

# Immigration

## POST

Quote - Unquote

*I'm not saying we need to stop immigration at all; people can come from wherever.*

*- Jeb Bradley*

24 India Post

www.indiapost.com

December 28, 2007

## Misuse of anti-dowry laws against NRIs and their families

India Post News Service

SANTA CLARA: A press conference was organized by 498a.org at Santa Clara, CA to raise awareness regarding the misuse of anti-dowry laws against NRIs and their families. Several victims of false 498a cases gathered at Santa Clara City library to raise their concerns and present their heart wrenching stories to the press.

There were victims who had traveled all the way from New York to participate in this unique press conference. There were around 12 victims from the Bay area and more than 25 victims who chose to participate via telephone because they were in different states (Massachusetts, Texas, Illinois, New Jersey, Florida etc.).

There were victims whose children were abducted by their wives (and non-custodial ex-wives who were not even Indian citizens) to India and when they fought the child custody issues in India, their whole family was jailed using false 498a cases.

Amit, from San Diego, broke down into tears when he narrated his story of how his wife who was not even an Indian citizen filed a false 498a case after drawing more than \$50,000 from his bank account. His whole family in India is running from pillar to post to prove that they are innocent.

Saurabh could barely conceal

his emotions and pain, when he told everyone how his wife married him only to get into the United States and harassed him for years. On several occasions she put false domestic violence charges against him and also spread false rumors about him in the neighborhood and his workplace.

All this harassment from her caused him to change his job several times and finally she abducted both his kids to India and

cases.

Jaspreet's father suffered a cardiac arrest by the extreme stress caused by these false cases and passed away. Jaspreet could not even attend his father's funeral. Today, Jaspreet has an Interpol Red Corner Notice against him, his family has been devastated and he fights hopelessly for justice in the Indian Courts. It has been eight years and the false criminal case filed by Komal still goes on. Meanwhile, Komal has

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denied him access to them.

When US based Jaspreet married his wife Komal in India, he was looking forward to a life of love, companionship and matrimonial bliss. However, within a month of joining Jaspreet in US, Komal clearly told him that she was interested in someone else and married him just for immigration to US, so that she could become a doctor here. After Jaspreet filed for divorce, Komal went to India and filed a false case of dowry harassment against Jaspreet and his family. She demanded 1 crore rupees (\$250,000) to take back the false criminal

remarried and is living a normal life with her new husband and two kids.

Ramesh (married for 5 years) sent his wife and son to India as he received an e-mail from his father-in-law that he had an impending heart surgery. His wife filed for Child Custody in India and until the interim order was fraudulently obtained, continued to talk to him without giving him even a slight hint of her devious plans.

Ramesh contested the case and eventually got an order permitting him to talk to his son in India and in all the proceedings that took place for almost 3-4

months there was no mention of dowry or threatening calls. But within a matter of hours after the order, dowry harassment allegation surfaced and false cases of 498a and 506 were registered against him and his family. His 80 year old father and his sister were jailed without a shred of evidence. His sister's 2 children 3 and 9 were without a clue as to where their mother was for 2 days. Despite the court order in his favor, he has not been able to talk to his son for over a year.

Every year, hundreds of NRI men are duped into sham marriages by unscrupulous brides and many NRIs become victims of International Parental Child Abduction. Not a day goes by when you don't hear the myths regarding the issue of NRI Abandoned Brides and the hype that has been generated by vested interests about it.

We have come across many cases of immigration fraud in which NRI grooms are used to acquire a visa to a foreign country and then callously abandoned. The complex issues surrounding NRI marriages and the reverse phenomenon of Abandoned Grooms and Child Abductions by NRI Brides were discussed at length in the conference. In fact, India is now known as a safe haven for Parental Child Abduction.

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As soon as they land on foreign shores, many newlywed brides from India promptly dump their husbands, sometimes within few days.

Worse, many of them take advantage of gender-biased laws by filing false cases of domestic violence and dowry abuse to harass and extort money from their husbands.

While the highly publicized Pravasi Bhartiya Divas conducted by the Govt. of India has become a platform for bashing NRI Grooms, the Indian Govt. refuses to even acknowledge the anguished cries for justice by these innocent families that are being destroyed by the unscrupulous Indian brides. Efforts by 498a.org, Rakshak Foundation and other sister organizations to inform the Indian Govt. about this immigration and extortion racket have been met with resentment and hostility. The Govt. apathy to the plight of these innocent men and their families is best exemplified by the Ministry specifically created for NRIs - Ministry of Overseas Indian.

The very Ministry that is expected to act as a liaison between NRIs and the motherland is steadfastly pursuing an anti-NRI agenda.

MOIA and some vested interests in the Indian Govt. have been propagating questionable statistics in the

media to garner support for making even more draconian gender biased laws against NRIs. Claims have been made that there are 30,000 brides that have been abandoned by NRIs. But in the reply to a question raised in the parliament in March 2007, MOIA admitted that it has received only 100 complaints since 2005. On the other hand, in less than two years, 498a.org has received more than 750 complaints from shattered Non Resident Indian (NRI) families that have been brutally victimized by the gender biased laws in India.

498a.org has been attempting to bring out the shocking truth about NRI Marriages, abandoned spouses and abducted children. This issue has acquired even more urgency given the fact that the Indian Govt. is considering even more gender biased legislations, which are based on faulty assumptions and unsubstantiated statistics.

*Following are the suggestions from 498a.org regarding NRI marriages:*

1. Make Gender neutral laws that are applicable to both the husband and the wife and remove Gender Bias from existing laws.
2. Stringent penalties should be imposed on people who misuse these laws thereby discouraging others from abusing them.
3. Strengthen implementation of

International Laws related to Child Abduction and Rights of the Child. India should become signatory to the Hague Convention on Civil Aspects of International Child Abduction so that child abductors are brought to book and the Rights of the child and the left-behind parent are restored.

4. Jurisdiction of Foreign courts should be accepted if the habitual place of residence is abroad. Registration of False cases regarding matrimonial issues for NRI marriages should not be entertained in India.

The persistent refusal by MOIA to even consider the issue of Abandoned and Cheated NRI Husbands comes as a shock and surprise to NRIs, many of whom have decided to distance themselves from India, after their bitter experience. 498a.org urges the Govt. of India not to marginalize and distance NRIs by pursuing skewed, prejudiced and unjust policies. Further, the Govt. of India is urged to protect the rights of innocent NRIs and deliver justice to them. 498a.org is a voluntary organization dedicated to supporting NRIs and their families who've been ensnared by this draconian law. Rakshak Foundation is an international organization dedicated to preserving the family and social values of India.