

# A DIAGNOSTIC STUDY OF WIVES DESERTED BY NRIs

**M.K. JABBI**  
Senior Fellow

**COUNCIL FOR SOCIAL DEVELOPMENT**

53 LODI ESTATE, NEW DELHI - 110003

# CONTENTS

|  |    |
|--|----|
| Acknowledgement                                  | i  |
| Chapter I: Introduction                          | 1  |
| 1.1 Problem                                      | 1  |
| 1.2 Review of Literature                         | 2  |
| 1.3 Need for the Study                           | 6  |
| Chapter II: Background                           | 7  |
| 2.1 Backdrop                                     | 7  |
| 2.2 Economic Development                         | 8  |
| 2.3 Social Development                           | 8  |
| 2.4 Present Situation                            | 9  |
| 2.5 Out Migration                                | 11 |
| Chapter III: Methodology                         | 14 |
| 3.1 Objectives                                   | 14 |
| 3.2 Methodology                                  | 14 |
| 3.3 Sample                                       | 15 |
| 3.4 Method                                       | 15 |
| 3.5 Tools  | 15 |
| 3.6 Data Collection and Field work               | 16 |
| 3.7 Field Problems                               | 16 |
| 3.8 Data Analysis                                | 18 |
| Chapter IV: Findings and Analysis                | 19 |
| 4.1 General Observations                         | 19 |
| 4.2 Findings of the Study                        | 20 |
| 4.2.1 Socio-economic Profile                     | 23 |
| 4.3 Reasons for Such Marriages                   | 25 |
| 4.4 Reasons for Break up of Such Marriages       | 27 |
| Chapter V: Coping, Rehabilitation and Safeguards | 30 |
| 5.1 Coping with the Problem                      | 30 |
| 5.2 Rehabilitation of the Deserted Wives         | 32 |
| 5.3 Securing Justice and Providing Safeguards    | 33 |

|   |    |
|---|----|
| 5.4 Recommendations for Rehabilitation and Securing Justice<br>for Deserted Women | 35 |
| 5.4.1 Recommendations for Rehabilitation  | 36 |
| 5.4.2 Implementing Safeguards   | 37 |
| 5.4.3 Legal Recommendations   | 38 |
| 5.4.4 Safeguards through Social awareness   | 40 |

## APPENDICES

|   |    |
|---|----|
| Appendix I: Districtwise Number of Cases, 1995-2004 | 43 |
| Appendix II: Research Team                          | 44 |
| Appendix III: Case Studies                          | 45 |

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M. K. Jabbi  
Senior Fellow

## CHAPTER I

### INTRODUCTION

Modern transport and communication system has reduced the entire world into a global village. Distances are no longer daunting. They do not act as barriers to social interactions even among the distantly located societies. The communication system has vastly improved and people are just a phone call away from each other. This has opened the floodgates of large-scale migration from India to places of opportunities to earn livelihood and improve the economic conditions. However, the migrants do carry their strong family and social traditions along with them. Immediate social environments of the host/adopted societies also affect them, but gradually. In a situation like this, the migrants return to their roots and the land of their forefathers for meeting most of their social needs, particularly for marriages. Most males settled abroad prefer to marry girls from back home. Others succumb, under family pressure, to enter into arranged marriages with girls from India. Most of the time the boy and girl, as in arranged Indian marriages, have never met before marriage. This leads to very unsavoury and disastrous consequences giving way to many a social problem.

#### 1.1 THE PROBLEM

Many Indian women who enter into arranged marriages with non-resident Indians are led up to a garden path by the husband's family who project rosy and misleading pictures about their income and status. The girl's family neither has the resources nor is in a position to verify their exaggerated claims. The great hurry in which such marriages are formalised leaves hardly any time to verify the veracity of the claims. Sometimes, the boys may be already married which may or may not be in the

knowledge of the boy's family. Greed of dowry may be another reason on the part of the boys to hasten the marriage. The motivation of the girl's family to find a non-resident groom is partly the perceived high and glamorous status of the groom, though pretentious, and partly their urge for an opening into the promised land to serve as a gateway for the other members of their family. Lure to visit foreign lands may be yet another temptation for the girl's family and their poverty may be a compelling factor in such marriages which propels them to take such a risky course.

Once married the situation changes. The woman is mostly not taken abroad on some pretext or the other. She is asked to wait till the laws/ regulations of the foreign land enable her to secure a visa for that land. If she is unlucky, she might become a mother meanwhile and end up as an unpaid maid in her in-laws family toiling from morning to night. She is unable to get any succour from her parental home mostly on account of poverty and sometimes on account of the prevalent belief that after marriage the girl belongs to the in-laws. If at all she is taken abroad, she is ill-treated, made a slave to the extended family of the husband and sometimes even deserted. She is ill equipped to fight such an adversity because of poor skills/education. She is unable to communicate her grievances to anybody because of her near zero familiarity with the local language. Second marriages by the husbands either abroad or sometimes even back home in India either before or after such a marriage are not uncommon. Some NRIs have even made this a flourishing business.

## 1.2 REVIEW OF LITERATURE

A review of the literature, particularly the newspapers and internet, indicate that the phenomenon is not unique to Punjab. Gujarat (Untitled document, 2004) too seems to be afflicted by the malaise, though not a single case has been filed against any erring husband. The other States affected are Kerala, Haryana, Delhi,

Maharashtra and Andhra Pradesh (Singh, 2003). Some cases have been reported from Hyderabad where Arabs are involved. They marry young girls for a brief period, at times for a single night. They prefer virgin girls and at times marry more than one girl in a single sitting. A girl is also recycled in this way to many Arabs (Wajihuddin, 2005). It is usually the girls of very poor families who are the victims and at times the parents are in league with the cleric who conducts the wedding. Sometimes the girl also does not protest as she knows that she will never be able to marry anyone else in the absence of dowry. The exploitation in such cases is in no way less though it is felt that it has the superficial veneer of respectability as Muslims are legally allowed to have four wives. But with divorce being literally at the tip of the fingers, as easy and flippant as sending an sms, the situation of the girls involved is extremely deplorable. The latest addition to the list is West Bengal where at least 100 women have filed cases demanding restoration of their marriage annulled by divorce decrees abroad. A match-making agency has filed a PIL asking courts to stop non-resident grooms in foreign courts from divorcing their Indian wives in foreign countries. It has demanded that the high court intervene to get the relevant laws changed. At present a wedding registered under the Indian marriage law can be annulled by a foreign court (Chhaya 2005).

Bal (2001/ 2004?) estimates that 70 lakh people have gone abroad from the Doaba region while the present population of this region was 41.25 lakhs according to the 2001 census. He talks of the phenomenon of 'holiday wives' which is rampant in the area (Bal, 2001; Pushkarna, 2001; The Asian Pacific Post, 2004; Chandrani, 2002). Pravin Bhandari, who runs a marriage bureau in Phillaur mentions that most people knew that they were entering a risky situation (Bal, 2001). The men come for a visit, take the girls out at times without any promise of emotional support or care but the girls' parents keep hoping that things will work out. There were such cases in every village but there was no collective protest or action taken. Every lawyer in the Doaba



belt had a few cases of NRI matrimonial dispute despite the fact that little could be done in such cases.

Even when marriages take place, very often the wife is deserted either in India or even in the foreign country (Asian Post, 2004b; Prakash, 2002; Bath, 2003; Chaba, 2003). In fact because the phenomenon has assumed such enormous proportions NRIs have come to mean Non Responsible Indians and Non Reliable Indians (Singh, 2002) rather than Non Resident Indians.

Kang (2002) explodes the myths about the land of milk and honey and highlights how the Punjabis choose to marry their daughters to NRIs through whom the whole family can move overseas without verifying the boy's educational background, resident status, work status, income, etc. only to find that the girl is ill-treated, abused and even deserted at times. She mentions that migration to foreign countries is seen as a last resort to escape poverty and as a privilege as it increases the socio-economic status of the family, though the realities of immigration may be poverty, mental illness, bigamy, racism and above all wife abuse. Such is the craze for going abroad that there are families which can stoop to the shocking level of arranging a marriage between a brother and a sister or between cousins, forbidden by law. (The Tribune, 2002).

The National Commission for Women (NCW) identified desertions of women by NRIs as one of the most serious gender issues in Punjab and recommended that a special cell for problems related to NRI marriages be established in the Ministry of External Affairs and the Ministry of Overseas Indian Affairs. They mentioned that some Indian embassies had welfare officers to assist Indian women caught up in bad marriages overseas and there were 22 organisations in the United States working among the South Asian community to address these issues (Melwani, 2005). The

NCW has conducted a series of workshops and has presented a report to the Ministry of Overseas Indians and also proposed a draft Convention on Jurisdiction, Recognition and Enforcement of Judgements in Matrimonial Matters.

Kaur (2003) talks of the changing attitudes and cultural differences within and outside India that have affected the social fabric of Punjab and the social life of Punjabis. The third generation Indian migrants were more western than Indian and had to cope with the western culture outside and three cultures at home: Indian, Indian-Western and Western-Indian. Marriage was no longer considered a sacrament and in the absence of laws related to international marriages many problems cropped up in marriages with NRIs.

Pushkarna (2003) points out that earlier women were informally disowned but now they were getting divorce decrees from foreign courts and the phenomenon was spread over the whole of Punjab, particularly the Doaba region. The most depressing revelation was that young women were still walking into the NRI marriage trap despite countless stories of deserted women staring them in the face. Greed for dowry on the boys' side and the desire on the girls' side to make it big in the foreign lands were the main reasons.

Sharma (2002) talks of the menace of NRI grooms deserting their wives and that there was no legislation that could enforce their extradition. Satyapal Dang, a social activist expresses the desperate need of amendments to the present laws to tackle this menace and proposes that meanwhile the Government should exercise the right to cancel the passports of such NRI grooms.

Ramoowalia (2003) of the Lok Bhalai Party estimates that there were at least 15000 cases of abandoned wives in Punjab and felt that the phenomenon had attained

the spectre of organised crime. He calls for formal legislation to check the menace and suggests: (i) if her husband does not sponsor her migration within 90 days of the marriage the girl should be allowed to file an FIR, which the police should readily do; (ii) the Ministry of External Affairs should seize the passport of the husband; (iii) the girl should have all rights and control over half the assets and property of the boy in India and should not be sold without her consent and (iv) immediately after the marriage the girl's photograph and details should be appended to the boy's passport.

### **1.3 NEED FOR THE STUDY**

The number of women deserted by NRI husbands is very large and is on the rise. No study has been done on the extent of this problem or its reasons. The situation, however, is very grim particularly in rural Punjab though at times even the urban and educated populace become victim to this malady. Even daughters of well-placed bureaucrats have been found to be the victims of this tragedy. Normally, such occurrences were considered to be a social shame and no attempts were made to seek redressals except by way of mediation by family and friends. However, such things having become a common place occurrence, they are beginning to come out of the closet. The magnitude of the problem can be gauged by the fact that around 10,000 women were languishing in Punjab after being deserted by their NRI husbands (Kaur 2003). According to a newspaper report, 42 such cases have been lodged in Jagraon (Punjab) alone; the actual number of cases may be many more.

There is, therefore, an urgent need to study the social compulsions/ factors that lead parents to marry off their daughters to NRIs who ruin their lives completely. It is also to be examined whether any safeguards can be built at the time of marriage to protect the girls from being abused.

## CHAPTER II

### BACKGROUND

#### 2.1 THE BACKDROP

A brief look at the State of Punjab will go a long way towards understanding the present problem. Punjab is the country's largest grain producer. With just 2.37% of India's population and 1.59% of its area, Punjab contributes 11.63% of the total foodgrains produced in the country (Census 2001 and Economic Survey of India, 2004-05). From being an importer of foodgrain in the early years after Independence, India now produces surplus food as a result of the Green Revolution.

Punjab has played an important role in defending India against foreign aggressions for centuries. Not only has it pushed back external aggressors but the Punjabis have been in the forefront of the struggle for independence. "In terms of sacrifice of life, property, jobs and personal freedom, Punjab suffered more than any other province of British India. Relatively, among the Punjabis, the Sikhs suffered more, both as revolutionaries and peaceful agitators" (HDRP p.14). Even after independence, Punjab has played a major role in defending the country against military aggression.

In the second half of the last century, Punjab's geographical boundaries have been reduced twice: suddenly and violently at the time of the partition of India in 1947 with a colossal loss of human lives and property and as a result of the administrative division of Punjab in 1966 when the State of Haryana was carved out of Punjab and the hill areas were merged with Himachal Pradesh. Punjab now has an area of 50,362 sq. kms. which is about half its area before 1966 and is just one-seventh of its area before partition.

The State has withstood the impact of two intense periods of internal crisis: the Left movement inspired by the Naxalites in the 1960s and 1970s and the militant movement in the 1980s and early 1990s. In spite of the above, the Human Development Indicators in Punjab are among the best in the nation.

## **2.2 ECONOMIC DEVELOPMENT**

The economic development of Punjab is mainly due to agriculture. The inputs of the Government - both at the State level as well as the Centre - and the hard work and enterprise of the Punjabi farmers have borne fruit. Thousands of small manufacturing units have led to fairly high income levels of the people. Investments in infrastructure, such as, roads, rural electrification, safe drinking water, schools and health centres have provided the people of the State with basic amenities of life still unavailable in large parts of India. The rate of growth in GDP was very high from mid 1960s to 1980. Punjab ranked 4<sup>th</sup> in 1960-61 in terms of per capita income but took 1<sup>st</sup> position in 1964-65 and maintained this status till 1992-93. Now it has come down to the fourth position, the highest per capita income being that of Delhi, Maharashtra and Pondicherry. The income poverty level in Punjab was just 6%.

But amidst this great prosperity there are pockets of deprivation. The Doaba region situated between the Beas and Sutlej rivers, comprising the districts of Hoshiarpur, Jalandhar, Kapurthala and Nawashahr is the most developed while the southern and south-western districts are the poorly developed ones.

## **2.3 SOCIAL DEVELOPMENT**

The Scheduled Caste (SC) population is one of the most deprived sections of society. Punjab has the highest proportion of SCs - 29% (Census, 2001). The SC literacy rate is 56.2 as compared to 69.7% in the total population. The general

female literacy is 63.4% while the SC female literacy is only 48.3%. In some districts it is almost as low as that in Bihar. The land owned by the SC is only one-tenth of their share of the total population (HDRP, p.1).

There is great discrimination against women in Punjab. Statistics on gender ratio (874 in 2001) and even more so on juvenile sex ratio (793) are a matter of alarming concern. Though Punjab was second in rank on Human Development Indicators (HDI) after Kerala, it ranked 12<sup>th</sup> on Gender Development Indicators (GDI) (Planning Commission 2002; HDRP, p.5).

## 2.4 PRESENT SITUATION

The present economic situation of the State rings a warning bell. Development having reached its peak is now slowing down. Both agriculture and manufacturing are showing declining growth rates. Agriculture is showing signs of fatigue. Productivity had slowed and stagnation has set in. The ground water table has fallen, soil depletion is high and prosperity is diminishing at a rapid rate.

