Ashutosh Kumar multi month before against producer and essayist Mahmood Farooqui, deciding that a "weak no" was insufficient to disavow assent since it was commonplace for one accomplice to be less ready. The case is being engaged the Supreme Court.[28][30] Activist Jasmeen Patheja, head of Blank Noise, expressed #MeToo's capacity is in showing India can never again disregard the extent of the problem.[25] Kaimini Jaiswal, a legal counselor at the Supreme Court of India, focused on the significance of showing ladies how to peruse, particularly in provincial towns, in light of the fact that most ladies in these territories are uneducated and totally monetarily and candidly subject to a male relative.[29]

Blogger Sheena Dabolkar's viral #MeToo tweet brought about the blacklist of Khodu Irani's prominent Pune bar High Spirits, by a few surely understood performers.⁸ Several ladies referenced Mahesh Murthy, which started a police case in January 2018⁹. Trends Desk of The Indian Express composed that numerous Indian men are talking up as a piece of #MeToo, including dialogs about assent and how a few men are additionally abused¹⁰. Rina Chandran of

⁵ Kazmi, Zehra (October 17, 2017). "#MeToo: Does it take a Twitter trend to know women are harassed every day?". *Hindustan Times*. Archived from the original on November 6, 2017. Retrieved January 6, 2018. See, "Women in India are also saying #MeToo". *PBS NewsHour*. October 19, 2017. Archived from the original on January 6, 2018. Retrieved January 6, 2018.

⁶ "Why Are We Still Calling Sexual Harassment 'Eve-Teasing' In India?". *Huffington Post India*. July 4, 2017. Archived from the original on November 7, 2017. Retrieved January 22, 2018.

⁷ "#MeToo: Know the laws that protect you from sexual assault and harassment". *The Better India*. October 28, 2017. Archived from the original on January 17, 2018. Retrieved January 17, 2018.

⁸ Verma, Abhinav (October 16, 2017). "Comedians slam Pune café owner Khodu Irani over sexual harassment allegations". *Hindustan Times*. Archived from the original on November 6, 2017. Retrieved January 6, 2018. See also,

⁹ "Mahesh Murthy: A #MeToo moment too many?". *VCCircle*. January 5, 2018. Archived from the original on January 22, 2018. Retrieved January 21, 2018.

¹⁰ "#MeToo: This man's Twitter confession on being a 'SHAMELESS FLIRT' is a MUST READ for all men". *The Indian Express*. October 17, 2017. Archived from the original on January 6, 2018. Retrieved January 6, 2018.

Reuters said #MeToo is disregarding the 600,000 ladies in India who are as of now sex specialists without wanting to, and are regularly poor without training or family¹¹.

There were reports of mass rapes amid the 2018 New Year's festivals in Bangalore, which have been related with #MeToo. The occurrences were at first expelled by the police until the point when somebody transferred CCTV film of the attacks to social media¹². Home Minister G. Parameshwara, Abu Azmi, and different authorities experienced harsh criticism for expressing "western" ladies' attire and qualities were the reason for the assaults, and showed ladies' families ought not enable them to go to gatherings or major celebrations.¹³

A few arrangements of supposed attackers and harassers began spreading via web-based networking media in India, including "The List", which at first incorporated the names of around 60 exceptionally regarded scholarly men. The List was posted on October 24, 2017 by lobbyist Inji Pennu and an Indian understudy in California named Raya Sarkar, who asserted they by and by affirmed each incident.¹⁴ This rundown has brought about feedback against #MeToo in light of the fact that the claims were unsubstantiated before they begun spreading via web-based networking media. A portion of the unfortunate casualties from the rundown have approached to clarify they were disregarded, abused, or struck back against when they attempted to seek after action.¹⁵ Sarkar has protected The List, saying that she presented it just on caution her companions about teachers and scholastics to maintain a strategic distance from (generally upper-station men), and had no clue it would turn out to be so popular¹⁶. A second rundown turned out seven days after the fact that was made by ladies from lower standing foundations and included more names, bringing the aggregate up to around 70.[37]

Twelve noticeable Indian women's activists rejected The List in a formal letter, saying they comprehend that the equity framework is regularly tilted against exploited people, yet unconfirmed cases make things harder for the women's activist movement¹⁷. Writers Rhea Dangwal and Namrata Gupta reacted that most unfortunate casualties from the rundown were

See "*#MeToo: Men lend their support to the movement, say 'we will do better'*". *The Indian Express*. October 17, 2017. Archived from the original on January 6, 2018. Retrieved January 6, 2018

¹¹ Chandran, Rina (December 18, 2017). "#MeToo campaign excludes India's most vulnerable women, activists say". *Reuters*. Reuters. Archived from the original on January 6, 2018. Retrieved January 6, 2018.

