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Abandoned husbands join hands

Non-resident men harassed and cheated by brides seeking immigration, seek change in law

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IT was almost like a discussion taking place in an Indian home. They were talking about dowry and harassment and the Indian Penal Code. Only it was the Santa Clara Public Library in Silicon Valley. On December 15, around half a dozen Valley residents congregated at the library, connected their laptops and set up conference call among nearly 20 other people across the USA. The subject: abandoned NRI husbands.

Many of the victims are tech professionals, who had typically arranged marriages in India organized in two or three weeks.

"Unfortunately, more incidents are surfacing of brides having abandoned the groom soon after obtaining her visa papers and immigration to the USA. Some have even been abandoned by the wives without consummating the marriage," says Satya, organiser of the meeting and spokesperson of Rakshak Foundation, which is addressing the social problem. Satya, an IT professional in Silicon Valley, has in his hands a sheaf of "Case Studies" the Foundation has gleaned since it was formed a few years ago.

One of the heartburns in such cases has not only been the immigration fraud, but the blatant misuse of Section 498A of the Indian Penal Code, also called the Dowry Law.

The section was meant to help female dowry victims, but has been abused to intimidate men since action under 498A requires no proof of actual harassment for dowry. The law states: "Whoever, being the husband or the relatives of the husband of a woman, subjects the said woman to cruelty will be punished with imprisonment for a term which may extend to three years and shall also be liable to a fine. The offence is cognizable, non-compoundable and non-bailable."

Several cases have surfaced of parents and siblings of the married NRI couple having been hauled to the police station, jailed or money extorted from them in India.

According to Rakshak members, some cases are so blatant that cases have been filed

without the knowledge of the married couple in question, apparently "with the assistance of crooked lawyers." Since the law is non-bailable, non-compoundable (i.e., the complaint cannot be quashed) and cognizable (arrests without warrant or investigation), several cases of misuse and extortion have been reported. One case was apparently based on an e-mail sent from the US while reconciliation efforts were going on between the couple already separated and living apart.

Satya and others are clear, "We are against violence against women and dowry. But some of us are hit with charges that we demanded Rs

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50,000. This is a ridiculous amount when we are talking of well-placed engineers and tech professionals in the USA." But even citing a low amount can get the men in trouble with the law. Ram, another Rakshak member, calls it a "false dowry law-immigration extortion" problem, adding, "We were surprised when we came across nearly 3,000 such cases."

Highlighting the individual cases brings out the wretchedness of some stories. Take IT professional Sunil. He was not only saddled with a \$30,000 credit card debt by his now-vanished wife, but during their 10-month marriage, she had transferred all his savings into her account. To top it, a 498A case registered against him in India does not allow him to travel home to fight the case as he is afraid of being arrested. Sunil later found out via the network that his wife's sister had also pulled off a similar caper.

Perhaps the worst of all, three men found themselves not only charged under Section 498A, but also having Interpol Red Corner no-

tices issued against them. "Such Interpol notices are issued against Al-Qaeda terrorists. Can you believe some of these guys are working for blue chip companies?" asks Satya.

The victims in most case are males, of course, but their extended family members living in India are often snared by the law. "We have recorded hundreds of such cases and more are coming in as people learn about it. Unfortunately, many lawyers in India are also aware and many times the 498A charges are included in a litigation later, mostly by relatives of the estranged brides. This endangers immediate family members of the harassed NRI grooms," says another organizer.

Trying to rally the victims and help work in association with officials of the Government of India has not been easy for the advocacy groups either. While officials, including Indian Ambassador to the US Ronen Sen, have heard them out, there is little that they have been able to do about the demand for amending the law back home to make it more gender-neutral or to introduce checks and balances.

An attempt will be made by families of affected parties to organize one such discussion around the Pravasi Bharatiya Divas, which will be attended by many top-ranking officials and prominent NRIs and community members.

At the moment, there is a bit of despondency among the victims. Satya states: "The apathy of the Indian government to the plight of innocent NRI grooms is best exemplified by the Ministry specifically created for NRIs, the Ministry of Overseas Indian Affairs (MOIA). The persistent refusal by MOIA to consider the issue of abandoned NRI husbands had come as a shock and surprise to NRIs, many of whom have decided to distance themselves from India after their bitter experience."

Groups helping abandoned NRI husbands and advocating against the 498A law include Rakshak Foundation (www.rakshakfoundation.org) and 498a.org, a voluntary organization dedicated to supporting NRIs and their families ensnared by this draconian law.

(The names have been changed to protect identities.)