

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA
UNSTARRED QUESTION NO.917
TO BE ANSWERED ON 07.02.2018

NRI MARRIAGES

917. SHRI SHIV KUMAR UDASI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether there is increase in the number of fraud cases in NRI marriages and if so, the details thereof;
- (b) the details of action taken and assistance rendered to the deserted women caught in fraudulent marriages; and
- (c) whether the Government has recommended a separate legislation to address issues including NRI matrimonial discord, maintenance of spouses and children, child custody and settlement of matrimonial property and if so, the details thereof ?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
[GEN. (DR) V. K. SINGH (RETD)]

(a) The Ministry has been receiving petitions from Indian women about fraud cases of NRI marriages. In the year 2017 (upto Nov.), it received 1022 petitions compared to 1510 in 2016 & 796 in 2015. Most petitions received from them pertain to:

- i) Harassment and ill-treatment by the husband and his family;
- ii) Loss of communication with the spouse after he goes abroad;
- iii) Request for assistance in serving judicial summons for Court proceedings in India;
- iv) Assistance in obtaining maintenance and child support from the spouse;
- v) Request for revoking and impounding passports of the spouse;
- vi) Request for repatriation of the spouse to India; and
- vii) Child-custody issues.

(b) Of 3328 complaints received during the last three years (January 2015 to November, 2017) from distressed Indian women deserted by their NRI spouses, this Ministry has addressed 3268 complaints by way of providing them counseling, guidance and information about procedures, mechanisms for serving judicial summons on the Overseas Indian husband; filing a case in India, issuing Look Out Circulars; getting access to lawyers and NGOs empanelled with Indian Missions etc.

With an aim to provide financial and legal assistance to distressed women married to NRI spouses by all Missions and Posts, the Indian Community Welfare Fund (ICWF) Guidelines were revised in September

2017. The amount of legal & financial assistance to distressed Indian women has also been increased from US\$ 3000 to US\$ 4000 per case, and it is applicable to all overseas Indian Missions and Posts. The assistance is released to the empanelled legal counsel of the applicant or Indian Community Association/ Women's Organisation/ NGO concerned to enable it to take steps to assist the woman in documentation and preparatory work for filing the case.

There is also a provision in the revised ICWF guidelines for maintaining a panel of 3-5 local lawyers/firms proficient in local language and law, and who enjoy credibility and have commitment and experience to assist deserving Indian national in distress in Gulf Cooperation Countries (GCC) and Top 20 countries with major Overseas Indian national population.

(c) No. However, the Government had set up an Expert Committee on NRI Marital Disputes, which presented its Report in August, 2017. Some of its recommendations including constitution of an Integrated Nodal Agency (INA) have been accepted and implemented and some are under further examination.