¹² "Asia | Blame victims and the West – India's way of justifying sexual assaults?". *Deutsche Welle*. January 5, 2018. Archived from the original on July 18, 2017. Retrieved January 6, 2018.

¹³ *ibid*

¹⁴ "Raya Sarkar and All The List's Men". *Medium*. October 24, 2017. Archived from the original on January 6, 2018. Retrieved January 6, 2018.

¹⁵ "Asia | #MeToo: 'Sexual predators' list divides Indian feminists". *Deutsche Welle*. November 8, 2017. Archived from the original on January 6, 2018. Retrieved January 6, 2018.

¹⁶ Singh, Pragya (November 3, 2017). "'Perpetrators are shamed under due process too ... Farooqui, Tejpal, Khurshid were all shamed. Was anyone convicted?': Raya Sarkar". *Outlook*. Archived from the original on January 6, 2018. Retrieved January 6, 2018.

¹⁷ Borpujari, Priyanka (November 6, 2017). "#MeToo and #HimToo Come to India". *The Diplomat*. Archived from the original on January 3, 2018. Retrieved January 6, 2018.

poor understudies who attempted to use official procedures without progress or plan of action, while each and every man on the rundown can safeguard himself socially and legally¹⁸.

POLITICS AND LAW-

In October 2018, MJ Akbar, India's Minister of state for External Affairs, was blamed for inappropriate behavior by a few female colleagues¹⁹. At slightest ten claims have developed against Akbar, the primary community worker in high office to be charged. Akbar's partners, including Smriti Irani and Maneka Gandhi, have recognized the online declarations against him and required a test. The Ministry of Women and Child Development reported that a board would be set up to look at the current legitimate system for badgering at work²⁰.

In mid-October, a 41-page letter was composed to Delhi's main metropolitan officer by Akbar, which blamed writer Priya Ramani for criticizing him on outrageous grounds. Ramani said she was "profoundly disillusioned" with Akbar's choice to make lawful move against her²¹.

On 16 October, writer Tushita Patel (spouse of Aakar Patel, executive of Amnesty International India) distributed an article on Scroll.in specifying occurrences of lewd behavior by Akbar amid gatherings with him in the mid 1990s, when Akbar was the manager in-head of the Deccan Chronicle, and Patel was a senior sub-proofreader. In a smoothly resentful tone, Patel described separate episodes in which Akbar obscenely presented himself to her, and furthermore coercively kissed her, abandoning her damaged. She finished the article certifying the intensity of the solidarity and association of his female exploited people, who might be vocal against him in court procedures: "a similar sisterhood of solidarity that held our hands through the darkest occasions of our lives will turn out simply because you keep on being bold. We are not confounded, tangled or powerless any more. Our opportunity to talk is currently – when we don't need to rushed to a police headquarters to hold up a protest before anybody would give us a hearing."²² M.J. Akbar surrendered from the post of Minister of State for External Affairs on 17 October, having chosen to battle in an individual limit the claims made against him²³.

On 18 October, the Editors Guild of India posted an official explanation that asked for Akbar to pull back his maligning body of evidence against his informers, and furthermore offered

¹⁸ Raya Sarkar and All The List's Men". *Medium*. October 24, 2017. Archived from the original on January 6, 2018. Retrieved January 6, 2018

¹⁹ #MeToo campaign: Six women speak up, accuse Minister M J Akbar of sexual harassment when he was Editor". *The Indian Express*. 2018-10-10. Retrieved 2018-10-10.

²⁰ "It's officially a week since India's #MeToo movement started. Here is a list of all those accused. - *The Indian Economist*". *M.dailyhunt.in*. Retrieved 16 October 2018.

²¹ "After a deluge of #MeToo allegations, Indian men claim they are the ones under attack". *Washington Post*. Retrieved 16 October 2018

²² Patel, Tushita. "MJ Akbar, stop with the lying. You sexually harassed me too. Your threats will not silence us". *Scroll.in*. Retrieved 16 October 2018.

