

Concept Note for Seminar in Punjab on the Issue of NRI Marriages

Introduction:

In the present context of globalisation, barriers to movement across the national borders have reduced and resulted into cross-border migration for diverse purposes like education, employment and marriage etc.

Marriage migration which constitutes the dominant form of migration in the case of women is not a new phenomenon. In India, such transnational marriages are termed as NRI marriages where one or both of the spouses have been working abroad prior to marriage or when both husband and wife migrate after marriage. NRI marriages are mostly family related issue which are generally planned at personal level. But in the recent times, it is seen that NRI marriages are fraught with intricate issues of law and complications in terms of personal violations, primarily of the women.

The transnational marriages which are commonly termed as NRI marriages in Indian context have been widely covered by popular media on account of exploitation, desertion and violation of women in these marriages.

The database projecting number of aggrieved women owing to NRI marriages is yet to be developed. However, in February 2018, in response to a Parliament Question, the Ministry of External Affairs has reported receiving of petitions from Indian women about fraud cases of NRI marriages, with 1022 petitions in 2017 (upto Nov.) and 1510 and 796 in the preceding years.

It has been stated in an online article of Indian Express that as per the report of an NGO, around 25000 women from Punjab and Gujarat are reported to have been abandoned by their 'NRI husbands' shortly after marriage. NRI Cell of NCW has received a total of 3569 complaints since 2009, since it was nominated as the National Coordinating Agency by the Government of India to coordinate efforts by different stakeholders in dealing with the issues arising out of NRI marriages. A total of 355 complaints were received from Punjab during the period. The number of complaints from Punjab received by NRI Cell of National Commission for Women peaked in number in year 2017 constituting the highest proportion among all the states.

An analysis of data reveals harassment and ill treatment in many ways, including abandonment, loss of communication with spouse upon leaving India, brief holiday-marriages, cheating, etc.

In Punjab, there are different authorities like NRI Commission and NRI wing of Punjab Police that deal with issues arising out of NRIs including NRI marital disputes. As per an article of Hindustan Times, NRI courts at magisterial and appellate level had been set up in Jalandhar city of Punjab to adjudicate in the cases pertaining to NRIs from Punjab following the decision of Punjab and Haryana High court in 2013. Despite institutional support for intervention and providing relief to victimized or abandoned women trapped in NRI

marriages, role of preventive measures to create awareness and to equip target group in tackling the legal and factual issues emanating out of NRI marriages cannot be undermined. Realizing the importance of sensitization and awareness generation on this issue among significant stakeholders and general public at large, National Commission for Women envisages conducting seminar in Punjab in the month of June, 2018.

Objectives: The proposed objectives of the seminar are as follows:

1. To discuss the factors that play crucial role in NRI marriage alliances in the backdrop of socio-economic and cultural context of Punjabi society.
2. To recommend measures for creating awareness among local population towards the factors leading to ill-fated NRI marriages, leading to violation of women.
3. To initiate deliberations on the effectiveness of legal remedies available for the women affected on account of various issues involved in NRI marriages
4. To brainstorm on possible measures in terms of law review or introduction of new legislations to bridge the existing gaps.
5. To deliberate upon the role of possible ways in which religious leaders, local body representatives and the Punjab State Commission for Women can play role in disseminating information and generating awareness on the given issue.
6. To deliberate on possible ways to economically empower violated women out of these NRI marriages

Resource Persons to be involved:

It is proposed that the resource persons representing significant stakeholders are invited for this seminar like faculty from academic institutions, research scholars, social activists, voluntary organisations, legal professionals, representatives from local bodies, religious leaders, representatives from NRI Commission, officials from NRI Wing of Punjab Police and the representatives from NRI Sabha etc. It is envisaged that opinion/views emerged from diverse stakeholders would result into comprehensive understanding about this issue covering all the important aspects.

Expected Outcomes:

In view of the objectives envisaged for the seminar the outcomes which are expected to emerge are as follows:

1. Deliberations may lead to identification and documentation of factors behind ill-fated NRI marriages, which may be well known but need to be highlighted for better redressal.
2. Emerging of suggestions on possible measures to make the legal system more responsive to the needs of affected women.
3. Sharing of ideas, information and experiences by different stakeholders pertaining to the socio-economic and cultural context of NRI marriages in Punjab would result into enrichment of the existing knowledge about the dynamics of these marriage alliances.

4. It would result into coordination and partnership among various stakeholders namely local body representatives, religious leaders and State Commissions in disseminating information towards the end of creating awareness about possible risks involved in NRI marriages, preventive measures and the legal remedies available.

Participant Group:

The important participants of seminar would be NGO functionaries, officials from NRI Police Stations, Women Cell and Special Cells; functionaries from district and state administration, local body representatives, faculty and students from colleges and universities, officials from Department of Social Security and Development of Women and Children, officials from Punjab State Social Welfare Board, Counsellors and functionaries from Family Counselling Centres, etc.

The women aggrieved on account of various issues involved in NRI marriages would also be involved in order to provide them a platform to address the practical hurdles they face in getting justice through existing provisions in Indian legal and judicial system.