Almost all available land had been cultivated during the Green Revolution. There is hardly any additional land now available for agriculture. Landholdings have been highly atomised. The proportion of cultivators is declining and there is an increase in the number of agricultural labourers. Migrant labour is preferred as it is cheaper. These labourers work for longer hours leading to simmering discontent among the local agricultural labourers. The net income of farmers is declining continuously and the lower strata of peasantry are on the way to pauperisation. Following the success of the new technology for the production of wheat, a breakthrough was achieved in the high yielding varieties of rice but after a couple of decades Punjab has become the victim of the wheat-paddy rotation trap. The loss of crop during the recent years

coupled with the fall in the over-all price situation of the principal produce - wheat and paddy - has only brought the farmers, particularly the small ones, to despair and indebtedness.

The employment scenario of the State is also pretty grim. Agriculture and livestock contributes more than 40 per cent of the gross state domestic product (HDRP p.33) and the percentage of the workforce employed in the activity has come down drastically over the years. Agriculture accounted for 62.66 percent of the total workforce in 1971, 58.02 percent in 1981, 55.26 percent in 1991 and only 39.4 percent in 2001 (HDRP p.34). The income per worker in the non-agriculture sector being higher than that in agriculture, more workers have shifted away from agriculture. Labour participation rate in Punjab, particularly in the rural areas (29.2%), is much lower than the all India average (38%) (HDRP p.36).

The state of unemployment in Punjab is alarming. Compared to a per annum growth of 2.27 percent in the labour workforce, the rate of growth of employment was only 0.73 percent during 1997-2002 (Planning Commission, 1999; HRDP p.36). The Economic Census 1998 (Economic & Statistical Organisation, Punjab) indicated that nearly 20 percent of the 75 lakh workforce was unemployed. Not only was unemployment increasing but the level of underemployment among those engaged in agriculture was also quite high, particularly due to mechanisation.

An important social fall out of the Green Revolution has been the break up of the old jajmani system. It has been replaced by the contractual relationship. The impact of this has been severe on the conditions of the traditional service castes and artisans. It has resulted in their unemployment and underemployment driving them towards poverty.

In addition to the above, putting into practice the policy of recruitment of personnel in the armed forces proportional to their population has been another setback in the employment scenario. The Punjabis are a brave and courageous people with a flair for military operations and they joined the defence services in large numbers. From the times of the British, Punjab has contributed much more than its share of the population to the defence services. In 1953 the government scrapped the concept of favouring specific communities in recruitment and adopted a policy which disallowed any one state from having a dominant position in defence forces. During the Emergency rule a circular was issued making it obligatory to enlist armed forces' personnel in proportion to their state's share of the national population. Since 1984 the army has based its recruitment on a calculation of the 'recruitable male population', determined by the proportion of males between the ages of 17 and 25 in the population of a particular state. At the time of independence the percentage of Sikh representation in the army was 8% which rose to 31.6% in 1965-66 but later dropped to 7.6% in 1996-97 (India Today, 12 April 1998, p.29). Thus an important avenue of employment was reduced drastically for the people of Punjab.

## 2.5 OUT MIGRATION

The result of the social and economic situation of Punjab described above has been large scale out migration, particularly to the West. Youth in particular have left the state in search of greener pastures. Various pull and push factors have been at work to drive them away.

The main pull factors are:

- The glamour and better life opportunities available in foreign countries, in particular in the West, are very inviting.



- One gets a higher salary, in real terms, in the West for the same work. A much higher standard of living can be maintained by the Indian yardstick. This attracts most people.
- A smoothly working administrative system in foreign countries is found to be extremely favourable. The basic essentials are available without much hassle. In contrast to this, availability of basic requirements, such as water, electricity, etc. is not guaranteed in the home country. One does not need to pay the officials to get things done in foreign countries.
- There is more security - social, physical and financial in western countries. There is availability of work, and so long as there is a willingness to work, financial hardship can be avoided. There is less physical insecurity and people are more law-abiding. There is old age and unemployment security for subsistence in times of need.
- There is dignity of labour in the western countries. Manual work is not looked down upon and is well paid too.
- And finally the label of living abroad raises their social mobility and they enjoy an enhanced status in the society back home.

The major push factors are:

- Increasing unemployment and a life of poverty make the youth want to move out of Punjab. Government vacancies have not been advertised in the last seven years. Even doctors and engineers are without any chance of getting a job.
- The unemployment situation is accentuated by the reservation policy. Those from the general castes do not get a job even after doing very well because most of the vacancies are reserved for the backward and scheduled castes.

- The administration is very corrupt and to get anything done, even what is rightfully due, one has to shell out money to the clerks and babus in the respective departments.
- There is lack of social security. Even though a person faithfully pays tax to the government, one gets nothing in one's old age when one cannot work.
- There is lack of civic sense and work culture in India. Most people are not bothered about others and just want that they should get the right to everything.

## CHAPTER III

### METHODOLOGY

#### 3.1 OBJECTIVES

The main objectives of the study were:

- i. identifying the motivating factors and social causes driving the NRI boys and Indian girls or their families into contracting such marriages;
- ii. finding out the coping mechanisms of the deserted women and possible ways of rehabilitating them; and
- iii. suggesting strategies - social as well as legal - for securing justice for such deserted women.

#### 3.2 METHODOLOGY

The study is diagnostic in nature and based on the case study approach. The cases were taken from the First Information Reports (FIRs) lodged with the police. Preliminary brain storming sessions were organised to gauge the depth and ramifications of the problem and how to go about the study. District officials, police personnel, researchers, social workers, NGO representatives and affected persons were invited to these sessions and the strategy for the study was finalised on the basis of these discussions.

The Secretary, Social Security, Department of Women & Child Development, Government of Punjab was contacted and his cooperation was sought. The Police Department, Government of Punjab was also contacted. They were requested to initially provide us with the number of FIRs registered in each of the districts of Punjab during the preceding ten years. Two districts having the highest number of

FIRs were selected on the basis of this information. Having selected the districts, the Police Department was requested to provide us with the list of FIRs in the two districts. These provided us with the name and address of the deserted girls and also the name and address of the in-laws.

### **3.3 SAMPLE**

The study relates to the State of Punjab. A district wise list of cases for which FIRs had been filed was procured (Appendix I). Two districts that had the largest numbers of FIRs were selected. These were Hoshiarpur and Jalandhar. A sample of 10 cases in each district was to be taken up on the basis of the FIRs registered. A total of 20 case studies were to be taken up, but six additional case studies were conducted. For each of these 26 case studies information was elicited from the deserted girl, her parents, her in-laws and the intermediary who negotiated the marriage, wherever they were available.

### **3.4 METHOD**

Indepth interviews with the affected girls and their parents were conducted. For the other side of the story, information was also collected from members of the husband's family wherever they were available. In order to have a balanced viewpoint, persons involved in negotiating the marriage - the intermediaries - were also interviewed wherever possible. Thus information was elicited from three sets of people - the girl's party, the boy's party and the middleperson.

### **3.5 TOOLS**

Interview schedules were prepared for interviewing the deserted women, their parents, the groom's parents and the intermediary. Guidelines for discussions with representatives of NGOs, officials, lawyers and police personnel were prepared.

### 3.6 DATA COLLECTION AND FIELD WORK

The District Commissioners of the two districts were contacted and the details of the study discussed with them. They were requested to make arrangements for the stay and other logistics for the study team and also identify some graduate local girls, conversant in the local language, who could help in the interviewing and collection of data. Four girls were selected and trained intensively in the technique of interviewing (Appendix II). Two teams were formed, each team visiting different households. In the girl's house, one of the girls interviewed the girl while the other collected information from her parents. If the household of the intermediary or the boy's side of any of the girls selected in the study happened to be in the village visited they were also contacted at the same time by the other team. If not, they were sent to another village for another interview.

The data thus collected was discussed among the team members and information relating to one case, i.e., one girl, her parents, her in-laws and the intermediary was put together.

Discussions were held with representatives of NGOs such as the Red Cross Society, Association for Social Health in India and Savera among others, social workers, academics, college teachers, media personnel, lawyers, police personnel and district officials.

### 3.7 FIELD PROBLEMS

It was difficult to obtain information regarding the sensitive issues related to the problem. Initially the girls were hesitant in telling the team about their humiliating and traumatic experiences. Some of the girls broke down while narrating their story. They had to be pacified and sympathised with before they could

continue. The parents, particularly the mothers were also very upset while responding to the questions but as the interview progressed they wanted to tell someone who understood all that they had gone through. They were a little surprised when they realised that the team members knew about them and they were curious to know how they had learnt about it. They were afraid at times wondering if they were representatives of the boy's family. But when they were told that the team had approached the police department to get the details of those who had filed FIRs against the erring NRIs their fears were put at rest. Many a times the girl's family did not know the level of education of the boy perhaps because they had not considered it important to enquire.

On the other hand the family of the boy was on the defensive. At times they too thought that the team had come as representatives of the girl's family to patch things up between them and they had to be told that the purpose of the visit was to get their side of the picture and that the team members were in no position to settle their scores.

Information from both sides was biased due to the FIR already lodged. Most information that they gave was to uphold and strengthen what had already been mentioned in their respective FIRs. The girls were reluctant to tell that they were earning. One of them even mentioned that though she was working earlier she had stopped for fear that she would be denied maintenance from her husband.

There were times when the team visited and the girl or her family was not at home. A second visit then had to be made either later during the day or on some other day. It was the girls' families that were interviewed before one went to the respective boy's family. Locating their houses was difficult as the FIRs mentioned only the name of the village and the Thana in which it was located. It was difficult

with that scant information to get to the selected houses. But knowing the caste and mentioning that the girl had been married to an NRI who had deserted her were a great help in locating the houses. Locating the boy's house was even more difficult. One had to mention that a particular person was an NRI and if the father was also an NRI it was difficult to get anyone at home. An added problem in locating a boy's house was to be able to get at his correct name. Many of them had more than one passport with different names. This information was obtained from some shopkeepers who had lists of all the households. They were also anxious to know why the team wanted to visit them, whether there was some police enquiry against them. The purpose of the visit had to be explained to them before they would give the information about their house.

A couple of times locating the village became a problem as more than one village had similar names. But they could be finally located after enquiring from people who knew about them.

### **3.8 DATA ANALYSIS**

Qualitative data thus obtained from all sources related to a case were analysed. Discussions with the district officials, NGO representatives, social workers, police personnel, lawyers and panchayat members also provided an understanding of the problem.

## CHAPTER IV

### FINDINGS AND ANALYSIS

#### 4.1 GENERAL OBSERVATIONS

Before the actual findings from the case studies are reported, some general observations about the state and people of Punjab are as under:

Punjab is indeed a very developed state. Not a single village visited had a kucha approach road. All houses were built of concrete. Every house that had been visited had an electricity connection. It was another matter that there were power cuts for long periods. Every home the team visited had a refrigerator, a gas connection and some furniture. All homes visited had a separate kitchen and a lavatory. In fact some of the homes of even the SC families had bathrooms with tiles on the floors and walls and had all modern amenities; one such home had a gas geyser too. No land was left unutilised. The cultivated fields started just a foot away from the pucca roads and were just adjacent to their houses.

The houses built by families, who had children living abroad and who sent back money, were to be seen to be believed. It looked as if the West had come to India. Huge houses were built in the same design and colour combinations as are used in the West. They were also an icon of what life can be like abroad. These houses and the lifestyle of those settled abroad as well as lives of their relatives inspire and motivate those here to emulate them. They see the foreign countries as the land of opportunities, more so because of the lack of the same in India.

As mentioned in chapter II of this report, many people have migrated from Punjab mainly to Europe and United States. One estimate is that 70 lakh people have



moved overseas from this region (Bal, 2001). Boys from families settled abroad come to India to marry girls from Punjab and then go back. Most of them do not take their wives along with them on their return. Many times they do not sponsor their wives to the foreign country. If at all they do and the spouses join them abroad, they send them back on some pretext or the other.

There are also instances where the man goes abroad after the marriage leaving the wife and children behind. It takes a very long time for him in such a situation to get a resident status there and be in a position to get his family there. Sometimes he never takes them; instead he marries someone there to make his stay easy in that country and get a resident status there. Ill-treatment is almost universal and the girl invariably comes to stay with her parents or lives independently. Very rarely does she stay with her in-laws.

## 4.2 FINDINGS OF THE STUDY

Twenty six cases were studied from the two districts of Hoshiarpur and Jalandhar where maximum cases of marital discord had been registered against the NRI husbands in the last ten years. The details of the case studies are presented in Appendix III. The main trends are discussed here.

In most of these marriages the boys were settled abroad and they had come to India (Punjab) to get married. Only four of the husbands went abroad after they were married and had children. Only one of them finally took his family to the United Kingdom. The other three could not manage to take their family or their relations had already soured and therefore they did not want to take them any more. It is interesting to note that one of these three husbands had married a girl he was in

love with against the wishes of his family. But after going to the United States he was not interested in her any more.

The negotiations for all these marriages were initiated by relatives, friends or neighbours of the girl's or boy's family who also knew the other family. Just in one case the match was made through a newspaper advertisement. The match makers were trusted and hardly any enquiries were made from any other source. One reason for this was that the boys invariably came for a very short period and the marriage had to be finalised in great haste and conducted in greater haste. At times the marriage was conducted within four days of the finalising of the match and most of them within a fortnight. The other reason for not making enquiries was that the family of the girl was afraid that if other people came to know that they were fixing the marriage of their daughter with a NRI groom, they may not tell them the truth and instead fix up the match with a girl of their own family. And at no cost does the family or even the girl want to lose a NRI groom which for them promise foreign glamour, riches, prestige and once in a life time opportunity.

Enquiry regarding the resident status of the boy was also not carefully conducted. The fact that he had come from abroad was enough and no thought was given as to what his actual status was and how long it would take him to sponsor his wife. If at all any question was asked it was directly from the boy's family who could merrily mislead them.

This craze to go abroad was so intense among the girls that at times they wanted to go there by hook or by crook. Even after their husbands had made it very clear that they wanted a divorce and at times had already married someone else, either before or after their marriage to this girl, they wanted to go abroad even if on the pretext to defend their case in the court there. When asked how they would maintain themselves and what they would do there, the answer was that they would

somehow manage to do some work there and bring up their child and that they really did not care if they lost the case and were divorced. In fact one of them did not want to live with her husband at all but she still wanted to go abroad on the pretext of defending her case in the court. This would allow her entry to the foreign country and she was confident that she would be able to look after herself and the child once she was there.

There was also a case of a boy marrying a divorced girl from Punjab so that his brother in India could marry her sister who was an NRI. Both the marriages got through and the NRI boy managed to postpone sponsoring his wife on some pretext or the other till his brother from India could reach the US and get a resident status there. Once that was achieved he deserted his wife in India and not only he but his brother also deserted his NRI wife who sponsored him and by whom he had two children.

One also felt that at least in some cases the girl's family knew about the boy and his earlier marriages as the boy happened to be a close relative of the girl's aunt but the family took a calculated risk in that things would work out the way they wanted and the boy would finally take their daughter abroad and settle down with her. In another case it was a very close family friend who fixed the match and at least the mother of the girl knew that the boy was already married. Most intermediaries do not interfere or try to mend things once the relationship turns sour. This is also probably because they get the brunt from both the parties.

At times there was no match between the girl and the boy. In many cases the boy was much older than the girl, sometimes even 15 years older. In most cases the education of the girl was more than that of the boy. Standard of living and the mental make up of the family did not enter the scene. In fact the team was a little

surprised in a couple of cases where the life style of the girl's family was very different from that of the boy's family. Marriages between Hindus and Sikhs were also quite common.

