

Activists Mobilize to Change Indian Dowry Laws

The publication of the award-winning article "Indian Husband Falls Victim to Dowry Fraud" (I-W, Dec. 31, 2004) has inspired a groundswell of activism among Indian American men. Now that India-West's article has drawn this issue into the public eye, victims of dowry fraud are mobilizing in greater numbers.

— Editor

By LISA TSERING

India-West Staff Writer

In the year since India-West published an article exposing the scope of dowry fraud, many victims have come forth with their stories. Now, Indian American victims of dowry fraud have outlined their mission — to change the Indian Penal Code — and have begun to mobilize online and in the public sphere.

"Till now, there has not been much awareness [of the problem]," Rahul (not his real name), a 29-year-old Silicon Valley research engineer, said this week. "There are hundreds of victims here. The India-West article definitely helped, by portraying the reality of what's going on, especially since the major dailies

in India have been hesitant to publish our stories."

A growing number of nonresident Indian men are being victimized by their brides, and their brides' families, who falsely accuse them of demanding dowry. Accused under Section 498A of the Indian Penal Code, which makes demanding dowry a crime, these men have even been thrown into Indian jails when they visit India. Though they may be American citizens, since they are accused of a crime they find little solace through United States missions in India.

If the man is not in India when the charge is made, his family can be fined, or jailed in lieu of fines, and many men have reported that it has cost them tens of thousands of dollars to pay legal fees. Often, the bride's family offers to "settle" out of court for vast sums of money, which 498A victims and their advocates say is tantamount to extortion.

The creation of the biggest online forum yet addressing the issue may change that.

A group of activists has created www.498a.org, a Web site with an active blog and forum.

The self-Mendocino group, which calls itself Save Indian Family,

or SIF, offers informal help and advice to 498A victims, recommends legal proposals to the Indian government, and claims to work toward progressive marriages, domestic harmony and the eradication of dowry. The site also offers definition of relevant legal terms.

"The reason we created the Web site, and the reason we are creating awareness, is we found that this was injurious and a basic breach of human rights by people who are misusing this law," Rahul said in an email.

The group is also asking the public to sign an online petition at MyNation.net demanding revisions in the law. Although Rahul said he knows that it's hard to get online petitions taken seriously, he said that once they amass at least 1,000 signatures, they will file a statement with the Indian government.

Rahul claims that his wife, an American-educated Indian woman, displayed bipolar behavior after their marriage; when he filed for divorce, she

trunk large sums of money from NRIs," said Satya, a contributor to the site. "There are thousands of people suffering in the U.S. alone."

Repeal statutes of the group made a showing at the recent Pravasi Bharatiya Divas in Hyderabad, but felt frustration that the Ministry of Overseas Indian Affairs placed the wrong

obliged to record the complaint and begin an investigation. Activists are seeking to reverse those three factors.

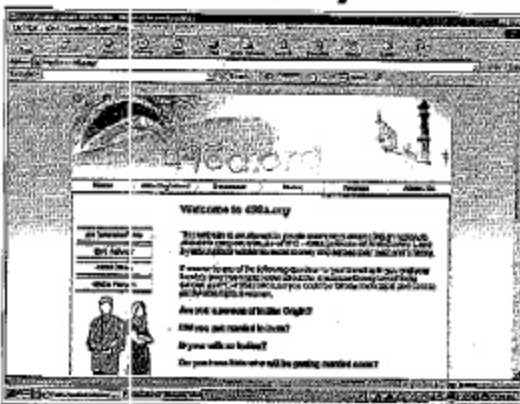
There is also no law against filing a false claim, said Rahul, calling for lawmakers to make it a crime to file a false claim.

In future, the group also hopes to address other issues, such as parental child abductions to India, elder abuse, and the Indian government's refusal to legally accept divorces granted in the U.S., requiring the couple to be divorced anew in India to avoid charges of bigamy.

Online at www.498a.org, the activists have been battling around proposed solutions, such as getting in touch with younger politicians in India such as Rahul Gandhi, political heir-apparent to the Nehru-Gandhi dynasty, to get their point across.

"Since the last 50 years we are being ruled and having ideas imposed on us by the previous generation," said one contributor to the site.

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A recently launched Web site, www.498a.org, answers many questions for Indian American victims of dowry fraud.

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retaliated by filing a police report in India accusing him of demanding Rs. 20 lakhs dowry.

Even the lawyers in India have nowadays started suggesting [to] their clients to misuse this law to harass the husband's family in cases where marriages go south due to myriad of reasons," he told India-West. "In urban India, this law is being rampantly misused."

"False dowry complaint has become a racket in India to ex-

emphasis on fraudulent NRI marriages by stressing in a statement the victimization of Indian brides by unscrupulous Indian American grooms.

Currently, a 498A offense is:

- Non-bailable (meaning that the accused can remain in police custody at the court's discretion);
- Non-compoundable (even if the accused withdraws her complaint, the court can continue to investigate and prosecute); and
- Cognizable (the officer is

