



Equality, Justice and Harmony

We fight for Equality among gender, Justice to all and Family Harmony

PARENTAL ALIENATION - THE SILENT KILLER OF CHILDHOOD

TO: whomsoever it may concern,

Section 17 of The Guardians and Wards Act, 1890 says "Father is the natural guardian of the minor" but that's only in Law books but not followed practically. Most Fathers are afraid to file for child custody or child visitation because it will be an Invitation to bigger trouble and charged with false cases like Section 498A of Indian Penal Code / Protection of Women from Domestic Violence Act, 2005, false rape, outraging modesty of women or any other 50 women centric laws existing in India.

As per research reports and statistics almost 95% Child custody cases settled in favor of women and Fathers are forced admit and deny Custody on the threat of False Rape or other LEGAL TERRORISM cases and only 2% fathers are getting custody.

If mother fails to take the child when she leaves her husband's home, she will report to police that her child is abducted. She will not inform that the child was born and staying in father's house. She will report that the child was kidnapped by the father and kept in his house. Police will register her complaint as is and arrest the father and snatch the child and handover to the mother. Recently one of our member was also arrested by PS NIT Faridabad Haryana Police, without any verification. If father reports a similar complaint stating the mother has taken away his child, police will say that she is the mother and entitled to take her child and so no action is taken. Above this, they will mention to file an appeal for custody in the court.

If father approach the court asking visitation most of the judges deny and delay visitation to father but forcing him to pay child support only, after delay and denied for years they question father why he has not met child for many years, even they know child visitation was not granted.

In one of the Karnataka High court order, A sum of 10 Lakhs to be deposited in fixed deposit the name of mother and keep Passport with Police or local court when father is asking for child visitation, this is in the matter of MFA 14863 of 2007 and judgment dated 21/11/2012 by Justice Vikramajit sen and Justice B.V.Nagarathna of Karnataka high court. this shows how judiciary is stopping fathers from meeting their children. 10 Lakhs is not small amount, for a common man it's impossible make that amount which takes his life time and also asking to surrender passport shows, that judiciary is treating men as criminals.

Most of the custody order comes in the best interest of women, not the best Interest of the Child, only women have rights, child or Man has no rights, so no child rights violation. Men in Power, Judiciary or Supreme court can make law or give direction as no parent has denied visitation or one parent can take away child from other parent. such order/directions not only reduce the stress on child and also to help judiciary Burdon of backlog of cases but no one deliver such order.

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It is not only one parent take child and prevent other parent's visitation but Police and Indian judiciary play major role to deny even visitation to father which result in parental alienation.

Parental alienation is a strategy whereby one parent intentionally displays to the child unjustified negativity aimed at the other parent. The purpose of this strategy is to damage the child's relationship with the other parent and to turn the child's emotions against that other parent. which results in Narcissistic Parental Alienation syndrome, refers to the process of psychological manipulation of a child by a parent to show fear, disrespect, or hostility towards the other parent. Very often, the child can't provide logical reasoning for the difference in their behavior towards both parents.

"Most of the time Fathers are allowed for visitation on condition only if they pay Maintenance or child support" says another concerned Father Tanmoy Dutta from Calcutta.

The paternal bond is the most beautiful and strong bond in the world. A father provides love, food, shelter and protection to a child, which is very essential for the good upbringing and overall welfare of the child. In return, a father only wants love and respect from his children. The Constitution of India gives many rights to the child and women over the property and other resources of the father or husband and also puts an obligation on a father to maintain his children and wife, but it is silent on the rights of the father over his children. Whenever a father requests for custody of his children in the event of divorce or separation, the entire Indian legal system uses all its power to prevent him from getting child custody or even visitation.

WCD or NCPDR, has no mandate or to reduce psychological problems in the child who is separated from other parent which are defined by World Health Organization.

Children Without Fathers

- Loss of Safety & Security
- Loss of Courage to Face the world
- 70% chances of becoming victims of crime or committing crime. Can become very suppressed or volatile without any cause.
- Lack of cognitive skills & external development as older children
- Lack of Role model for future planning & growth
- Lack of healthy inter gender relationships, especially for daughters.

Children Without Mothers

- Become very emotional while facing the world
- Lack of internal emotional stability
- Lack of intimate relationships especially for daughters
- Feeling of Homesickness
- Always Feel Abandoned

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Around 1.5 lakh children get stuck in the matrimonial dispute between their parents every year in India & this number is ever growing at a rapid pace. Roughly 55-60% are girl children whose mothers have taken them away & roughly 40-45% are boy children whose mothers have taken them away from their father. Plus, there are odd few cases where children are with their fathers. In roughly 95% of cases, fatherless child syndrome is being promoted by the legal system & roughly 2% motherless child syndrome. This skewed number is due to fake sense of women empowerment by snatching away the human rights of the child & father in the current legal system.

Law Commission Report 257, Clearly states that Family Matters require very sensitive handling & hence require a separate staffing (judges, staff, etc.) also high priority on psycho-clinical counselling.

it also states that Shared / Natural Parenting should be the primary principle. However, it is yet to be passed.

No agreement or contract document or any direction by any authority can ever bring back the time of the lost childhood of any child

PRAYER:

Follow Article 16, 40(2-b-vii) of the UNCRC, Clauses 74 (I, ii & iii) of the Juvenile Justice Act 2015 have strict provisions for privacy of children, making their name public in judgments to avoid any future consequences or stigmatizing trauma of custody proceedings.

Directions to WCD/NCPCR Judiciary and to both parents regarding the child's education, health, personality development progress and their regular involvement. Articles 5, 7, 8, 9, 10, 18 of the UNCRC, Clause 3(v) of the JJ act 2015, Sections C, G (& their recommendations) of Law Commission Report No 257 clearly state about the importance of the biological family their equitable rights, responsibilities for natural justice to the child's upbringing.

Directions against Parental Alienation or Brainwashing/touting, poisoning the mind of the child against other parent, deny, avoid visitation or disobey court orders should be dealt with strictest punishment or removal of child from such parent's custody if same trend continued even after warning.

We the Members/unfortunate Parents of MyNation Hope Foundation writing in a hope to the concerned authorities, act upon the issues, and give appropriate orders/directions/Judgments to avoid any such future parental alienation. Children deserve both parents love and affection, parental alienation is violation of child rights. Our humble request to concerned authority to defend and honour rights of the child.

THANK YOU.

ISSUED IN BEST INTEREST OF THE CHILD AND FUTURE GENERATION

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