Most of the girls had left the husband's family either of their own choice or were forced by the in-laws to do so. The main reason for leaving the husband's home was that the in-laws ill-treated the girl. False allegations were levelled against her, she was denied freedom to move about, she was not allowed to talk to her husband, the husband was told that she had a loose character and that she did not adjust with them. Money on some pretext or the other was demanded from the girl's parents and failure to give it invited making life difficult for the girl by taunting her, slighting her, denying her meals and at times physically abusing her.

#### **4.2.1 SOCIO-ECONOMIC PROFILE**

With regard to the socio-economic profile of the boys and girls, the following are the major findings of the case studies:

The phenomenon of broken NRI marriages was common to all castes - Jats, SCs, Sainis, Ramgharias and Brahmins. It occurred both among the Hindus as well as the Sikhs and even among the Christians. In fact it was surprising to note that marriages between Hindus and Sikhs were extremely common.

Most girls were around 20 years when they got married though some were a little older. The difference in the ages of the girls and boys was about 3-5 years but many a times the boy was much older than the girl, at times even 15 years older.

The following table gives the level of education of the girls and boys.

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Table: Level of Education of the Girls and Boys

| Level of education | Less than Class X | Class X | Class XII | Under Graduate | Graduate | Post Graduate |
|--------------------|-------------------|---------|-----------|----------------|----------|---------------|
| Girls              | 15                | 85      | 74        | 48             | 37       | 11            |
| Boys               | 15                | 85      | 50        | 39             | 35       | 0             |

As can be observed from the above table there was no difference between the educational levels of the girls and boys when the cut-off point was class X. Fifteen percent of the girls and boys had studied less than Class X and 85% had studied up to Class X. The similarity ends here as 74% of the girls had studied up to Class XII whereas only 50% of the boys had studied up to this level. Forty eight percent of the girls had gone to college while only 39% of the boys had been to college. Thirty seven percent of the girls and 35% of the boys were graduates and while there were no post graduates among the boys, 11% of the girls had done post graduation.

Only seven of the 26 girls interviewed were working. The rest depended on their parents for support - economic and otherwise. Even those who were working had social and moral support of their parental families and depended partially on them for financial support. Only one girl was working in a college and was financially self-sufficient.

Except for one girl who was staying in her in-laws house, another who had remarried and two who were staying alone, all were staying with their parental families. Even those who were staying alone had some support system with their parental families.

Nine of them had one child and three of them had two children. Most of the children were living with their mothers, except two children who were with the father, both abroad and no longer in touch with their mothers.

#### 4.3 REASONS FOR SUCH MARRIAGES

If one has to pin-point one reason for marriages with NRIs it is the burning desire and the insane craze to go abroad. This craze is shared by one and all - young and old, men and women and members of all the castes. The route to a foreign land lies through work, education or marriage. Education is the most difficult as it is very expensive there. Most men try and get some work there for their sustenance while all the women choose to reach the fairyland by marrying someone living abroad. Sometimes the sole reason for the marriage may be to be able to go abroad and as soon as the purpose is realised, the marriage is broken off.

The reasons for these marriages on the groom's side are:

- They can get dowry from marriage with an Indian girl. Parents of girls are willing to give huge dowry to send their daughters abroad and this weakness of the girl's side is exploited by boys settled in foreign countries.
- They get a holiday wife for the period they stay in India along with the dowry. Boys come home to Punjab for a few weeks and get married to these girls. Some of them marry different girls each time they visit.
- They get an unpaid maid to look after their parents and do their daily chores here in India, thus getting a bahu for the parents while they marry a foreigner for a wife.
- Sometimes the Indian wife is taken abroad so that she works as a maid for him and his foreigner wife and their children.

The reasons on the girls' side are:

- It gives the girl an opportunity to live abroad which she wants above everything else. They feel life with a man settled in a foreign country would be very glamorous and with lots of money they would be able to afford a higher standard of living.
- Marriage with a man settled abroad could be a step for her other siblings/parents to go abroad.
- Boys living in India are not preferred for marriage as they are mostly unemployed.

Many a times there is a mismatch in the ages of the boy and girl and at times there is mismatch even in other respects, such as their thinking, education, social upbringing, etc. Such marriages are decided upon in great haste and solemnised in greater haste. Invariably the boy comes to India for a very short period and the girl's parents choose not to delay lest someone else offers their daughter to them. For the same reason they do not even make much enquiries. The middleperson is trusted too easily and sometimes even the middleperson does not know of the boy's or his parents' intentions. At times even when they know something negative about the boy or his family they are willing to take a chance and hope for the best.

Such marriages incur all the risks that any marriage in India does. The added risk factor is that the boy lives abroad and to compound it, at times the entire family is also abroad. Whereas if such problems arise in a marriage in India there are various social pressures that exert to prevent precipitating the matter, but in such marriages these safeguards do not exist. The boy family lives abroad and there is not much interaction with the girl's family. No social stigma is attached to them for their actions as hardly anyone in their social circle abroad knows what they have been up to. Some do not even care if anyone knows.

At times, a boy comes to India a number of times and each time he marries another girl - sometimes from another district or village but at times from the same village. In their desire to send their daughter abroad, the parents are willing to marry her to a man who was married earlier and has deserted his previous wife/ wives; at times they are not even sure if he has dissociated himself from them.

#### **4.4 REASONS FOR BREAK UP OF SUCH MARRIAGES**

The reasons for such marriages breaking up are many:

- In the first place the marriage was entered into for reasons other than for the making of a family. This could be true for both - the boy as well as the girl. Obviously in such a situation no effort is made to make a success of the marriage but it is only the ulterior motive on each one's part that is sought. Thus a boy after getting dowry that he/ his family wanted does not see any use of continuing the relationship and hence breaks up. A girl tries to save her marriage at any cost till she can go abroad.
- The period of waiting to get permanent resident status in the foreign country is very prolonged in some cases and sometimes very difficult. In some countries it is granted to only those persons who are married to a national of that country. The situation is even more difficult in the case of those who gone abroad without a proper visa.
- Since the reason for marrying an NRI is to go abroad and get an opportunity for legal stay in that country, it really does not matter if the marriage works or not. The attitude of many a girl is that if the marriage does not work out, one can always leave one's partner and marry someone else.



- The problem of adjustment in such marriages is more acute. Adjustment to the husband's family has to be made without his support particularly during the crucial early period. The boys stay here with their wives for a very brief period, not sufficient for mutual understanding. In the absence of such understanding close family members can create misunderstandings between the couple. The period of separation from the spouse is very long.
- Sometimes the parents/ siblings on either side do not want the marriage to work. The reason may be personal or it could be the compensation that can be demanded on the breaking up of the marriage.
- When the girl goes abroad, the actual reality is different from the rosy picture that she had in mind. There may still be poverty in store for her. Her social isolation is acute - she may not know the local language, people whom she meets are her husband's extended family or their friends while her own parental support is missing. She is at the mercy of her husband/ his family and they control her completely.
- The girl almost always is subjected to unreasonable demands for dowry which cannot be fulfilled by her parents. She is taunted for every little thing and many a times inhuman treatment is meted out to her - physical as well as mental torture.
- Failure to adjust to the social environment of the foreign country.
- Girls are becoming more aware and demand more freedom and self-respect than they did earlier, while the men though living abroad do not have a broad outlook, more so the parents of the boy. There are different standards for the boy and the girl.

However the reasons reported for the break up may be different. Invariably the boy's family mention that the girl did not have a good nature, she did not mix up in the family, she was not adjusting and that she was of a loose character.

On the other hand, the girl's family mentioned stereotyped reasons for the break up of the marriage. The demand for more and more money/ dowry, more so after the wedding, was the foremost reason. She was subject to physical violence and mental torture if she failed to fulfil their increasing and unreasonable demands.

An analysis of the data indicates that the stereotyped reasons mentioned for the break up of the marriage because the case studies that had been taken up for study were those who had filed FIRs and the reason mentioned by the girls' families could be the basis for filing a case. There is no law as yet to book a husband/ in-laws for domestic violence, nor for not sponsoring her to enable her to go abroad. Since there is no ground on which the boys family could go against the girl to court except adultery, the reasons that they give make a ground that she has 'other' attachments.

## CHAPTER V

### COPING, REHABILITATION AND SAFEGUARDS

#### 5.1 COPING WITH THE PROBLEM

Most of the girls started having problems with the in-laws after their husbands left them to go abroad. It began with little things as in the case of any marriage. But the problem here became acute because of the absence of the husband. Adjusting to a new family without the support of the husband was doubly difficult. Added to the routine problems of adjustment that occur in any marriage were the problems of the demand for dowry on the boy's side and the yearning to go abroad as soon as possible on the part of the girl. Any delay in the sponsoring of the girl was a matter of extreme anxiety and any refusal on the part of the girl's side to give the money as demanded was taken as non-cooperation and failure to keep the unsaid but understood promise of paying the price to go abroad.

In the beginning the girls tried their best to put up with any inconvenience and ill-treatment too. They felt that it would be short-lived till such time as they would their husband's abroad. But this period of waiting could stretch up to a long period of years at times. As the problems kept accumulating with no outlet whatsoever, when they could bear it no longer the dam burst. They would start asserting themselves and stop accepting blindly whatever they were asked to do. This was taken as retaliation and rebellion by the in-laws and was just not acceptable. Efforts were made to put her in her rightful place and this vicious circle of putting the other in the right place and teach the other a lesson resulted in matters coming to a head start. The winner in most instances was obviously the in-laws.

Many of the girls had left the in-laws' house either on their own or because they were forced to do so by the in-laws. Most of them lived with their parents and were supported by them - emotionally, socially and economically. Some of them had children, mostly one but some even had two. In some cases they did have children but they were with the husbands.

Very few of them were working. A couple of them who had a job lived on their own with partial support of the parental family. Teaching, giving tuition to children and stitching clothes were some of the things that these deserted girls were doing. One was working in the administration section of a college while another was working in a IT centre from where she had been trained.

One of them lived in her in-laws house. All the in-laws were abroad. The husband's uncle and aunt who had adopted him passed away. She approached the police for possession of their house who advised her that since she was still married the house was as much hers as anyone else's. They suggested that she had could break into it and take possession of it house if the panchayat agreed to it. She and her parents approached the panchayat and they agreed. She thus got possession of the house. She was living there and also got the court to pass an injunction preventing her in-laws from selling it. Her husband sent her money for the education of their son. For sometime she was working in a factory but later left the job as she felt that her case for maintenance would be weak if she were working.

Only one girl had won the case in the court and got her husband's share of the land and Rs. 6 lakhs in her son's name. She was also allotted a portion of the in-laws house for herself and her son and granted Rs. 1000 per month for their expenses. This amount was given by her father-in-law from out of his pension.

One girl had remarried. It had been possible for two girls to clear the misunderstandings with their spouses who were willing to take them back. One of them was a very young girl whose mother-in-law was very dominating and had control over the entire household. The entire family was abroad. Her husband made the first move and called up on her birthday to wish her. During their conversation and later on when he called her up again slowly their misunderstandings were cleared and the boy who actually had nothing against her decided to come to India and take her back with him. He was to come a month after the team's visit. The other girl had a son who was ten years old. After the death of the girl's father, her husband started calling her up and even sent her some money though not regularly. He too had nothing really against her; it was his family here in the village who did not get along with her. He had also called up to say that he would come and take her along with him.

## **5.2 REHABILITATION OF THE DESERTED WIVES**

Many of the girls did not have much education for them to be able to get good jobs. In fact, as mentioned earlier in the report, the employment scenario was quite bleak. Having been broken emotionally and economically by the unfortunate desertion, they need strong support - moral, emotional as well as financial. They do get moral and emotional support to a large extent from their parental families. They also support them financially to a certain extent. But the girls do need to be rehabilitated.

All the girls and their parents were asked as to what should be done for their rehabilitation. Most of them could not suggest anything beyond wanting to get their cases solved and being given compensation either in terms of money or land. For this they suggested that the Government should arrange for the erring husbands to be brought to India for the case proceedings. Alternately arrangements should be made

for the girls to go abroad to represent their side of the story in the courts there. Very few girls saw beyond the settling of the case to life thereafter. They mentioned that they need to be trained for teaching or in skills such as computers, stitching and sewing so that they could earn their livelihood and be independent.

The researchers, however, feel that coming out of the bitter relationship is only the first step. The relationship must be terminated with safeguards for their well-being. Such cases should be taken up immediately and justice dispensed as soon as possible. The maintenance granted by the present laws is too insufficient for the present day situation and should be revised and enhanced to a realistic amount. She should be given compensation either in terms of a lump sum money or land, over and above the maintenance. In cases where the husband's family has land, half of the husband's share should be given to the wife. However most boys do not have land in their names which is still in the name of their fathers. But then in these cases half of that son's share should still be given to her even if the rest of the land is not distributed.

As mentioned by the girls themselves, they should be given skill training and if possible also in entrepreneurship so that they could get loans sanctioned by the banks on a priority basis and start some small business.

### **5.3 SECURING JUSTICE AND PROVIDING SAFEGUARDS**

Some steps have been taken or are being contemplated by various organs of the Government to contain this menace. The Union Ministry of Overseas Indian Affairs has advised all States to set up separate cells to offer counselling to women planning to marry overseas Indians. A separate cell has been set up in Punjab but it is not the

women who plan to marry a NRI, but who have been deserted by an NRI, husband who receive counselling. The Ministry had also decided to appoint NRI volunteers who would make discreet inquiries about bachelors planning to marry Indian girls. This is a gigantic task considering that the Indian diaspora may be approximately 20 million. Though not impossible, it will require a lot of effort, sincerity, research, planning, communication and networking. The authenticity of the information and the trustworthiness of the source are very important. Most people would not disclose the truth about themselves and if the information provided turns out to be incorrect, would the Government take the responsibility for it. Also practical problems such as who will bear the cost of the work undertaken will have to be worked out.

Realising the gravity of the situation the Punjab Government is contemplating taking the following steps:

1. It has decided to appoint Subdivisional Magistrates (SDMs) as Dowry Prohibition Officers. The aggrieved wives would then not be forced to visit police stations in connection with dowry complaints.
2. It has proposed that the residents should ensure that the social security number of NRIs is mentioned in the Marriage Certificate. This will make it easy to initiate action against any erring husband.
3. The Punjab police is considering the feasibility of booking wife-deserting NRIs for rape and initiating action under Section 376 of the Indian Penal Code (IPC). They felt that registering cases of cheating and subjecting a married woman to cruelty under Sections 420 and 498A of the IPC on allegations of demanding dowry was just not enough. However, legally it may not be possible to make a case against these boys for rape. The consent of the girl, which is very crucial in the case of rape, is present in the marriage and many a times the trouble starts may be even after a year or more.

The Supreme Court in its judgement in the case of Neeraja Sharaph vs. Jayant V. Saraph has emphasised the need to consider legislation safeguarding the interests of women and has suggested the following specific provisions:

1. No marriage between an NRI and an Indian woman which has taken place in India may be annulled by a foreign court.
2. Adequate alimony should be paid to the wife out of the share of the property of the husband, both in India and abroad in case of divorce.
3. The decree granted by Indian courts should be made executable in foreign courts both on the principle of comity by entering into reciprocal agreements and notifying them under section 44A of the Civil Procedure Code which makes a foreign decree executable as it would have been a decree passed by that court.