²³ #MeToo fallout: MJ Akbar resigns as minister of state for external affairs - Times of India ►".

legitimate and other help to any of the influenced ladies (present or later on) for his situation or others: "If any of them were to require lawful counsel or help, the Guild will do as well as can be expected to help and furthermore advance to famous legal counselors to speak to them professional bono."²⁴

Likewise on 18 October, Akbar's hearing for his slander case started at the Patiala House Courts in Delhi. Akbar himself was absent, but rather was spoken to by his legal counselor Geeta Luthra. Luthra said that "at this stage all that she needs to indicate is that Akbar's notoriety has endured, and that the purportedly disparaging comments were perused by others." The court said that it would record his announcement on October 31, 2018²⁵.

National Students Union of India (NSUI) national president

On 16 October 2018, Rahul Gandhi, leader of the INC, acknowledged NSUI national president Fairuz Khan's renunciation after he was blamed for inappropriate behavior. He was blamed by a female part for the INC from Chhattisgarh. INC had requested a three-part board to examine the issue. Khan denied the charges however expressed he was venturing down as it was harming the gathering's picture. The lady had first griped against Khan to Rahul Gandhi in June 2018. She likewise requested assurance, as she dreaded for her life²⁶

CHALLENGES-

India's Me Too development varies in key courses from the development in the United States²⁷. The claims against Harvey Weinstein were examined by solid sources in the US, while in India, allegations rose via web-based networking media, where ladies posted their grievances²⁸. likewise, laws against criticism in India permit the arraignment of ladies who can't demonstrate their charges, with a most extreme prison term of two years, while the First Amendment ensures such rights in the United States. accordingly, activists started to progress in the direction of reinforcing the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, which was actualized ineffectively since its establishment²⁹.

²⁴ <https://www.ndtv.com/india-news/metoo-editors-guild-of-india-urges-mj-akbar-to-withdraw-case-against-journalist-priya-ramani-1933885>

²⁵ <https://in.news.yahoo.com/metoo-mj-akbar-sues-priya-063907778.html>

²⁶ "NSUI president quits after sexual harassment charges, Rahul Gandhi accepts resignation". *Indianexpress.com*. 16 October 2018. Retrieved 16 October 2018.

²⁷ After a deluge of #MeToo allegations, Indian men claim they are the ones under attack". *Washington Post*. Retrieved 16 October 2018.

²⁸ *ibid*

²⁹ *ibid*

ANALYSIS-

Today in the realm of liberal reasoning, we have moved onto having approach rights, LGBT rights, sexual orientation equity and so forth. India, being a moderate nation, has opened its arms totally open to keep up to world's advancement through enactment, legal choices and particularly, through social developments.

Online networking had picked up such a great amount of fame in the ongoing years that it has turned into an indispensable piece of our lives. Individuals share their own presents on expert issues. Online networking has additionally turned into an innovator and an ideal stage to pitch ubiquity, look for equity, run a social battle, spread mindfulness thus substantially more.

As of late, #MeeToo crusade has emitted over the web with bunches of disheartening posts loaded up with encounters of sexual maltreatment, attack and abuse with our female individuals from the general public. We as a whole vibe that such denounces ought to be rebuffed with legitimate disciplines and equity ought to be sort to the females for such contemplative encounters which have caused both mental and physical desolation. In any case, as a law understudy, I have dependably been instructed that 'a denounced isn't liable until the point when its demonstrated', at that point how far is it ideal to pass judgment on a man with such claims? What about if a man is demonstrated not liable in the official courtroom and the charge insignificant false and counterfeit? How far is it appropriate to have a media preliminary instead of looking for equity through a legitimate course?

Is it true that it isn't out of line and low for both charged and his family that would confront a social blacklist and expert misfortunes?

The majority of the above inquiries ought to be considered while deciding a man liable of an offense. Likewise, I have gone over a few stories which go back to 10 years or half and with the #MeeToo battle; it is approaching via web-based networking media. Another inquiry comes that, why it took individuals to share such shocking encounters and skeptical stories following 10 years or half? We do see how hard it is for a lady to assemble mettle and report such occurrences even to her family and companions however as opposed to offering to her precious ones or documenting a police gripe, how far is it appropriate to share such encounters to online life specifically after a pull of such numerous years?

