

Press Conference: NRIs victimized by Indian Gender Biased Laws

IPC Section 498a and DVA '06: Empowering unscrupulous women while victimizing men and their families

Press Note

(Press Conference: January 5th 2007, 10:30 am - 1:00, Conf. Room No.2, The India International Centre, New Delhi)

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To a married Non Resident Indian (NRI) male, IPC Section 498a has a special meaning. It can potentially ruin him and his family financially, socially, professionally and emotionally. It has already done this to several thousand NRI men and their families.

IPC Section 498a (dowry prevention act) was brought into existence in the 1980s to protect helpless innocent women when dowry deaths were escalating and the law was powerless to punish the perpetrators. Times have changed and society at large shuns dowry harassment. At the same time, the divorce rates in India are increasing due to various reasons. This law is increasingly being abused by unscrupulous women and their families as a way to extort money from innocent men and to settle scores with them and their families or to force favorable divorce settlements. This has been recognized by the Supreme Court which labeled the misuse of 498A as "Legal Terrorism". In addition, the Domestic Violence Act of 2006 (DVA), has been brought into effect which strips men and their families from their right to defend themselves. DVA doesn't recognize the fact that the perpetrators of domestic violence can be women and that the victims can be men and their families. These laws ignore the fact that the term "women", include the mothers, sisters, sisters-in-law, grandmothers, aunts and nieces of men. These laws do not take into account the trauma inflicted on these women when a false dowry harassment complaint is lodged. Over 90% of 498A cases eventually end up getting dismissed or settled out of court. This was validated and confirmed by the research conducted by Council of Social Research in 2005.

NRI men are particularly vulnerable to extortion as the draconian provisions of these laws allow their families in India to be jailed and terrorized legally by estranged spouses. NRIs are unable to defend themselves in India as they face immediate arrest and their passports are seized as part of the bail conditions. NRI men tend to lose their jobs, residencies in foreign countries, and a lot of money, if they get entangled in a 498A case. These accused men and their families end up fighting these cases until they are cleared by the courts years later or the case is withdrawn when the extortion demands are met. For the Indian Police, this is a particularly lucrative racket as evidenced by the zeal with which they pursue NRI 498A cases. Repeated attempts by NRIs to redress these grievances by appealing to the Ministry Of Overseas Indian Affairs (MOIA) and MOIA minister Shri Vayalar Ravi have been ignored and unanswered. To add insult to injury, the MOIA has brought out a highly biased, factually inaccurate booklet, titled "Marriages to Overseas Indians" which paints NRI men as crooks out to dupe their Indian brides and claims that a high percentage of NRI marriages fail.

498a.org is a voluntary organization dedicated to supporting NRIs and their families who've been ensnared by this draconian law. 498a.org is organizing a press conference "**NRIs victimized by Indian Gender Biased Laws**" on the occasion of Pravasi Bharatiya Divas 2007. The purpose is to increase public awareness about the abuse of IPC Section 498A and Domestic Violence Act of 2006.

The press conference will be held on Friday, **January 5th 2007, 10:30 am to 1:00 pm** at **Conference Room No.2, Main Building, 2nd Floor, The India International Centre, 40 Max Muller Marg, Near Lodhi Road, Delhi.** More information is available at www.498a.org/nri.htm. Please visit www.498a.org for more information.