#### **5.4 RECOMMENDATIONS FOR REHABILITATION AND SECURING JUSTICE FOR DESERTED WOMEN**

On the basis of the case studies (involving interviews with the deserted wives, their parents, in-laws and intermediaries), and discussions with State Government officials, district officials, police personnel, counsellors, representatives of NGOs, social workers and lawyers some measures are being suggested that can be taken in order to rehabilitate, and secure justice for, these deserted wives and provide some safeguards that would ensure that these incidents do not occur in the future or are at least minimised:



#### 5.4.1 RECOMMENDATIONS FOR REHABILITATION

1. Courts should take up such cases of desertion immediately and dispense justice as soon as possible. Fast-track special courts should be set up to try these cases against guilty NRI grooms and to provide relief to aggrieved spouses and their parents.
2. An adequate amount should be given to the girl as maintenance. It should not be based on her declaration that she is a pauper. Even when the amount awarded is based on the husband's income, proof of the same is required and a correct declaration of income by the husband is not given.
3. Just maintenance is not enough. The girls should be given a decent compensation either in terms of money or land. In cases where the husband's family has land, half of the husband's share should be given to the wife. However most boys do not have land in their names. It is still in the name of their father. Even in such cases half of her husband's share of the land should be given to her even if the rest of the land is not distributed.
4. The traumatised girls should be provided counselling to enable them to come out of the trauma and face the unpleasant situation. The Red Cross Society has a cell for marital counselling for all marriages. Sometimes some such cases of marriages with NRIs also come to them. Some sensitisation could be provided to these counsellors to help them with the specific problems these girls face. May be meeting other such girls may help them to overcome their own circumstances.
5. Economic independence is extremely important for rehabilitation. Such girls could be trained for teaching or provided training in skills, such as, computers, stitching and sewing, etc., and also in entrepreneurship. Loans should be

sanctioned for them by the banks on a priority basis so that they could start some small business on their own.

#### 5.4.2 IMPLEMENTING SAFEGUARDS

The following steps in administration are recommended to minimise problems emerging from such NRI marriages:

1. Marriage Certificate should be issued in duplicate - one for the boy and the other for the girl. Since there is only one issued at present, the boy takes it away for submitting it for sponsorship and the girl is left with no documentary proof of her marriage. The Certificate should also mention the **social security number** or its equivalent in the case of NRIs.
2. Passports should include the photograph and details of the spouse. Passports of NRIs who abandon their wives should be cancelled. Local magistrates should be entitled to issue a certificate that the wife has been abandoned and on the basis of this certificate, the passport of her husband should be cancelled.
3. It should be made compulsory for every prospective NRI bridegroom and his immediate relatives (parents/ siblings), particularly those living in India, should be made to file a sworn affidavit in the local court on the groom's marital status before solemnising the marriage. Any FIR against the NRI should automatically include the names of these relatives.
4. An anti-fraudulent marriage cell against NRIs should be established in each district under the direct supervision of the Commissioner/ Deputy Commissioner/ Sr. Superintendent of Police. They would have the responsibility of registering marriages with NRIs, checking their social security number/ its equivalent and obtain affidavits from them regarding their marital status along with proof thereof.
5. The Punjab Police in close co-ordination with Delhi Immigration Authorities should permanently set up a cell in Delhi to stop the guilty NRI grooms fleeing from India.

6. Dual citizenship of husbands deserting their wives should be withdrawn.
7. Indian Missions abroad could act as a nodal point and be of help in a big way.

They can:

- a. Ascertain the marital status of the NRIs;
  - b. Have a cell to help such women in giving legal advice, tracing husbands who move to a different city, providing distressed women with information of NGOs in foreign countries, have husbands extradited to India for settlement of cases against them.
8. The urgent need for creating jobs in order to counter the push factors at play so that the youth do not fall into the trap of glamour and better life style of foreign lands. This would be a long term solution to the problem.

#### 5.4.3 LEGAL RECOMMENDATIONS

The following recommendations are being put forth in order to provide legal safeguards for such marriages in the future:

1. Law should be enacted to make registration of **all** marriages, both with NRIs as well as NRIs, compulsory. Malhotra (2004) stresses that with the growing number of divorces brides of NRIs were facing, the legal position in India as to the registration of marriages and recognition of divorce under the provisions of the Hindu Marriage Act had become very important. Under the Hindu Marriage Act, the principal law governing Hindu marriages, registration of marriage was not compulsory primarily because these marriages were performed in public. Also failure to register a Hindu marriage did not affect its validity.
2. Registration of all property as well as gifts given to the girl and all items given to the boy and his family at the time of marriage should also be made

compulsory and it must be made obligatory to return it at the time of separation.

3. Marriage laws should be amended to ensure payment of damages for the deserted wives (for cruelty causing pain) apart from maintenance. As in criminal laws, a fine may be levied and this should go to the wife.
4. Provision for lodging a FIR against an NRI who fails to submit the application for the immigration of his wife within 90 days (of returning to the country of his immigration after marriage) must be made and the police should readily cooperate in filing it.
5. All women should have independent domicile status. Then when she is abandoned and returns to her parents' home, she cannot approach the Indian courts who entertain petitions on the basis of domicile laws. In India, at present, a woman's domicile is that of her father before she is married and that of her husband's after marriage.
6. An ex-parte decree of divorce awarded to an Indian girl by a foreign court, should be a basis on which she can seek a divorce (from her husband) in India.
7. India should have bilateral agreements in matters of personal law, marital discord, child custody, immigration laws, execution of decrees awarded in foreign courts, extradition, etc., should be signed with countries having large Indian diaspora. Some of the aspects that should be covered in such agreements are:
  - a. NRIs against whom FIRs are filed should be extradited to India for court proceedings
  - b. Alternately, their Indian wives should be given visa to the foreign country to contest their case
  - c. Denial of sponsorship privileges to those convicted of spousal abuse or defaulters of spousal or child maintenance and those on social welfare, including cases of desertion filed against them in their native country.

- d. Execute the judgements relating to divorce, maintenance, alimony, child custody, awarded by a foreign court
- e. Sensitise police personnel and other concerned officials in foreign countries regarding different laws in India, laws regarding marriage, divorce, custody of children, maintenance
- f. The decree granted by Indian courts should be made executable in foreign courts both on the principle of comity by entering into reciprocal agreements and notifying them under section 44A of the Civil Procedure Code which makes a foreign decree executable as it would have been a decree passed by that court.

#### **5.4.4 SAFEGUARDS THROUGH SOCIAL AWARENESS**

1. Creating awareness among people regarding laws and realities in other countries could be a great help in reducing the malaise. Social awareness programmes to inform the people of the different laws in foreign countries, laws regarding marriage, divorce, custody of children, maintenance, etc. should be organised.
2. Last but not the least, people should be made aware of the consequences of such marriages by highlighting the plight of these girls by all means, particularly the media. It is not as if the people are unaware of the phenomenon but repeated portrayal of it in the media, particularly the visual media, will highlight the plight of such girls. It will certainly have the impact of restraining such marriages without taking proper precautions.

The Council for Social Development would be glad to take up projects related to the awareness creating regarding foreign laws and also prepare materials for portrayal in the media.



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## **APPENDICES**

## APPENDIX I

DISTRICTWISE NUMBER OF CASES OF WIVES DESERTED BY NRIs  
1995-2004

| District               | No. of<br>complaints | Compromise | Referred to<br>court | FIR lodged |
|------------------------|----------------------|------------|----------------------|------------|
| 1. Nawashahar          | 48                   | 27         | 21                   | 21         |
| 2. Kapurthala          | 44                   | 14         | 8                    | 22         |
| 3. Hoshiarpur          | 41                   | 10         |                      | 29         |
| 4. Jalandhar           | 506                  | 453        |                      | 31         |
| 5. Amritsar            |                      |            |                      | 19         |
| 6. Batala              |                      |            |                      | 3          |
| 7. Majitha             | 58                   |            |                      | 5          |
| 8. Tarntaran           | NA                   | NA         | NA                   | NA         |
| 9. Gurdaspur           |                      |            |                      | 3          |
| 10. Ludhiana           | 27                   | 1          |                      | 26         |
| 11. Jagraon            | NA                   | NA         | NA                   | NA         |
| 12. Ropar              |                      |            |                      | 4          |
| 13. Khanna             | 8                    | 1          |                      | 8          |
| 14. Barnala            | NA                   | NA         | NA                   | NA         |
| 15. Fatehgarh<br>Sahib | -                    | -          | -                    | -          |
| 16. Sangrur            | NA                   | NA         | NA                   | NA         |
| 17. Patiala            | NA                   | NA         | NA                   | NA         |
| 18. Mansa              | 3                    |            |                      | 3          |
| 19. Bathinda           |                      |            |                      | 5          |
| 20. Muktsar            | NA                   | NA         | NA                   | NA         |
| 21. Moga               | 11                   | 1          | 2                    | 7          |
| 22. Faridkot           |                      |            |                      | 6          |
| 23. Ferozpur           | 8                    |            |                      | 8          |
| Total                  |                      |            |                      |            |

## APPENDIX II

### RESEARCH TEAM

1. Ms. Mamta Shree Ojha, Associate Fellow, CSD\*
2. Ms. Asha Lepcha, Research Assistant, CSD\*
3. Ms. Harjeet Kaur, Investigator
4. Ms. Rosy Sharma, Investigator
5. Ms. Hemlata Rani, Investigator
6. Ms. Supita, Investigator

\* Not for the entire period.

## APPENDIX III

### A. CASE STUDIES: HOSHIARPUR

NOTE: All names are fictitious. This has been done to maintain confidentiality.

#### Case Study 1

Damini was 27 years old when she was married to 30-year old Daman, on January 27, 2002. Both of them had studied up to class X. Daman's family knew the intermediary, Sangeeta, because she had been married in the same village. Daman was working at a petrol pump in Greece for the last ten years and had come to India specifically for the purpose of looking for a wife. He had met a lot of girls before seeing Damini but he did not like any of them. He had seen the intermediary's niece earlier and was given his approval but on second thoughts he refused because his family felt that the girl was too talkative. Then the intermediary introduced him to Damini whom he liked instantly.

His family also liked the girl so much that they wanted him to marry her right away at a short ceremony. But Damini's family insisted on going through the complete wedding ceremony. Daman's family asked for a lavish reception which was organised by Damini's family at Raj Kamal Palace at Phagwara with more than 250 invitees from the boy's side and a total expense of around Rs 4 lakhs. The groom's family did not ask for anything, but the bride's family gave enough dowry, household articles and gold on their own. Daman gave a gold set to Damini.

Daman lived in India for about a month after the wedding. Damini was happy with him, except for the fact that he listened to his elder brother and bhabhi too much. Differences crept up within that month itself. His mother complained to the intermediary that Damini made too many phone calls. There was a big fight between Daman and Damini just before Daman was to leave for Greece. The intermediary could not do much to patch up the differences between them because she was too busy with her own daughter's wedding. Life became harder for Damini after Daman left for Greece. She was taunted and insulted for not bringing enough dowry. Her husband's phone calls became less frequent. Her jethani listened to her conversation with Daman whenever he would call her up. Her husband did not send anything for her. All the money was handed over to her jeth, who bought a car with it. Her jethani did not want Damini stay at her matrimonial home. Finally her husband called her up one day on his bhabhi's instance and asked her to leave the house.

Daman's family blamed Damini for having a loose character. They told her mother that she got too many calls from other boys and made it clear to her that they did not want Damini to stay with them. They also accused her of not having basic etiquette and of suspecting her jethani all the time. She got irritated one day when she saw her jethani applying oil on Daman's head. She accosted her husband asking him what he was doing in her jethani's room and why had he not asked her to do the same. They accused her of not having any manners while entertaining guests and never helped the family with household chores. She also kept saying that her parents forced her into this marriage and that she was in love with another man who was a hawaldar. She kept talking endlessly to that man over the phone. According to Daman's father Daulat Singh, she had a photograph of that boy with his address on the reverse. She also said that she would not conceive a child for about 10 years and also accused her jeth's eight-year-old son of indecent behaviour. She did not treat her father-in-law's two elder brothers well who were very old, unmarried, and unable to take care of themselves. They blamed her of not wanting to live with her in-laws. She asked for permission to visit her parents' house when everybody else at home was busy with agricultural work, a time when she was needed the most at home. Her father-in-law asked her to wait till the work was over but she did not listen. She called her parents and went away with them taking all her jewellery and other belongings along with her. They said that more than once Damini had mentioned that she had married Daman only so that she could go abroad.

Damini did not return to her matrimonial home after that. Her parents tried to involve the intermediary so that there could be a compromise between the two parties but she refused saying that things had gone too far and the boy and his family did not like the girl. Damini's brother, a TV mechanic, accused his sister's mother-in-law of keeping all her jewellery. He had lodged a complaint against Daman's family but they used their financial power to escape punishment. Damini's family then approached the panchayat members who talked to the boy's family and made them take Damini back. Her in-laws agreed to do so but later went back on their words and refused to allow Damini to stay with them. They said that they would let Damini stay on only one condition that they would not be responsible if she died at their place.

Daman's family was engaged in agriculture. They had about 10 killas of land but they had not given even a small share to Damini. Daman had three sisters, one married in Dubai and the other two were married and lived in India. On the other hand, Damini's father had 4-5 killas of land in addition to his pension.

Damini's family decided that she should obtain a divorce from Daman, and get the case settled because his family was not willing to take her in under any circumstances. They had asked for Rs 7 lakhs as compensation for the girl, but they later agreed on taking Rs 3.5 lakhs only. They also wanted to marry off Damini elsewhere. They wanted the government to come up with stricter laws on such matters. The Indian government should have some kind of link with foreign governments so that such men could be extradited back to India for facing legal proceedings against them. After all, it was always the girl's family that suffered mentally as well as financially; first, by giving huge dowry, later by spending lakhs of rupees on wedding and finally going through all kinds of suffering and humiliation.

## Case Study 2

Neena was married to Nitin on January 1, 2002. She was 22 years old then and had appeared for the M.A. (previous year) exams, while he was 28 and a graduate. He was working in a pasta factory in Italy and was living there with his family since 1996-97. One of his sisters was living in India with her husband and children. Neena's parents arranged her marriage. The intermediary was her distant uncle and Nitin's maternal grandfather. She had not met Nitin before the negotiations. She had accepted the decision taken by her parents and relatives. She could not refuse the proposal because all other relatives had already given their consent for the marriage and she was afraid of what they would say had she refused. Most of her friends had married boys who were settled abroad which made her want the same for herself. Nitin had come to India specifically for the purpose of finding a wife for himself. They were engaged on December 25, 2001 and the wedding took place 7 days later. Neena did not feel that her wedding took place in haste because all her friends were also married in similar situations. She had read in newspapers and magazine articles about some NRIs deserting their wives in India but she had never expected that the same would happen to her.

Nitin's family did not ask for dowry but Neena's family had given many things on their own, including gold, cash, and other items. They organised the wedding at Bharat Palace and spent around Rs 5-7 lakhs. Neena lived with her husband for 20 days before he left for Italy with his family. Her husband had promised to call her within 3-4 months. He was nice to her as long as he was here but her mother-in-law's attitude towards her was not cordial. She never allowed her to visit her parents as long as she was staying with them. She felt awkward when her sister-in-law Kanta asked her for the four gold bangles she had. She shared her feeling with her husband, who assured her that everything would be fine once she moved to Italy with him. Neena had kept her marriage certificate and passport ready before her husband and in-laws left India. This she did at her father's insistence. Before leaving for Italy, Nitin had asked for their original marriage certificate in order to get her papers ready, but her father gave him the photocopies. According to Nitin's sister Kanta, it was this reluctance on the part of Neena's father that Nitin could not get her papers ready.

