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Rampant misuse of anti dowry laws giving jitters to non-resident Indians

By Ravindra Sheoran

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New Delhi, Feb.3 (ANI): Contrary to the routine news about harassment of women by in-laws over dowry, many cases related to men being subjected to harassment by women too are becoming commonplace, especially among the non-resident Indians.

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There are a rising number of cases, especially among non-resident Indians, where individuals are paying a heavy cost due to the gross misuse of the existing anti-dowry law by women or their relatives.

Many women, who marry non-resident Indians (NRIs) use the existing dowry to keep their husbands on their toes due to the advantage enjoyed by women in dowry cases under law.

According to data provided by Ministry of Home Affairs, there were 58,319 registered cases and 134,757 people underwent arrest under 498a and b and Dowry Prohibition Act.

That is on average 2.3 people were arrested in every complaint of woman. There were 358 children and 4,744 senior citizens arrested.

Out of 129,655 cases, approximately 18 per cent (23,337) were not chargesheeted and hence suffered only because these acts are non-bailable.

Non-resident Indians continue to be the biggest victims of such dodgy women, mainly because of their soft side that makes it too difficult to return to India to present their side of the story in most of the dowry cases.

The three hundred red-corner notices issued last year, against non-resident Indians under this law, state the grim situation. Twenty-seven of these individuals have even received extradition notices.

A few social organisations have taken up such cases on behalf of harassed husbands.

"We want the government to revisit the laws to observe how much poorly drafted or badly implemented they are. We want them to amend the law, not scrap it. We are not for the people who demand dowry or who are for cruelty in any relation. Dowry seeker should be punished. But we want the law to remain equal for all irrespective of gender," said Dr Anupama Singh, Co-ordinator 498a.org, an anti Dowry Law organisation of people from India.

Meanwhile, the Government of India is also keeping an eye on such issues.

"What I suggest is we decided to sign the Hague convention which will carry private international law. That law can be used after the discussions with the countries so its arm can reach to this type of cases, which we are working out," said Minister for Overseas Indian Affairs Vyalar Ravi.

According to Section 498A of Indian Penal Code, "whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine."

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This section is non-bailable, non-compoundable (complaint can't be quashed) and cognizable (arrests without investigation or warrants) on a report from a woman or close relative.

This law makes it mandatory for the police to file charges against the husband, his parents and other relatives/friends (whoever being named on the complaint by the wife or her close relatives) and put them in jail. There is no penalty (even a fine) for filing a false case.

Many individuals have claimed the wife or her close relatives are abusing this. (ANI)

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