To attract your consideration regarding occurrences relating to fraudulent indictments against men to discussing men rights I have plan of action to few articles which are talked about beneath:

A Times of India article, "Ladies faces preliminary for false assault charge" gives us another side of the coin. In this, it was referenced how a ladies, an assault injured individual (as asserted),

after the preliminary was discovered making "joke" of our legitimate course of action by recording a false assault case.

In an article by Hindustan Times, titled as "When ladies abuse laws made to secure them". It gives a few examples where false 'assault' allegations are made by females just to coerce and look for reprisal. It likewise has a comment made by Indu Subash, who works for men rights that "There is no lack of cases in which counterfeit claims are leveled against men for ulterior intentions. Our helpline stays overflowed with such grumblings in which the genuine exploited people are men".

It doesn't restrain to false assault charges yet additionally against spouse on bogus allegation for cold-bloodedness. In July 2005, the Supreme Court conceded that in numerous examples protests under the Section 498A of the Indian Penal Code are not genuine and have diagonal thought processes. The court included that vindication in such cases doesn't eradicate the enduring the litigant needs to experience, which is intensified by antagonistic media inclusion. The court likewise guided the lawmaking body to discover approaches to check such false cases.

Another article distributed by PRI, it was referenced that "Indian court decides that men require security from ladies making unverified local badgering claims.", additionally referencing that a board of the Supreme Court called ladies' abuse of the arrangement "legitimate fear mongering".

Last Friday, Bombay High Court has additionally made a comment with respect to #MeToo battle, "The development ought not be abused. It is for the people in question and not for any other individual. This is the reason there is a requirement for rules to be determined to the issue," Justice Kathawalla said.

Arriving at the resolution, the magnificence of law is that it is equivalent for each and everybody in spite of our religion, standing, shading, sexual orientation or status, so we should look for equity through law and by appropriate strategy. Media preliminaries are not the fitting medium to look for equity as it doesn't offer equity to anybody with the exception of being made a decision by our general public and it is for the two people. Men too fall prey to false acquisitions with malafide goal and the main fairness, our general public pursue is, making a decision about individuals through such posts and explanations. It doesn't generally mean all men are honest and each such occurrence is false and with a rushed goal however some of them are so to guarantee a guiltless not endure legitimate course to equity ought to be sort. What's more, the guilty party ought to be rebuffed, regardless of whether men submitting any offense or ladies making false claims, strict activity ought to be sort against such individuals.

Alok Nath v. Vinta Nanda

In October 2018, veteran character on-screen character Alok Nath was blamed for assault by TV maker Vinta Nanda who worked with him in the TV demonstrate Tara in the mid-1990s³⁰. Alok Nath has denied the allegation³¹. Subsequently, performers Renuka Shahane, Himani Shivpuri, Sandhya Mridul, and Deepika Amin have either confessed to thinking about Nath's savage conduct or expounded on occurrences where they themselves have been ambushed by him³². On 15 October 2018, Nath sued Nanda for criticism, requesting a composed statement of regret and ₹1 as pay. He has documented the case mutually with his significant other Ashu Nath³³. The Cine and TV Artists Association (CINTAA) sent Mr. Nath a show cause see on Vinta Nanda's post. The affiliation inquired as to why he ought not be ousted from CINTAA. The performer encouraged that the notice be pulled back, that he was blameless until demonstrated blameworthy. In light of Alok Nath's claim, on 15 October Vinta Nanda's legal counselor reacted: "She won't be threatened by dangers and maligning suits which are principally intended to defer and occupy from the gravity of the charges." Alok Nath had prior been cited by ABP News as saying he could "neither deny nor concur" with Ms Nanda's record of assault and infringement on Facebook. The essayist had not named him but rather had recognized him as the "Sanskaari on-screen character" who played the lead on her show "Tara"³⁴.

On 14 November 2018, the CINTAA removed Alok Nath from their association after he neglected to show up at a body meeting on 12 November to talk about his assault allegations against Vinta Nanda, and rather sent a reaction to the 'indicate cause' see. CINTAA secretary general Sushant Singh noticed that the gathering's EC (Executive Committee) "consistently casted a ballot him out." When inquired as to whether the association ought to have permitted its Internal Complaints Committee (ICC) to deal with the case, Singh reacted that the ICC had not yet been totally prepared in POSH (Prevention of Sexual Harassment) on the most proficient method to "hear cases, take an affidavit, cross-question, among numerous different things," and that they needed to pursue their "current arrangements" until further notice. Nanda reacted to the ejection by extolling the choice, saying that "toward the day's end we as a whole need to

³⁰ "#MeToo hits Sanskari Babuji Alok Nath, accused of rape and sexual harassment by TV show 'Tara' producer". *dna*. 2018-10-09. Retrieved 2018-10-08.