Nitin called up Neena only 3-4 times before he stopped calling her altogether. Neena called him up but his mother never let her talk to him. She made excuses that he was not home, even on Sundays. Nitin had always told Neena that all the problems would subside and everything would be alright once she moved with him to Italy, but he never sent her sponsorship papers. He never cared to meet her after going back to Italy. His mother came back to India once and asked her to bring all her jewellery and some cash at her place saying she had not carried enough cash with her when she came from Italy. She also told Neena that she had got her son married in India expecting a lot of dowry and that she was disappointed with what her parents had given. She said that she deserved more cash in dowry because

she had come from abroad for getting her son married. She went back after a few days and did not return the cash and jewellery that Neena had given her.

Neena lived with Kanta (husband's sister) for a few days after her husband went away. She came to know that Kanta instigated Nitin against her on phone whenever Neena went out for shopping or for some other work. Neena's parents blamed her for making their daughter's life miserable, but she claimed that it was their uncompromising attitude that broke their daughter's marriage. She said that the delay in calling Neena abroad was because Nitin was looking for another house to settle down; a problem which Neena's parents did not understand. She also felt that Neena was indecisive and she neither wanted to live with her in-laws nor go abroad. She never expressed what was on her mind and did not send her marriage certificate when Nitin asked for it.

On the other hand, Neena alleged that Kanta tried to erase evidences of their marriage. She had taken away the wedding photographs and the recorded video cassette. Neena gave her the video cassette but retained the photographs with her. She and her father lodged a complaint at the SSP's office on May 12, 2003. Their case was referred to the Women's Cell. The latter was unable to pass a judgement and the case was forwarded to the Lok Adalat. Neena finally got divorced from her husband on March 15, 2005 on the basis of power of attorney that Nitin had handed over to his sister and uncle.

Both the sides blamed each other for the problems. Kanta claimed that her family had taken nothing in dowry and that they had returned back the gold jewellery given by Neena's family. She called Neena's parents greedy for money because of which they did not want their daughter to settle down, rather they were in for receiving a huge sum as compensation. The DSP had made arrangements for Neena to go abroad but she had refused as she felt that her life was in danger. She also blamed the incompatibility between Nitin and Neena for their separation. Neena's father who was a retired inspector with Punjab Roadways, alleged that Nitin had lied to them about him being a graduate where as he had studied only up to class X. He admitted that Neena's in-laws never hurt her physically. His only complaint was that Nitin had completely forgotten his daughter after he returned to Italy.

The intermediaries - Kusum and Hari found no fault with Neena and they said that Nitin's family had wronged her. Kanta complained to them that Neena went out a lot but Kusum felt that Neena was a university student and she needed to go out for some work or the other. Kusum felt that Nitin's mother was conceited and did not speak to Neena's family properly. She had also asked for a similar set of gold jewellery as the one with Neena. She wanted to take that along, to which Kusum had promptly replied that people brought gold to India from abroad and that she was doing just the opposite. The girl's family did not consent to the attempts made by the intermediaries to get the boy's family imprisoned for their offence because of the respect they had for the boy's father, who was a fine man.

Neena later completed her MA and was teaching in a school in Hoshiarpur. She did not have a child and was willing to get married again if she met someone nice but wanted to settle in India. Her parents also wanted her to get married soon. She did not receive any share in her husband's property. According to Kusum, she had received some money from her husband's family as compensation. Neena suggested that the government should come up with some laws or provisions that could compel Indians settled in foreign countries to come back to India for the settlement of such marriage problems. The police were unable to help her because they could not take any action against the Indians settled abroad and that such action was not in their jurisdiction. So the husbands needed to be called back to India.

Kanta's husband, Jitender, who worked with the press, mentioned that the craze to go abroad was so intense among people, especially the boys, that they were willing to marry a mother of four children if that gave them an opportunity to move to any foreign country. He suggested that both the boys and girls planning to marry NRIs should think carefully about their priorities before entering into alliances so that they did not regret afterwards.

### Case Study 3

Kanta was married to Kirit on January 29, 2000. She was 26 years old then and had appeared for her BA (Part I) exams. Kirit was two years younger to her. At the time of negotiations for the marriage, he was 24 years old and worked in a hotel owned by his relatives. He was in India at that time but he had been abroad before. He was in Korea for some time and then he had gone to Thailand from where he was deported back to India because he did not have proper travel documents. The proposal for marriage had come from a neighbour in Miani who was also distantly related to Kirit's family. Kanta and Kirit had never seen each other before. They met at Kanta's place in the presence of relatives and agreed for the marriage without even talking to each other. They were engaged to each other for six months. After that they talked to each other over the phone but never met before their marriage.

Kirit's family did not ask for any dowry but they made the middle person ask for several things. The girl's family had to give many things at the time of the wedding. They gave gold and some cash apart from the household articles. The groom's family had demanded a Hero-Honda motor bike but the bride's family could only afford a scooter. They had to arrange for the bike somehow. They had registered the same in Kanta's name. The dowry demanded by the groom's family was too much for the girl's family. Seven lakh rupees were spent for the wedding. Kanta's brother had to sell his share of land to meet the marriage expenses and fulfil the demands of her in-laws. The Hero-Honda bike alone cost them Rs 42,000. Some people had warned her family about the craftiness of Kirit's mother immediately after the wedding but they thought it best to ignore it as long as her husband was good to her. Her father-in-law was a very nice person and treated Kanta like his own daughter. Her husband had two brothers. The younger one was settled in England with his wife and the elder one worked in France but his wife lived in India with his mother.

Kirit lived with Kanta for six months. He was nice to her but he gave too much importance to his mother. He took her to her parents' home sometimes but never let her stay overnight. He gave all his salary to his mother and refused to give anything to his wife even when she asked him for it. After some time he started asking her to get money from her parents because he wanted to go abroad. He beat her up when she refused to get the money. He hit her twice at the instance of his mother. His mother started quarrelling with her over little and unimportant matters.

His mother asked Kanta's parents for Rs 5 lakhs to send her son abroad legally. With much difficulty, Kanta's family arranged for Rs 4.5 lakhs and handed it over to her mother-in-law. Kirit left for Australia in September 2000. He stayed there for three years and then moved to Italy for 6-7 months. Then he went to Spain and again went back to Italy. Kanta lived in her matrimonial house for 4 years. She was ill-treated even after her parents fulfilled their demands but she never let her parents know about her condition. She was not spared even when she was pregnant. Her mother-in-law did not treat her father-in-law well either. She refused to give him food and he had to eat outside most of the times. He was suffering from cancer but he was the only person at home who sympathised with her.

Her mother-in-law kept torturing Kanta to get more money from her parents so that Kirit could acquire a permanent resident status abroad. She also wanted that Kanta's parents should give them a car and taunted and insulted her for not bringing much in dowry. She also sold the bike that Kanta's parents had given and that too without Kanta's consent or signature. She did not let Kanta talk to her husband over the phone. She tolerated Kanta and allowed her to stay with them because Kirit's father



was sick and needed to be taken care of all the time. With his death her mother-in-law and jethani planned to get rid of her.

On April 9, 2004 when Kanta was cleaning up the house in the morning, her mother-in-law picked up an argument with her. When she answered back, her mother-in-law started beating her. She also threatened that she would kill her. She dragged Kanta to the kitchen and tried to set her on fire. Kanta fought back and ran out of the house shouting for help. Her mother-in-law and jethani followed her and tried to strangulate her with her dupatta and tried pulling her in. But Kanta pushed them back and ran outside to call up her parents. The villagers found her unconscious on the road. They filed a complaint with the police and got her admitted to the hospital.

The Sarpanch was asked to intervene and he asked for an explanation from her mother-in-law who denied having done anything and refused to take Kanta back with her. It was then that Kanta lodged a complaint at the police station in Tanda. The police asked her mother-in-law to take her back else they would refer the case to Hoshiarpur. But she was not intimidated because she could use the money power to escape punishment. She told them that she did not want to keep Kanta because she was older than her son and he did not like her. The case was forwarded to Mahila Mandal but her in-laws got it cancelled. Nobody was sensitive to Kanta's plight.

Kanta was willing to join her husband if he called her abroad, but her mother-in-law wanted her to divorce Kirit. She was negotiating for his marriage with another girl. The native village of the girl's family was Nangli but they were all settled abroad. Kanta's mother-in-law threw away all the things she had brought as dowry except for the gold; that she said she knew nothing about. Kanta tried calling up her husband in Italy but to no avail. She even tried finding his number from the exchange but was unsuccessful. Her mother-in-law refused to give her the number. Kanta's sister was settled in Canada. Her husband was a reporter. They have offered to try and locate Kirit.

There were three cases pending against Kirit's family; first for selling the bike and cheating the girl; second for assaulting the girl; and third for the girl's compensation and rehabilitation. Other than the household chores, Kanta knew sewing. When asked what she wanted Kanta said that she wanted to be reunited with her husband or at least be entitled to some compensation in lieu of the divorce. She wanted to live at her matrimonial home because it was dishonourable for a married girl to live in her parent's house, but her mother-in-law refused to let her in.

Kirit's family owned a plot and a duplex house that had been divided into four parts after the death of his father - for Kanta's mother-in-law and her three sons. There was another plot registered in the name of her mother-in-law.

Kanta's mother-in-law, however, put the entire blame on Kanta for deserting her son. She alleged that Kanta had gone to stay with her sister and her husband for a couple of days and that later, when they had gone for a trip to Vaishno Devi, Kanta vomited several times. The mother-in-law accused her of having illicit relations with her brother-in-law and becoming pregnant by him. She said that Kanta then went back to her sister and got the child aborted. These accusations made her sister's husband hostile to Kirit's mother and he started making all sorts of inquiries about her son.

Her mother-in-law also alleged that Kanta had a sharp tongue and that she complained to her parents of every little thing that happened in their house. She said that all the allegations made by Kanta were false. She had not brought any gold; instead they had given her jewellery (18-19 tolas) which she had taken away with her. Kirit had sent her Rs 50,000 thrice. She had also bought her a pair of earrings when Kanta asked for them 15 days after Kirit left. She said that Kanta had complained to the police



that her in-laws were demanding a car and four lakh rupees for acquiring a Green Card for her husband. When she sent the police to their house to take the dowry articles back, her mother-in-law said that the police found her daughter-in-law's things kept in a separate room; she had not even touched them. She refuted all the charges made against her by Kanta. She mentioned that the motor-bike was also given away by Kanta to her uncle. Kanta was in possession of all the things she had brought in dowry. She also said that she allowed Kanta to talk to her son whenever he called her up and that she had never refused to let her talk.

Kirit's mother mentioned that when the Sarpanch asked her what she wanted, she had told him that she wanted her daughter-in-law to come back. She was willing to give one half of her house to Kanta and keep the other half for her elder daughter-in-law, but Kanta was not satisfied. She accused Kanta of approaching the Mahila Mandal just in order to put her behind bars. Kirit had also called up the Sarpanch from Australia to clear the matter.

She alleged that she had heard from the neighbours that Kanta's parents were negotiating her marriage elsewhere. They had got her son declared a Proclaimed Offender because of which he could not come back. Kirit's mother wanted her son and daughter-in-law to sit together and talk over the matter, but he could not come back to India for fear of being arrested immediately. Earlier her son used to send money to his wife but he had stopped later when after he heard about what she had said and done. She said that she wanted her daughter-in-law to come back and that she was willing to move out in a rented house. She said that she had called Kanta back when she had run away from home two years back. She was also ready to give Rs 50,000 to Kanta in cash as compensation but Kanta did not agree because her only intention was to have her put behind bars.

#### Case Study 4

Meena is 34 years old at present. She had studied up to class V in school. She got married the first time when she was just 18 years old to Dinesh, who was 26 years old then and worked in the police department. The intermediary in this marriage was her aunt who was also distantly related to her husband. Dinesh had studied up to class X and his father was also in the police department. Meena was happy with Dinesh but only for a very short period. Four months into her marriage she realised that he was a heavy drinker. Her in-laws were good to her and they treated her well. She had a baby girl from her first husband who is now 14 years old and is studying in class IX. Meena divorced her husband in 1995 only because he could not give up drinking and would beat her up whenever he was drunk.

Two years later Meena got married for the second time in 1997 to Mohan. Her parents, brothers and sisters had immigrated to Canada in 1996. Her parents were doing farming in India before moving abroad. Meena and one of her sisters lived in India while two sisters and a brother were abroad with the parents. Her aunt who was living in Toronto, Canada, suggested this match. Meena's uncle worked with Mohan Singh who was a divorcee with two daughters and a son. The daughters lived with him, while his son lived with his first wife. He was 33 years old then and had a permanent resident status in Canada. He was not averse to marrying Meena as he himself was a divorcee. Meena's parents had met Mohan in Canada and fixed up her marriage. Meena had not seen Mohan prior to the wedding but accepted the proposal because her parents had negotiated the alliance. Her parents came to India along with Mohan Singh for the wedding in 1997. The wedding took place on March 22, 1997 at village Randiya according to the Sikh religious ceremony. Mohan's family did not ask for anything, but Meena's family gave sufficient dowry. They lived in India for a month after the wedding and then returned back. Mohan was nice to Meena as long as he was in India.

His entire family lived in India. He had four brothers and a sister. The eldest brother was married and had three daughters. The second brother was also married and had two sons. Mohan was the third and Sohan was the youngest. The sister was the youngest of all the siblings. She was a sickly child.

Mohan's brother Sohan also married Meena's youngest sister who was living with her parents in Canada. But he did so only for the purpose of permanently migrating to Canada. In fact, Mohan had married Meena just for the sake of getting his younger brother married to Meena's sister. Meena's sister called her husband to Canada, and once he was settled there, both the brothers left both the sisters. Sohan started working with his brother in Canada and deserted his wife.

Meena lived with her daughter from her first marriage. But her in-laws made her life miserable. She was beaten up and turned out of the house many times to bring more money from her parents. Mohan called up home in India often but always talked to his bhabhi before talking to Meena. He sent money only to his parents. He even lied to Meena's parents about her signatures on the marriage certificate. In fact, he had not got the marriage certificate made at all. Meena's in-laws had got her passport made but Mohan never applied for her immigration papers. Meena lived with her in-laws for four years until she was finally turned out of the house in September 2001.

In October of the same year Mohan came to India to negotiate for his marriage with Rajni, who was his bhabhi's cousin. Meena lodged a complaint with Dasuya police on October 4, 2001 that all her in-laws had conspired to get her husband married on October 6, 2001. The police called all the accused to the police station on the same day and later told Meena that they had agreed not to go ahead with the wedding without obtaining a divorce from her. The police asked her to sign on a blank paper along with the signatures of her husband, but she refused to do so unless Mohan's parents also signed on it. This could be done only the next day. When Meena went to the police station on the next day she was told that the parents did not agree to the compromise. The police also mentioned that they could not stop the second marriage without a stay order from the court at Nakodar and filed a suit for permanent injunction, which she could get only on October 6, 2001 at 11:30 pm after all the ceremonies were over. When the summons was served to the boy's party they refused to receive them. The suit is still pending in the court since 2001.

