

F.No. OI-19016/5/2007-SS
Government of India
Ministry of Overseas Indian Affairs

**Venue:Conference Room, Ministry of
Overseas Indian Affairs, Akbar Bhawan**

Date of Meeting Friday, 9th August, 2007
Time of Meeting: 16.00Hrs.

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 third meeting of the inter-Ministerial sub-committee was held on 9th August, 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 meeting of the sub-committee was chaired by the Secretary, Ministry of Overseas Indian Affairs. The names of the officers and others who attended the meeting are given in annexure 'A' to the minutes.

After a brief introduction of the members to the chair, a quick re-cap of the decisions taken in the second meeting held on 25th July, 2007 was done. In the second meeting it was decided to invite a few NGOs working for the cause of women including victims of NRI marriages from the States of Punjab, Andhra Pradesh and Delhi to present their views and give suggestions in the matter. The following NGOs from Punjab and Andhra Pradesh attended the meeting. However, the NGOs from Delhi viz, Women Power Connect and JAGORI could not attend the meeting.

- (i) NRI Sabha, Punjab.
- (ii) Indian Council for Social Welfare, Punjab.
- (iii) Progressive Organization of Women, Andhra Pradesh.

Shri Sucha Singh Mast, Executive Director, NRI Sabha, Punjab, Mrs. J.K. Grewal, Vice President, Indian Council for Social Welfare, Punjab and Mrs. V. Sandhya, Director, Progressive Organization of

Women, Andhra Pradesh presented their views on the issue of problems faced by victims of NRI marriages and gave the following suggestions:-

Suggestions given by NRI Sabha, Punjab:

- (i) NGOs abroad may be asked to provide information about prospective NRI spouses.
- (ii) Mortgaging of NRIs' properties in favour of the bride at the time of marriage.
- (iii) There should be bar against re-marriage for NRIs.
- (iv) Waving of requirement of sponsorship for women deserted by NRIs for the purpose of obtaining VISA.
- (v) Marriage register for NRI marriages may be prescribed with all relevant information.
- (vi) Ex-parte decrees of divorce obtained from foreign courts should not be legally binding in India.

Suggestions given by Indian Council for Social Welfare:

- (i) Awareness campaign may be launched to educate prospective brides and their families.
- (ii) Reciprocal agreements with foreign countries may be signed to protect the interests of victims of NRI marriages.
- (iii) India should become a member of the Hague Conventions in matters connected with the subject.
- (iv) A system may be devised for verification of antecedents of NRIs.

Suggestion given by Progressive Organization of Women, Andhra Pradesh.

- (i) Compulsory registration of marriages particularly with NRIs.
- (ii) Awareness campaign may be launched to educate and sensitize prospective brides and their families-with regard to NRI marriages.
- (iii) Most of the NRI marriages are arranged by touts, RAs etc. There should be some system to check this.
- (iv) Dissolution of marriages abroad by foreign courts should not be valid for marriages registered and solemnized in India.
- (v) NRI husbands are on H-1 visa and their wives are on H-4 visa. The H-4 visa holders do not have any right to job etc.

Steps may be taken to change visa status of the women marrying NRIs and giving more rights to them.

- (vi) In Andhra Pradesh out of 10 red corner notices issued in cases of failed NRI marriages, in four cases, NRIs came back to the family fold. Therefore, steps may be taken to impress upon the police authorities/courts to register FIRs in such cases on priority basis and issue NBWs followed by red corner notices against accused NRI spouses to bring them to the book.

After presentation by the three NGOs the Committee deliberated on the suggestions given by them. Secretary (MOIA) requested the Task Force to give their recommendations by 26th August, 2007. It was also decided to circulate the recommendations of the Task Force among all the members of the Committee and obtain their comments on the recommendations.

The recommendations of the Task Force will be referred back to them alongwith comments of the members of the Committee for re-consideration. Thereafter next meeting of the Committee may be held in September, 2007.

The meeting ended with thanks to the Chair.

ANNEXURE 'A'

Representatives from different Ministries, NGOs, etc.

- (i) Shri Nirmal Singh, Secretary, Ministry of Overseas Indian Affairs - in chair.
- (ii) Prof. Lakshmi Jambholkar, Former Member, National Legal Services Authority.
- (iii) Shri. KJS, Sodhi, Joint Secretary (CPV), Ministry of External Affairs.
- (iv) Shri P.M. Meena, Joint Secretary (Consular), Ministry of External Affairs.
- (v) Smt. Vijaya Moorthy, Joint Secretary, National Commission for Women.
- (vi) Smt. Usha R. Sharma, Secretary, NRI Affairs, Govt. of Punjab.
- (vii) Shri G. Gurucharan, Joint Secretary (FS and CVO), Ministry of Overseas Indian Affairs.
- (viii) Dr. M. Gandhi, Director (L&T), Ministry of External Affairs.
- (ix) Smt. Sandhya Shukla, Director (DS-I), Ministry of Overseas Indian Affairs.
- (x) Shri Sucha Singh Mast, Executive Director, NRI Sabha (NGO), Punjab.
- (xi) Mrs. J.K. Grewal, Vice President, Indian Council for Social Welfare (NGO), Punjab.
- (xii) Mrs. V. Sandhya, Director, Progressive Organization of Women (NGO), Andhra Pradesh.
- (xiii) Shri Ramphal, Under Secretary (Foreigners), Ministry of Home Affairs.

- (xiv) Ms. Aditi Sharma, SRO, National Human Rights Commission.
- (xv) Shri S.S. Rana, Under Secretary, Ministry of Overseas Indian Affairs.
