

# India Abroad

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## Not all husbands are guilty

I came across a letter in (India Abroad, December 2) 'Ministry biased against NRI husbands?'

Is the NRI family always at fault in a marriage gone sour? The High Level Committee on the Indian Diaspora (HLCID) and Ministry of Overseas Indian Affairs (MOIA) in its efforts to curb fraudulent marriages between NRI grooms and Indian girls, is trying to publish some guidelines to be followed in such marriages. First and foremost, the statements made by HLCID and National Commission for Women (NCW)'s recommendations in trying to solve the issue give the impression that the NRI grooms are the only ones responsible for the cruelty in, and breakdown of, marriages. The truth lies somewhere in the middle.

In fact, the benefit of doubt should be given to the grooms because they are usually well-qualified, hard-working, respectable and responsible individuals who do not have the time or energy to carry out such acts which would only

be detrimental to their lives and career.

One glaring issue missing in the MOIA directive is that almost always such a breakdown of a marriage is followed by a 498a (dowry) case filed by the bride's family. I understand that there are genuine cases being investigated, but there are lot of other cases that are in fact fraudulent and are only meant to harass and extort the groom and his family. The MOIA/HLCID/NCW in their enthusiasm have gone overboard and in the process declared the NRI grooms and his family guilty and trampled on their basic rights.

The MOIA has some provision to help out affected people, but it is sounds very women-centric. The provisions should be amended by keeping the following things in mind:

1. Make the MOIA directive neutral and not implicitly assume that NRI grooms and their families are the ones responsible for all the fraud/disharmony.
2. Have clear information on what the groom/bride should do in case of fraudulent marriage, marital discord, i.e., provide another outlet (instead of

498(a)) for the grooms/brides to file a complaint in the nearest Indian mission so that the complaint can be handled in a swift manner with the help of local authorities given that domestic violence is a crime in most countries.

3. Provide help to individuals and families already affected by 498(a) in terms of quick resolution, investigation of facts in foreign land, and such measures as will alleviate endless trips to courts with no resolution in sight, harassment and loss of wages.

**Kanishka Gupta**  
an NRI affected by misuse of 498(a)  
Sunnyvale, CA.

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I would like to share my experiences with respect to IPC-498a and NRIs.

My sister-in-law filed a false 498(a) against our family and consequently my brothers, parents and sister in India were jailed without any investigation. I was not arrested because I was in the US at that time.

This is a very evil and unfair law. My

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brother is very well-educated and highly successful. He is against the dowry system and did not take even a single paisa as dowry, but still we all are victimized by a single-line false complaint, 'My husband and in-laws are asking and harassing for dowry' by my sister-in-law. We are from Andhra Pradesh and were respected in our community and town but after the case that has changed.

I believe it is partly because of our culture; people easily believe the woman's version, and the media simply publishes one-sided stories.

The 498(a) section is not doing any good to real victims, but is only misused by educated women to extract money. I used to believe women's NGOs are doing good for us; in fact, they are spoiling women and teaching them how to extort money rather than educating women.

I agree with the views of Mr. Vijay Sharma. I wish more media should come forward to get the real stories by investigating the truth rather than just publishing one side of the stories of the women. The MOIA has shown that they are very unfair and believe women's organizations without doing proper research.

The government must seek opinion from NRIs also, not just from women's groups. I still wonder how our lawmakers are making such gender-biased and daughter-in-law favoring laws which are used to harass the husband's family in India and abroad? No wonder there are millions of people who want to get out of India and to avoid problems with the corrupt legal system.

**Kaipana Lanka**  
Los Angeles, CA