Due to the cruel and inhuman treatment meted out to her, Meena had been so depressed that many a times she thought of ending her life. Her in-laws misappropriated the dowry articles and refused to return back her stri-dhan when she asked for it. Mohan's brother Sohan had also married his elder bhabhi's relative after leaving Meena's sister. Meena would not have thought about divorcing her husband if he had called for her. She would have also stayed in India if he had sent her some money as maintenance. But he neither prepared the immigration papers for her nor sent her any money. In fact he cheated her for his selfish gains. Meena feels very strongly that her husband and his brother should be severely punished for the fraud they committed with her and her sister.

### Case Study 5

Kanchan was a post-graduate, had a B Ed degree, knew music and played instruments like the Sitar and Tabla. She had worked as a teacher in Amritsar and she was teaching in a school in Dharamsala before getting married to Kishore who was living with his family in England and was an engineer. They were married on August 7, 1988 in the girl's parental village. Kanchan was 23 years old then.

She was unable to talk to us because she could not talk, or move, or do anything else on her own. Her father had lost his speech due to the shock of his daughter, but he communicated with us by writing. Her mother was the only person who could talk to us and tell us the story.

Kanchan's father retired as a SHO. He was last posted in Dharamsala. Her younger sister, Disha was a graduate and had settled abroad. She was working in a computer centre as a faculty after completing her course. She had always aspired to go abroad but never expressed it openly because she knew that her parents could not bear the expenses. However, her parents did not want her to lose the opportunity go by when she got a chance to work abroad. They tried selling jewellery to raise money. Disha's father requested his sister, who lived in Canada, to sponsor her and let her live with them in Canada. They agreed to take Disha with them to Canada, where she started working and was now married and well settled.

Kishore's family lived in Kanchan's mother's maternal village. Her mother was a bit apprehensive about the alliance maybe because their families did not click with each other. But their relatives convinced her that the boy was good, had a good job, and was settled abroad. Kanchan was married off within a week of the engagement. Kishore's family had asked for dowry. They had taken one lakh rupees in cash and twenty tolas gold. Kanchan's family had given gold to the members of Kishore's entire family. The thought that Kanchan was being married in a great haste came to her parents' mind but they were so happy about their daughter settling abroad that they just went ahead. More guests than were expected from the groom's party had turned up for the wedding. Kanchan's parents had arranged for vehicles to take all of them to Delhi the next day after the wedding.

Kanchan went to England 6-7 months after her wedding. According to Kishore's aunt, Sudesh, they had gone ahead with the wedding because Kanchan was a beautiful and well-educated girl. However, she claimed that Kanchan stayed at her matrimonial home in India for a few days. She went back to her parents after Kishore left for England and left for England from there. She did not visit her even once. Her matrimonial family consisted of her mother-in-law, father-in-law, and a brother-in-law. Her sister-in-law was married to a Muslim boy in England. Kanchan had gone to England with an extended visa of 5 years, but she came back before 3 years. Her in-laws had started harassing and physically assaulting her for not bringing enough dowry. She did not tell her parents about her condition even when she was being beaten up repeatedly. She was shocked when she came to know that Kishore was already married and had a son. Her husband's family had concealed this fact from them. Her parents had not taken precaution in making proper enquiries about the boy; they only knew that he lived with his family in England and that he was employed there.

Kishore's family came to India a couple of times but they did not bring Kanchan along. Kanchan's mother-in-law wanted to get hold over Kanchan's parental house and property in the village. She had come to meet Kanchan's parents with a sarpanch who said during the conversation that all the property would go to the daughters because they did not have a son. Kishore had also gone to visit Kanchan's aunt and uncle in Canada. They had given him some gold. He also asked for five lakh rupees from them.

Kanchan gave birth to a son in England and named him Jogesh. At present, he was 15 years old and was studying in IX standard. Kanchan's mother had given a gold chain for her grandson (which was never given to him) and some gold to other family members when they had come to India after his birth. Jogesh lived with his father. His father and grandparents tutored him that when asked in court he should say that he wanted to live with them because his mother could not take care of him.

The in-laws never stopped torturing Kanchan. They turned her out of the house. She was made to live alone in another house and beat her up even there. They also threatened her. They assaulted her so

much that her body gave up. She was disabled and forced to live in a pathetic condition, not being able to do anything by herself. Some people informed her parents about their daughter's state. Her father then went to England on August 6, 1998. His daughter's hands and feet were immobile because of the beatings inflicted on her.

However, Kishore's uncle and aunt in India denied this. They said that domestic violence was a crime in England and that his family could not have done so. They said that Kanchan was already suffering from gout and that her hands and feet were rigid and motionless. Kanchan's father came to know that Kishore was already married in England and had another son. Kishore's uncle claims that he was unmarried before marrying Kanchan but could have married after his divorce from her. He also mentioned that Kishore gave a house to Kanchan to live in but he had kept the custody of their son because she was unable to take care of the child. Kanchan could meet her son only twice a week. However, Kishore and his other wife hurled insults and abusive language on her whenever they came to take her son back with them.

Kanchan's father stayed with her for six months. He met Kishore's parents at the death ceremony of a relative. When he enquired about the reason for his daughter's ill health and complained that they had suppressed the fact of their son's first marriage at the time of negotiations, his daughter's father-in-law threatened him that he would make his condition as bad as his daughter's and would do away with both of them as and when some opportunity came.

Kanchan's father brought her back to India because her condition was getting worse. She could not even eat or drink on her own. Overwhelmed with distress over her condition, her father fell sick after coming back to India. The doctors told later that he could not speak anymore because a nerve in his brain was blocked and he might need a surgery. Kanchan's parents had gone in for all kinds of treatment for her, but she did not improve. They had filed a case in Dasuya Court against Kishore's entire family.

Kishore's father too had filed a case in the High Court in Chandigarh against Kanchan's father. His mother has also filed a counter case in order to escape punishment.

### Case Study 6

Disha was married to Dinesh on December 16, 1993. Dinesh's family was already settled in California, USA, but he lived in India with his uncle who was a class I officer in Mohali and aunt (masi) who had adopted him. He had studied up to class X and Disha had studied up to class XII. Dinesh went abroad three months after the wedding. Disha lived with her husband's aunt for three years after he left for the US. During that period her mother-in-law used to come to India frequently. The intermediary was a colleague of Dinesh's cousin. They worked together in a school.

Dinesh's mother and brothers, who were already settled in America sponsored him. He started driving trolleys in the US and worked independently. He was stationed in California and soon acquired a Green Card. The intermediary, wife of Pritam, a resident of village Buddi, fixed a meeting between the two. They liked each other and were married soon. Disha was 23 years old and Dinesh was 28 then. Disha's father did not approve of this marriage initially, but he had to agree later because her mother wanted to go ahead with the alliance. They spent around Rs 3-4 lakhs at the wedding and had given 15 tolas of gold, even though the groom's family had not asked for anything.

Disha gave birth to a son on October 25, 1994. She was living happily with her husband's aunt until her sponsorship papers arrived. When they did, her mother-in-law started demanding for Rs 7 lakhs in exchange for the papers. When Disha refused to comply with her demand her mother-in-law started ill-treating her. She kept taunting her and asked her to leave the house and go back to her parents. She and Dinesh's uncle also started beating her. The boy's aunt who was so friendly with her until then also started ill-treating her. Disha was living with her husband's aunt but it was her father, an electrician in a private concern, who paid all her expenses. All the documents for her sponsorship were ready except for the proof of income. All her original certificates were with Dinesh as they were required to be submitted for her sponsorship.

She went back with her son to her parent's home and lived with them for a year. She approached the panchayat and the mahila mandal for the redressal of her grievances. She also filed a dowry case under section 498 of IPC against her husband, mother-in-law, brother-in-law and her husband's aunt with whom she lived after her husband's family had gone to US. Her brother-in-law, Rajesh threatened her over the phone. All of them have been declared to be Proclaimed Offenders. Her husband's aunt was released on bail. The others were not in India at that time. The panchayat had asked her husband's aunt to let Disha live in her house.

Dinesh and his family had come to India on the death of his uncle. Since Disha had already filed a case in the Women's Cell against her husband, they arrested him but he promised that he would call his wife to the US within a year, that he would also send her money, and that he would agree to all other conditions. At that time Disha was living with her parents. Her husband did not come to meet her or even talk to her over the phone when he was in India. He rang her up for sometime after he went back to the US in 1999 and later told her that he had agreed to all the conditions at Women's Cell just to escape punishment and be back in the US. He wanted her to leave his aunt's house. His aunt also refused to let her in when she came back from her parental home.

Now that his aunt had expired, Dinesh could still not sell the house because Disha had got the house attached. Eighty percent share of the house was already transferred to Disha and her son; only twenty percent belonged to him. Disha had been given 10 kallas of land too. Disha lived in her husband's aunt's place and refused to vacate the house even when her in-laws wanted her to do so. Her husband also had a house in the village that was occupied by his uncle (chacha).

However, the intermediaries reported that Disha had a sharp tongue. Dinesh was also short-tempered but he was a nice person. He refused to live with her only because she did not take good care of his aged adopted parents with whom she was staying while he was abroad. He had 17 acres of land holdings in Mohali and a bungalow worth Rs 50 lakhs. Disha could not adjust there and when her family realised this, they said many objectionable things to Dinesh's family. This was the reason why the boy's family was unwilling to let Disha stay in their house. Pritam was unable to intervene and bring them to compromise because of some personal problems of his own. He felt that Disha's father was to be blamed for all the trouble in Disha's life. Disha was presently living in a dilapidated kothi (bungalow) in Mohali.

Dinesh's cousin mentioned that Disha said that only if Dinesh would take her abroad, would she give him a divorce. While Dinesh wondered why should he take her abroad at all when she wanted to give him a divorce once she reached the US. He had sent the divorce papers to Disha but she denied having received the same. His cousin also reported that he had not remarried in the US. The police said that Disha's husband had written to them to the effect that he had divorced her and that she should not be allowed to live in his house. But Disha denied having received the divorce papers. She wanted to go abroad at least once so that she could contest the case against Dinesh and teach him a lesson.

Disha's son was now studying in class V in Golden Bell School, Mohali. Her husband sent her his hostel expenses and nothing else. Her father made her take up a computer course so that she could find a



job for herself. He did not want her to divorce her husband. For some time she had worked in a factory for Rs 1600 per month.

### Case Study 7

Anandi was 21 years old when she was married to Anand, then 25 years old, on August 17, 2002. She was an under-graduate and he was a school pass out. Anand's father had been working in Italy for long and had called all his family members abroad on family visa. Since then they had been permanently residing in Italy. Anand had been there for the last twelve years. His grandparents were living in India. A cousin of Anandi's mother, who had been living in Italy for more than a year, approached Anandi's family with the marriage proposal when she had come to India on the demise of her mother-in-law. Anand was her distant relative. She arranged a meeting so that the boy and the girl could meet each other. They liked each other and were engaged on August 4, 2002. They were married on August 17, 2002, in less than two weeks after the engagement. All the arrangements for the marriage were made in haste.

Anand's mother did not approve of the alliance initially because Anandi's family had already expressed their inability to give anything in dowry. However, she had to agree later because Anand's grandparents wanted to go ahead with the wedding. The groom's family did not ask for dowry but the middle person asked them to give a gold ring each to the groom's family during the 'milni' ceremony, when the families of the bride and groom meet each other. Anandi's family agreed to gift a gold ring each but only to the immediate family members. Anand's mother was not happy with the dowry or the wedding that took place at Shiraz Regency in Hoshiarpur.

Anand knew that his mother was not going to miss any chance of insulting Anandi's family. And true, the very next day after the wedding, she went to Anandi's place to return all the gold and other articles given to them as gifts in order to insult her family. Anandi's family remained silent because Anand had already informed them about his mother and had asked them not to give her anything more. She also refused to visit her daughter-in-law's place for the ceremonies that take place after the wedding.

Anand and his family stayed in India for about a month and a half. Anandi was happy with him and they even went for a trip to Kullu-Manali. Nevertheless, the mother-in-law's attitude towards her showed that she disliked her and her family. She got only two hours' permission from her mother-in-law to visit her parents on Raksha bandhan accompanied by her husband. She came back to live with her parents after her husband's family left for Italy on September 28, 2002. After a wait of 7 months, she received the papers and she left for Italy on April 8, 2003. Anand was working in a cheese factory and earned around Rs 1.5 lakhs per month. He lived in a rented house with his parents and a teenaged brother. Fifteen days after Anandi joined them, they shifted to a new house that they had purchased.

Soon after, there were fights between Anandi and her mother-in-law for petty reasons. The mother-in-law would always find fault with her. She did not allow Anandi to step out of the house, not even with her husband. She would tell all sorts of fabricated stories about her to Anand when he returned from work in the evening. At times she would also assault her. Her husband also hit her sometimes at the instance of his mother. Then he would apologise to her saying he could beat her up or scold her but he could not say anything to his mother.

Anandi's cousin lived in Italy with her husband and two children. She came to her house to deliver a parcel but her mother-in-law felt that she had come to see if the in-laws were treating Anandi well or

not. Anandi could not bear the beatings inflicted on her for the sixth time. She called up her cousin, told her everything about how she was being ill-treated, and asked her to inform her parents about the same. She had been with them for about 7-8 months and she had had enough. As soon as her parents received the information, they called their relatives in Italy and asked them to help her escape her in-law's house. The intermediaries, who were Anandi's aunt and uncle, worked with a construction company. They refused to bring her to their house saying they had boys living with them. Anandi's cousin then decided to bring her away from her in-law's house. She had already come to know that they were not nice people. Anandi left with her cousin leaving everything behind except for her passport. Her in-laws began frantically looking for her all around when they found her missing from the house. They called up her parents in India informing them that they were unable to locate her. Her parents pretended as if they did not know anything and threatened them that they would report to the police in case they were unable to find her. The in-laws lodged a complaint with the police about her absence from home. The police probed into the matter and found nothing serious. They asked Anandi and Anand to live together and took their signatures on some official papers. After this Anandi's cousin left her at her in-law's place on December 29, 2003.

Anandi had a Green Card and could legally stay abroad. But after this incident her mother-in-law took away all her documents on the pretext that they were needed for making arrangements to visit India for Anand's treatment, as he was not keeping well. She was also in possession of Anand's documents. She was the strongest individual in the family. Her decisions were final not only for her immediate family (husband and sons), but for distant relatives too because she financially supported them. Anand was also fearful of her and could not resist even though he wanted to. He had asked Anandi to keep away from his mother and forbade her to eat anything given by her.

Anand, Anandi, and her mother-in-law came to India in April 2004. The mother-in-law asked Anandi's parents to take her away with them. She did not allow her son to accompany his wife. Later, Anand's grandmother asked Anandi to return to their house after staying with her parents for some days. Her in-laws took Anandi to a hospital in Jalandhar for check up after she returned from her parental home. They wanted to prove that she was crazy, but the reports stated that she was normal and there was nothing wrong with her brain. They kept on maintaining that Anandi was mentally imbalanced and that there was some defect in her brain. The grandparents also did not let Anandi meet her husband saying she gave mental tension to their grandson. Anand wanted to be with his wife but his mother never let him. He was unhappy with his mother for this reason and he wanted to live aloof from his mother.

