

FNo. OI-19016/5/2007-SS
Government of India
Ministry of Overseas Indian Affairs

Venue : Secretary's Conference Room, Ministry of Overseas Indian Affairs, Akbar Bhawan

Date of Meeting Friday, 7th June, 2007
Time of Meeting : 11 00 Hrs.

Subject: Meeting of the inter-Ministerial sub-committee constituted to suggest clauses that could be inserted in the bilateral agreements to protect victims of fraudulent marriages – Regarding.

The first meeting of the inter-Ministerial sub-committee was held on 7th June, 2007 in the Ministry of Overseas Indian Affairs to discuss the clauses which could be inserted in the bilateral agreements to protect victims of fraudulent marriages and to find other ways and means to counter the problem. The sub-committee had been constituted as a result of an inter-Ministerial meeting convened in the Ministry of Overseas Indian Affairs by the Hon'ble Minister Shri Vayalar Ravi on 4th May, 2007 to discuss the above issue.

The meeting of the sub-committee was chaired by the Secretary, Ministry of Overseas Indian Affairs. The names of the officers who attended the meeting are given in annexure 'A' to the minutes.

The discussions in the meeting revolved around the following main issues:

1. Introduction of clauses that could be inserted in the bilateral agreements/treaties with other countries to protect the interest of women deserted by their overseas Indian spouses.
2. Existing provisions in the Indian Passport Act to impound the Passport of a person responsible for fraudulent marriages and additional requirements, if any.
3. Taking steps for extradition of persons involved in fraudulent marriages.

4. Taking steps for speedy trial of cases relating to failed/fraudulent marriages.
5. Providing assistance to women deserted by their overseas Indian spouse to obtain legal/counseling services.
6. Creating awareness about the legal rights in other countries

It was discussed that inspite of provisions in the Indian law to take action against the accused, the main constraint was the enforcement of the provisions as the accused is overseas. After detailed discussion on the aforesaid topics the following decision were taken:

1. Constitution of a special task force with Dr. M.K. Gandhi, Director, MEA and Shri Suresh Chandra, Addl. Legal Advisor, Ministry of Law and Justice, Department of Legal Affairs as members to study the problems and give their recommendations to the sub-committee on:
 - (a) Appointment of a Special Public Prosecutor to handle the cases relating to failed/fraudulent marriages for speedy trial and fast track procedure.
 - (b) Suggest insertion of suitable clauses in the bilateral agreements/treaties with USA, UK, Canada, Australia and New Zealand for service of summons in cases relating to desertion of Indian women by their overseas Indian spouses and providing maintenance to them. The Task Force will be provided details of the cases relating to failed/fraudulent marriages from Punjab, Andhra Pradesh, NCW and the Ministry.
 - (c) Suggest ways and means for extradition of NRIs involved in failed and fraudulent marriages.
2. Shri P. M. Meena, Joint Secretary (Consular), Ministry of External Affairs was requested to study and give recommendations for making suitable amendments in the Indian Passport Act including the suggestion to include photograph of the spouse in the passport.
3. The representatives from the Governments of Andhra Pradesh and Punjab were requested to give list of NGOs in their States

working for the welfare of women including victims of NRI marriages for the next meeting of the sub-committee.

4. Ms. Vijaya Moorthy, Joint Secretary (NCW) and representatives from the Governments of Andhra Pradesh and Punjab were requested to give a list of 10 important cases each to the Task Force with a copy to the Ministry.
5. It was also decided to invite Secretary (NRI Cell), Government of Punjab in addition to the representatives of Social Security Department in the next meeting.
6. It was decided to invite organizations who had requested for a meeting with the Ministry on this issue amongst them Mr. Ramuwalla, former Minister as also Rakhshak, a USA based organization and a few women NGOs including those suggested from Punjab and A.P. for the next meeting of the sub-committee.
7. The recommendations of the task force will be considered in the 2nd meeting of the sub-committee proposed to be in the first half of July, 07.

The meeting ended with thanks to the Chair.

Annexure

Names of the officers who attended the meeting:

1. SHRI NIRMAL SINGH - SECRETARY, MINISTRY OF OVERSEAS INDIAN AFFAIRS –
in chair
2. P. M. Meena, Joint Secretary (Consular), Ministry of External Affairs.
3. Ms. Vijaya Moorthy, Joint Secretary, National Commission for Women.
4. G. Gurucharan, Joint Secretary (FS), Ministry of Overseas Indian Affairs.
5. Dr. M. K. Gandhi, Director (L&T), Ministry of External Affairs.
6. Suresh Chandra, Addl. Legal Advisor, Ministry of Law and Justice, Department of Legal Affairs.
7. Ms. Sandhya Shukla, Director (DS-I), Ministry of Overseas Indian Affairs.
8. Ms. R. Savithri, Director, Ministry of Women and Child Development.
9. Ms. Sarla Rajyalaxmi, Deputy Director, Deptt. of Women and Child Welfare, Government of Punjab.
10. Ms. Surendra Kumari, Deputy Director, Deptt. of Social Security, Govt. of Punjab.
11. S. S. Rana, Under Secretary (P&C), Ministry of Overseas Indian Affairs.