³¹ "Alok Nath accused by second woman of harassment". *Gulfnews.com*. 11 October 2018. Retrieved 16 October 2018.

³² "Alok Nath's behaviour was open secret, says Himani Shivpuri, compares him to Jekyll and Hyde". *Hindustan Times*. 2018-10-11. Retrieved 2018-10-12, see "Alok Nath accused by second woman of harassment". *Gulfnews.com*. 11 October 2018. Retrieved 16 October 2018,

³³ "Alok Nath Sues Writer Who Accused Him Of Rape, Demands Re 1". *Ndtv.com*. Retrieved 16 October 2018.

³⁴ "Alok Nath Sues Writer Who Accused Him Of Rape, Demands Re 1". *Ndtv.com*. Retrieved 16 October 2018.

recognize that we are responsible and responsible to our administering bodies. It's at exactly that point, that establishments like CINTAA, IFTDA (Indian Film and Television Directors' Association) and Screenwriters Association (SWA) will accomplish the status they deserve³⁵"

CONCLUSION

Columnist Seema Mustafa has communicated consolation for the ladies who have shared their own encounters and has said this is a major accomplishment for India's ladies' development, yet she has likewise felt that the development needs inside feedback, which would have been useful in fortifying the cause³⁶. Tavleen Singh of "The Indian Express" has reprimanded the Me Too development members in India, guaranteeing the 'dissidents' driving the development are illiberal towards conflicts with their purpose of view³⁷. Govind Krishnan V of "Firstpost" agreed with Mustafa's opinions and moreover expressed that one confinement of the development in India was that it close itself from productive feedback, which would reinforce the movement. As a similarity, he referenced that women's liberation has advanced after some time because of this kind of feedback: "Me Too development needs more nuanced and more extravagant discussions which have space for discussion, contradiction and difference. The development needs further types of commitment and a group will to build up a self-basic talk which can produce basic sort of scholarly spade work."³⁸

Mustafa additionally communicated her reservations about the tone and tenor of the Me Too development via web-based networking media. A key purpose of her feedback was the development's 'failure to separate between a man who is liable of assault and rape from a man who requested a lady with a beverage, or an inadmissible instant message', contending it offers the equivalent 'discipline' for all. Krishna excessively shared the perspective, expressing, "This remaining parts a test of extraordinary significance for India's MeToo, which it has not yet prevailing in overcoming"³⁹. Mustafa and Singh both said that the present development in India is "selective, first class and metropolitan in nature", neglecting to speak to normal Indians⁴⁰.

Mustafa has talked about equity as an idea where a blameless man should be surrounded, regardless of whether it implies the blameworthy get away. She has reprimanded the Me Too development as "excessively emotional, subjective and without due responsibility". Mustafa has

³⁵ "#MeToo: CINTAA expels Alok Nath". *Mumbai Mirror*. Retrieved 14 November 2018.

³⁶ mustafa, seema. "Whoa #MeToo, Hold Your Horses...". *The Citizen*. Retrieved 2018-10-17.

³⁷ "Fifth column: Why I am not MeToo". *The Indian Express*. 2018-10-14. Retrieved 2018-10-17

³⁸ "#MeToo: Accusations against men can't be construed as guilt; calculus of probability should account for innocence - Firstpost". *www.firstpost.com*. Retrieved 2018-10-17.

³⁹ "#MeToo: Accusations against men can't be construed as guilt; calculus of probability should account for innocence - Firstpost". *www.firstpost.com*. Retrieved 2018-10-17.

⁴⁰ mustafa, seema. "Whoa #MeToo, Hold Your Horses...". *The Citizen*. Retrieved 2018-10-17., see also "Fifth column: Why I am not MeToo". *The Indian Express*. 2018-10-14. Retrieved 2018-10-17.

additionally censured the "horde attitude" of the development as the allegations via web-based networking media deny the denounced a legitimate opportunity to shield themselves⁴¹.

⁴¹ mustafa, seema. "Whoa #MeToo, Hold Your Horses...". *The Citizen*. Retrieved 2018-10-17.