It was decided that Anandi would return to Italy with her husband and mother-in-law on April 24, 2004, but she came to know that they had cancelled the tickets. She went back to her parent's house and they told everything to her uncle who was a retired police official. He advised them to file a complaint at the SSP office, but her parents did not want the matter to get worse. They took her back to her matrimonial house so that they could talk to her in-laws but they when they reached their house they found that there was nobody. Anand and his mother had already left. His grandparents, aunts, and a few men from the village arrived shortly and told them that Anand was sick and admitted to a hospital. Even so, they did not tell them the name of the hospital. In fact, Anand had gone to Chandigarh with his mother to file for a divorce and had planned to leave India after that. It was then that Anandi's parents decided to lodge a complaint with the police. It was important that they did so as her passport along with her other travel documents were with her mother-in-law. They filed a complaint with the police just in time as they were planning to leave India. Three days later Anand's family had to report at the Women's Cell, where they came up with a compromise and Anandi returned to live with her husband.

But the compromise was very short-lived. Anand's mother made up a different story to leave Anandi behind. She told her that she had received a call from Italy that her husband had met with an accident. She got tickets for herself and Anand. Anandi wanted to go with them too. But Anand's grandparents wanted him and Anandi to stay back in India with them for some more time. Anand's mother, however, did not agree with them and was adamant about going back. On the day when they had to take their flight to Italy, Anand asked Anandi to wait at the police station for him. He had told her that he would get her papers from his mother and hand them over to her at 5 p.m. She waited for him up to 7 p.m. only to know that Anand had already left with his mother leaving her behind. She lodged a complaint with the police again.

She tried calling him up but all his telephone numbers had changed. For three months, she was unable to trace him until he called her up on her birthday on August 17, 2004. He had asked his friend to talk to her first and enquire if she was willing to talk to him. She agreed to do so and in the course of the conversation many of the misunderstandings between them got cleared. Anand realised his mistakes and has been calling Anandi since then. He has also started sending her money. They are hopeful that they will be together again and start a new life. Almost a year has passed since Anandi has been living with her parents. Anand was expected to come to India on July 17, 2005 and meet her. He had asked her not to tell anyone that he was coming to meet her and has promised to take her back. We do not know if he actually came but Anandi and her family were quite certain that he would come and were hopeful of a re-union of the couple.

This compromise was possible only because Anandi's family never let their dispute go public. They never asked for anybody's mediation in the fight and always tried to solve the matter on their own amicably.

### **Case Study No. 8**

Radha was 21 years old when she was married to Rohit on June 4, 2001, who was 35 years old then. She had passed the senior secondary school, while Rohit had completed only the secondary level of school education. He had been working in some stores in Paris and Italy for about seven years and was permanently residing in Paris at the time of their marriage. They met at Radha's place and were immediately engaged on May 31, 2001. They were married four days later. The intermediary in this marriage was a friend of Radha's brother and a cousin of Rohit.

Rohit's family had asked for dowry and gold during the negotiations, but Radha's family had made it clear that they were unable to give much. Rohit's family had agreed to take whatever the girl's family could afford to give. Her family tried their level best to give as much as possible. They gave a lot of gold in dowry. However, Rohit's father denied asking for anything in dowry. He had just made a request for a good reception. Radha and Rohit were married according to the Hindu rites and customs at Mahilpur.

Her husband's family consisted of his mother, father, two elder brothers, their wives, and a sister who was married in Phagwara three years back. Both the brothers-in-law (jeths) had school-going children. The elder jeth owned a shop and the younger jeth repaired electrical appliances. The father had a grocery shop in Shaila Khurd, Garhshanker. Radha lived with her in-laws for two months after her husband left for Paris. Her mother-in-law had made her life miserable. All her in-laws started ill treating her for not bringing enough dowry. Radha could not ask her father to give her anything more because he was not working. He was in Dubai earlier but had come back to India for good. Radha's brother worked with the Cable Operators and he was the only earning member of the family. She had four sisters but only the eldest one was married as yet, who lived in US with her husband and three



children. Radha's two younger sisters were still to be married. Her brother had not married yet because he wanted to get all his sisters married and settle them before going ahead with his own.

Rohit lived in India with Radha for a month but he spent more time with his mother than with his wife. He called up from Italy and talked to all the members of his family except Radha. He never talked to her over the phone. When Radha's parents asked her in-laws for Rohit's phone number and address they refused to give it and said that they had no information about his whereabouts. They also complained that Radha lived with her in-laws only for twelve days after Rohit left.

Rohit never fulfilled his promise of taking Radha along to Paris. His father Sohan defended his son saying that he wanted to sponsor her but did not do so because she did not stay with his family in India. Radha's in-laws made many false accusations against her and her family after she had left their home. They said that she asked for non-vegetarian breakfast in the morning. Her mother-in-law accused her father's friends of stealing a watch when they had come to visit her.

Rohit came back from Paris twice. On his second visit he asked Radha for a divorce. But before that he wanted to meet her alone in a restaurant. Radha's family wanted him to come home and talk to her in the presence of other family members. The meeting therefore never took place. According to Radha, there was no other reason for her husband to divorce her except his greed for more dowry. She had been living with her parents for the last three years and was waiting for the final judgement of her case. That might be sometime in August this year.

On the other hand, Rohit's father put the blame entirely on Radha for the divorce with her husband and her inability to go abroad. Rohit did not prepare the sponsorship papers for her because she did not want to live with her in-laws in India. She also had an affair with somebody else. Her family wanted Rohit to live with them and send them the entire money he earned. Rohit had not re-married; he was still working in Paris, and sent money to his parents in India.

### Case Study 9

Jyotsna was only 14 years old when she was married to 28 year old Jagmohan Singh in 2003. Jagmohan's sister was a friend of Jyotsna's cousin. Both of them were fond of each other and were very keen on this match. Jyotsna had never seen or met Jagmohan before. Jagmohan had studied up to class six and worked as a driver in a factory. Theirs was an arranged marriage. Jagmohan's family did not ask for anything in dowry, but Jyotsna's family had given them gold and other articles on their own. Her father spent around four lakhs on the wedding.

Jagmohan stopped working after their marriage. He stayed at home, did nothing, and just loitered around. His wife's parents bought him a shop so that he could earn something. But he never went to the shop. Instead he moved around the place teasing girls and doing nothing as such. Nevertheless, his family was nice to Jyotsna and she was fine there for about a year until they started demanding Rs 2 lakhs in cash. She could not get the money from her parents because they were poor and could not arrange for such a huge amount and that too after spending so much for her wedding. When she did not get the money his mother asked Jagmohan not to talk to her and he did just what his mother asked him to do. He also started beating her up at the instance of his mother and sister who instigated him against her. She did not make any complaints to her parents initially because she did not want them to be worried about her.

She continued living in her matrimonial house suffering the beatings and ill treatment meted out to her. Her husband lived with her for three years and then left for the US illegally in 1996-97. He started working in a factory in New York with his brother. He had promised his wife that he would take her and their sons - Gagan and Magan - along with him as early as possible. Both the sons were born in her parental home with her parents taking up the burden of hospital expenses. At present, Gagan was studying in class V and Magan in class III.

Jyotsna was beaten up and ill-treated by her mother-in-law and sister-in-law more severely and frequently after her husband left. They taunted her continuously for not bringing enough money from her parents. Her father-in-law had beaten her up once but many a times he had saved her from being beaten up. To add salt to her wounds her husband almost forgot her after leaving her in India. He never came back to see her or his children as if he had no love for them.

Jyotsna's in-laws ill-treated her but she never complained to anybody about the hardships she was facing in her matrimonial home, not even to her parents. Her jethani (husband's elder brother's wife) kicked her in the stomach when she had gone to meet her just because Jyotsna's aunt had asked Jagmohan if he was working or not. Her jethani and husband felt this was a degrading question to be asked. She lost the third child she was carrying in her womb at that time. She was not even given medication when she was sick. She was finally turned out of the house when she refused to bring Rs 50,000 from her parents. They asked her to stay with her parents and strictly forbade her to come back.

Her father approached the village Sarpanch and other elders of the village to urge her husband's family to take her back. Upon the Sarpanch's orders her in-laws took her back but they did not stop ill-treating her. Her jeth (husband's elder brother) nurtured bad intentions towards her. A number of times he proposed that she sleep with him. When she refused, he accused her of having a loose character and mentioned it to other members of the family. Nobody in her matrimonial home, except for her father-in-law, believed that she was not promiscuous and that she had done nothing to put her husband's family to shame. Everybody else ignored her jeth's bad intentions towards her and kept on blaming her for everything and of having a loose character. Her in-laws neither allowed her to talk to her husband nor gave her his phone number. She was alone and helpless. They tried to kill her once by forcing her to eat something poisonous, but her elder son saw what they were doing and he raised an alarm and collected people from the neighbourhood thus saving Jyotsna's life.

Jyotsna came back to her parental home when she could no longer bear the false accusations made against her and the attempt to kill her. Her husband had sent her the divorce papers at her parental home. She readily signed them and got divorced from him in 2001. She had asked for some maintenance for herself and her children, instead her mother-in-law and father-in-law asked her to give them one of her children. She, however, refused to part with either of them. She wanted to reopen the case some time later when she had enough money to fight the case for the children's share in her husband's property. Her husband had a house, 5.5 killas of land and crores of money in the bank. He owned a shop in the US and earned anywhere around Rs 1.5 lakhs per month. But he had not given any share in his property to his wife or children.

Neither Jyotsna nor her parents had thought of her remarriage. Her mother wanted some kind of compromise in this matter so that her daughter and grandsons received some compensation. Jyotsna did not want to live with her in-laws but she was willing to live with her husband if at all he was ready to take her back and start a new life again.

All her jewellery was taken away by her mother-in-law and sold off in order to send Jagmohan abroad, but her father-in-law claimed that she had taken all her jewellery with her when she had left their

house. He said that Jagmohan had sent two sets of jewellery in gold for her from the US and that she had taken them along with her.

Jagmohan had three brothers. The eldest one was living in Pathankot, the second in Jalandhar and the youngest lived with the father. His mother had passed away of a heart attack in May 2005. His father asserted that it was Jyotsna who had filed for the divorce after he left for the US. His father alleged that she had lied about the demands made for dowry. In fact he had paid seven lakhs to her as compensation at the time of the compromise.

His father said that Jagmohan never came back from the US. He also denied having any information regarding his address or telephone number. He said that children these days never told their parents what they did. He blamed his daughter-in-law for their separation. According to him, she roamed around too much and did not look after her elders. To top it all she did not want to live with her husband and was never happy or satisfied with anything he did for her.

### Case Study 10

Suman was married to Suresh on June 17, 1997. She was 22 years old then and had just appeared for her B.A. final year examination. Suresh was 28, living in New York and working as a taxi-driver. The middle person in this marriage was a cousin of Suman's father who was known to Suresh's family as well. Suman's family was told that Suresh had a valid Green Card. Suresh was in India for a month's break, so the wedding took place within seven days of their engagement. At the engagement, Suresh's family had told Suman that they would send her to the US in a couple of months. They also told her that Suresh had already prepared most of the documents for her. However, neither did they show these documents to Suman's family nor did Suman's family ask for them. They liked Suman so much at the time they came to see her that they wanted to take her with them immediately after a brief ceremony. But her parents had insisted on a proper wedding because she was their only daughter.

Suman had always wanted to settle down in some foreign country. Her family did not make any inquiries about Suresh thinking her father's cousin already knew the family very well as she often visited their place. Her family was so happy that she was going to settle in US and lead a better life that they could not even imagine what was in store for her.

The groom's family had asked for dowry but Suman's family had expressed their inability to provide them with all that they had asked for, because the wedding took place in such haste and they could not arrange for everything at such short notice. They however promised to hold a lavish reception and gave gold and other common household articles in dowry. They made the wedding arrangements in Ajit Palace and spent Rs 80,000 on rent just for one day.

Suresh had to go back to the US for an interview on July 3, 1997, just 16 days after the wedding. Suman was told about this just a day before he was to leave. After her husband went to the US he called her up often. He asked her to join computer classes and promised her to come back soon and take her along. Meanwhile she applied for a passport.

She was fine living with her in-laws till her husband came back after two months and began towing the line of his mother. Suman wanted to leave India as soon as possible. She kept asking her husband to make arrangements for her but he did not seem too willing to do so. This led to arguments between them and Suresh started beating her up. Suman suffered the violence and kept quiet because she desperately wanted to go abroad. It was her life-long dream to live abroad and she could take anything to fulfil it. However, Suresh never took her to the US and started harassing and assaulting her. His entire family joined him in the process. Suresh told Suman that he would take her with him, not as his wife but as one of the singers in a musical group. He had done the same to take his sister's husband abroad. Suman refused this option because she wanted to go abroad as his lawfully wedded wife, not as somebody in a fake musical group.

Suresh had two married sisters, and a married elder brother besides his parents. One of the sisters lived with them and the other in a nearby village. All of them ill-treated Suman. Her elder sister-in-law, who lived in the nearby village, beat her up more than the others. They never missed a chance to express their dislike for her. They told her that her husband also did not love her anymore. Her mother-in-law insulted her by saying that she had got her son married to a pauper's daughter when there were so many other girls willing to marry Suresh and ready to give cars in dowry. She

also disliked Suman's short hair and she went about telling every relative that her daughter-in-law had loose morals. She had this orthodox conception in her mind that girls who cut their hair were not decent and moral.

After Suresh went back he stopped talking to Suman. His phone calls became less frequent and ultimately stopped. She called up and tried talking to him but his phone was received by his friend who denied having any knowledge about Suresh's whereabouts. He did not come back to India after that for eight years. A few people who knew him told Suman's family later that they had got their daughter married in a family that did not have a good reputation. They also came to know that Suresh had lied to them about the Green Card. Suman came back to her parental home after living with her in-laws for five months when she could no longer take the ill treatment meted out to her. Her mother-in-law had already taken all of her jewellery and never returned it. Her parents approached the Panchayat to solve the matter. The Panchayat negotiated and Suman was sent back to her matrimonial house. She lived with them for 22 days and came back to her parents again when her in-laws resumed assaulting her. She did not go back to her in-laws' house after that.

Her husband's family filed a case for divorce accusing her of not willing to stay with them any more. Nevertheless, they withdrew the case later because they knew that Suman would testify otherwise in the court. They feared that the court would also sympathise with her after hearing about the atrocities inflicted on her by them. It was then that Suman's family filed for divorce at the Sessions Court in Hoshiarpur. Suresh needed to be present in the court for the hearing but he never turned up. His family made excuses that he was abroad and could not come back at such a short notice. Suman's family suspected that Suresh was in India all the time but was absconding from the court. They were finally divorced on November 15, 2003.

Suman resumed her studies further and completed her Masters in Arts. She did not have a job but gave private tuition to some children at home. She was not given any share in Suresh's property. She was refused both maintenance and compensation. Her stree dhan and whatever they had given to her in dowry was not returned by her husband's family.

### Case Study 11

Jagriti was married to Jatin on October 1, 2000, who was 34 years old then. She had studied up to class XII and he worked as an agricultural labourer in Italy. He had been living there with his mother for about thirteen years, while his father was in India. A man from Jagriti's village had told his friend in Ajram about her, who in turn told Jatin's uncle that her family was looking for a suitable groom for her. Uncle Manmohan further informed Jatin's parents who lived in Bhunno village and were in search of a wife for their son. Jatin and Jagriti met at the latter's place; they liked each other, and were engaged soon. Jagriti's family did not inquire about the boy because he had made a very good impression on them and they were very happy that they could find such a fine man for their daughter. Jatin went back to Italy after the engagement, where he met with an accident and hurt his leg. He could not come back to India before a year and a half. He never called up or talked to Jagriti for the entire period he stayed in Italy after the engagement.

Jatin's family did not ask for dowry, but Jagriti's parents willingly gave all possible things like furniture, television, gold ornaments, etc. Jagriti asked her parents to reduce the dowry articles for she could not take all of them with her to Italy.

After the marriage, Jagriti went to live with her husband's family in Bhunno. She was happy in her matrimonial house only for two-three months, until her in-laws started taunting her over trivial matters. Jatin's charming manners changed gradually thereafter. Her mother-in-law started insulting and beating her up. Jagriti came back to her parental house after her husband and mother-in-law went back to Italy after staying with her for four months. They began demanding money. Initially they asked for one lakh rupees but Jagriti's family was not able to arrange for it. Jatin's sister-in-law alleges that she did not stay with them for too long; she kept going to her parents' home after Jatin left. She was not friendly with her in-laws, did not talk to them much, and did not help with the household chores.

Jatin and his mother were gone for more than a year and Jagriti had still not received her visa and travel documents. Her parents kept calling up Jatin for making inquiries, upon which he finally sent her sponsorship papers along with a demand for Rs 50,000/-. Jagriti's parents were able to send their daughter abroad only after making all the payments for her travel expenses.

Her ordeal started just two days after her arrival in Italy. Jatin fought with her over every little thing and physically assaulted her at the instance of his mother. Meanwhile, back in India, the middle person apologised to Jagriti's parents for getting her married in that family. Jatin kept taunting Jagriti for not bringing enough dowry and asked her to bring Rs 4 lakhs from her parents. He beat her up if she expressed her parents' inability to give such a huge amount. He did not even let her go out and take up a job to get that extra money, for fear that she would come to know the laws of the country and her rights by meeting people at work. She was not allowed to meet anybody, not even Indians. Jagriti was a trained beautician and she started providing services to lady customers at home thus earning a little bit. Her mother-in-law would take away all her money and spend it on buying cigarettes for herself.

One day when Jagriti came out of the bathroom after washing clothes, her mother-in-law threw all of the detergent on the floor and put the blame on Jagriti. Jatin was just back from work and he became very angry. He hit Jagriti that day and refused to give her anything to eat. According to Jatin's sister-in-law (bhabhi) Puja, Jagriti hit Jatin back once in retaliation when he had beaten her up while quarrelling. She wanted to go out and work during her pregnancy, which her husband straight away refused.

Jagriti was also deprived of proper food when she was pregnant. She could not tell everything to her parents on phone. She started writing letters to her parents while hiding under the blankets at night. Her husband caught her one day with the letter in which she had written all about his atrocities on her. She was beaten up again and not given anything to eat that day. She was not taken to a hospital when her labour pains started. It was only when an Italian neighbour came to know of her condition that Jagriti was taken to a hospital. Jatin left her alone saying he would be back with his mother, but he did not turn up the whole night. Jagriti gave birth to a son next day on May 1, 2003. She named him Raju who is 2 years old now. Her mother-in-law did not stop ill-treating her even after the delivery. She kept Jagriti and her son's food locked up in a cupboard. Jagriti had to ask her every time she needed to feed her son. Her husband took all the money that the government had given as allowance for their son, which was almost Rs 4 lakhs. Jagriti kept enduring the ill treatment and suffering biding for a chance to come back to India. She was afraid for her life; she felt that her husband would kill her if she resisted anymore.

Then one day her parents called up to invite her husband and his mother to celebrate their child's first lohri in India. Jagriti convinced him saying her parents had already bought gifts for their son. They finally decided to visit India for a few days. On lohri, Jagriti's parents gave clothes to Jatin and his mother and gold to their grandson.

Jagriti met the SSP soon after lohri to make a complaint against her in-laws, whereupon her case was forwarded to Garhshanker and then to Mahilpur. She asked her mother-in-law for her passport and other documents.

According to Puja, Jagriti stayed with them in their matrimonial house just for 5 days after returning from Italy. She did not seem happy during lohri and ruined the entire function. When Puja and her husband (Jatin's brother) went to bring Jagriti home for the 'akhand path' (puja), she insulted them and caught hold of Puja's husband's collar and said that she did not want to live with Jatin anymore and



that she wanted all her papers and her passport back. Her mother-in-law returned these to Jagriti and took along the Sarpanch and other villagers to Jagriti's village for a compromise with her and to ask her to come back. Jagriti refused to go back and insisted on getting a divorce from her husband. Puja and her family tried talking with Jagriti's family but they refused to do so and insulted them. The police had seized Jatin's passport and locked him up for a day, but he managed to get back his passport and escaped to Italy by bribing the police officials.

Devraj, a member of the village panchayat alleged that Jagriti's family had put up posters in their village proclaiming that Jatin and his mother were fugitives/ proclaimed offenders. He thought that Jagriti's family was wrong in taking the matter to the police in the first instance. They should have talked about their daughter's problems to the in-laws in India and the panchayat before reporting the matter to the police. However, Jagriti had no complaints against her father-in-law, who never did anything wrong to her. On the contrary, he was also ill treated by his wife and had been turned out of the house. He became a drunkard and had lost his mind.

Jatin had some land in the village and a house in Italy, but he neither gave anything to his son nor sent any money for him. Puja claimed that Jatin lived in a rented house in Italy and did not have any property there. Puja and the rest of Jatin's family in India also wanted the matter to settle down soon. They alleged that they tried talking to Jagriti's family but all they did was to speak rudely and curse them. They missed Jatin's son and wanted to meet him but they were not allowed to do so. Her parents did not want to send Jagriti back. Jatin tried taking custody of his son once by sending the village panchayat but Jagriti refused to part with him.

The intermediary, Durga, stated that the marriage was arranged because Jatin seemed to be a nice person and Jagriti's family wanted her to sponsor her brother once she had a permanent resident status in Italy. Jagriti wanted to go back to Italy, but she did not want to live with her husband, not even if he gave her the guarantee that nothing untoward would happen to her. She could do so if her relatives settled in Italy were to support her and her son. She wanted to get a divorce from her husband but he was still absconding. She did not want to remarry, but she wanted to go back to Italy and work so that she could take care of her son and bring him up well.

## Case No. 12

Rita, a commerce graduate, was married to Raman Kumar on February 6, 2003. She was 23 years old when she got married while he was 30 years old and a school pass-out. He was working in a bakery in Greece for 10-15 years and was a citizen of that country. A cousin of Rita's father had brought the proposal for marriage. She lived in Raman's neighbourhood in Jalandhar. Rita's family liked Raman's photograph so much that they immediately decided on the wedding. The two were engaged and married off within a year. They did not make inquiries about Raman and his family as they trusted the discretion of the middle person who happened to be their relative and was also a friend of Raman's sister. Raman's family did not ask for dowry either before or during the wedding. They just wanted a good reception. The girl's family, however, gave about 20 tolas of gold and spent more than Rs 5 lakhs on the wedding.

Rita felt that the problems would not have come up in her married life had she been given some space by her in-laws to spend more time with her husband. She had seen her husband only at the time of the wedding. The two of them were never left alone. The in-laws kept the room occupied all the time on the pretext of watching television right from early in the morning. The in-laws kicked at the door whenever they were late in opening the door for them. They were not allowed to go out together after the wedding. They were not given time to understand each other. Raman went back to Greece after a month of the wedding. Rita was unaware of the fact that he had to leave that soon. She came to know about this on the day before he was leaving, when she came back from the market and found him

packing. Her mother-in-law told her very rudely that he could not live with her forever because he had to go back and earn money. She felt very helpless and could not help crying. Raman did not even give her a proper answer when she asked him when he would come back. This made her more uneasy. She called up her parents and shared her concern with them. They comforted her by saying that he would call her up and let her know when he was coming back and that she would also go to live with him soon enough.

Her in-laws started taunting her for not bringing dowry soon after Raman left. They started demanding expensive things. Her father kept on fulfilling the demands one by one until finally they demanded a car. He could not fulfill this demand as he could not afford it. Rita informed Raman that his parents were making unreasonable demands from her parents including the demand for a car but he did not respond. He just told her that he was busy and he did not have time to think about her problems. After this he called up only his family members and ignored her completely.

Soon, Rita began doubting if Raman had another wife in Greece when a lady who could not speak in English or in any Indian language answered his mobile phone. The lady did not give the phone to Raman. She could also hear children crying in the background. All Raman's contact numbers changed after a few days. Her in-laws knew of the new number but they refused to give her the same. They spoke to him sometimes but never let her know about it. She was scolded for going out too much whenever she asked for his number. They even accused her of having a loose character. Nevertheless, Rita and her parents remained silent thinking all this would be over once Raman took Rita abroad.

But one night things came to a head. Rita's in-laws beat her up for not bringing a car. When she informed her parents, they decided to bring her back but on the middle person's intervention she stayed back at her matrimonial home.

After delaying for a long time and only after Rita's parents talked to his parents, did Raman finally send the necessary documents for Rita to come to Italy. But there was no mention of Rita being Raman's wife, rather they mentioned that Rita was unmarried, and that some foreigner had hired her for two years, and that she was going to stay with him for that period. Raman's brother, a travel agent, had already taken Rs 2 lakhs from Rita's father for arranging her visa and tickets. He was handling all her documents and was in possession of her passport. When asked, Raman told her that he was under some constraint and could not call her abroad as his wife. It was then that Rita's parents lodged a complaint with the police against Raman and his family for not sending the proper documents.

Raman came back to India in 2004 and filed a counter case even without meeting Rita. He accused Rita's parents of entering their house forcibly and stealing. The police made inquiries twice but could not find any proof of it. The judgement went in favour of Rita's family. In fact it was Raman's family that had taken away all of Rita's jewellery leaving her only with the mangal sutra that she never took off.

An out-of-court settlement was agreed upon where both the parties agreed that Rs 5 lakhs should be given to Rita as compensation, which was later reduced to Rs 3.5 lakhs by Raman's family. They handed over a cheque of the said amount but Rita's family insisted on a bank draft instead of a cheque. Disagreement followed and Rita's family did not receive anything at all. Soon, Raman's family began saying that they would not give her anything because she had not brought any dowry.

Rita was still ready to reconcile and go back to live with her husband's family. But she insisted that her husband and his entire family should take the responsibility and guarantee for her safety. The whole family should be blamed if anything untoward happened to her. Raman's family was unwilling to

do so. Her father-in-law physically assaulted her saying he alone would be responsible if anything happened to her. The rest of the family members would easily escape punishment. Rita wanted to live separately with her husband because she still felt that he loved her and that he was doing all this only under his family's pressure.

Rita had no thought of remarriage because she was still hopeful that her husband will take her back if only she got a chance to talk to him. Her elder sister was married to an NRI and she was living with him in Italy. While Rita's in-laws were torturing her, negotiations were going on for her younger sister's marriage to another NRI in Italy. This was another reason why she kept quiet all this while. Very soon her younger sister was also going to leave India to join her husband in Italy. Rita had never thought that her husband would abandon her in this way. Rita felt that her family should have checked Raman's credentials and family background properly before getting her married. Most of the parents want their daughters to settle abroad ending up in making hasty and wrong decisions.

Interview with Raman's brother Pavan presented a somewhat different picture. According to him, Raman was a very nice person who loved his wife more than he loved any other family member. They were four brothers. Three of them were married. The eldest lived in the US, Pavan owned a cloth shop, Raman was the third and the youngest lived in Germany. Raman was apprehensive about marrying Rita soon after they were engaged because her father had spoken very rudely to him over the phone. Pavan had pacified Raman and asked him not to call late at night from Greece. They had not asked for anything in dowry, but Rita's father had given her a gold jewellery set and that was all. They had requested for a good reception.

Rita lived with Raman's family only for fifteen days, after which she started living separately with her husband somewhere in Nawashaher. Afterwards, they started living in the first floor of Raman's parent's house. Pavan and his family occupied the ground floor of the same house. Raman listened to his father-in-law more than his own family members. He sent money to his father-in-law Lekhray, because the latter had told him that he would buy a bungalow for him with that money. He transferred a total of about Rs 50 lakhs to Lekhray's account through Western Union Money Transfer. Raman's family did not know what happened to all that money. According to Pavan, Rita was a wrong choice for his brother. She talked all the time with her friends on her mobile phone, sometimes even advising them to leave their husbands. He even suspected that she had a boyfriend in Italy and just wanted to reach Greece to meet him. All the neighbours had seen her talking on mobile phone for hours. She was not interested in doing household chores and never woke up before eleven.

One night, at about 11 p.m. Rita's parents barged in Rita and Raman's bedroom when they were sleeping. They asked Rita to come with them. Pavan insisted that they should talk in the morning but Rita did not want to stay. She had packed all her belongings beforehand. Her parents were angry with Raman because he had asked them about the money he had sent. Raman's family tried hard to bring her back but her father did not budge. Rita's father filed a dowry case against them saying they had asked for a car. Rita's brother had already taken Raman's passport away by deceit, making it impossible for him to go back to Greece. In the office of the SSP, Rita's father had demanded Rs 3.5 lakh as payment for his daughter having lived with Raman for 15 days. Raman's family had given the cheque to Rita's father in the presence of the minister's son who was a witness to the transaction but he did not accept the same. Then they began asking for more money. Pavan refused to comply and took back the cheque with him. Rita had falsely accused her mother-in-law and brothers-in-law. Pavan alleged that Rita's father wanted Raman to give Rs 22 lakhs to compensate the expenditure on wedding if he wanted a divorce from his daughter.



Pavan complained that the boy's side was always deemed wrong, while the girl got everybody's sympathy. But in this particular case, it was the boy and his family that had been victimised by the girl's family. The major cause of the separation was the mishandling of money by Rita's father Lekh Raj.

Pinky, the intermediary in the marriage, was a cousin of Rita's father. She had introduced the two families. According to her, both of them were happy with each other after the wedding but the two families never got along. The most important reason for marrying Rita to Raman marriage was that she would go abroad after the marriage but that had not come about. The in-laws kept all the money Raman sent for Rita. They did not let her step out of the house and fought with her over trivial matters. Pinky tried to mend their relationship twice but failed. Raman and Rita were always ready to compromise but their parents and other family members would never oblige. The two were separated because of their families who never let them live together.

Rita did not have any children. She lived with her parents and was not working for a regular job but took tuitions at home.

## B. Case Studies: Jalandhar

### Case Study 13

Archana's parents had found a groom for her from a newspaper advertisement. The boy, Avtar, was already settled in the US. They did not make any inquiries presuming that the boy was a good match for their daughter and married her in 1998 in Jalandhar. She went abroad to live with Avtar after the marriage and was happy with him for some time. She gave birth to a son there and lived with her husband for 3 years. She endured the ill treatment meted out to her by her in-laws for as long as she lived with them. She had no say at home. Her husband ran a store and earned well. But she could not offer her mother anything to eat when she came to visit her. She was in a very bad situation and was scared of using the money at home to buy something for her mother to eat.

Archana's entire family had come to India to celebrate her son's birthday. It was then that her mother-in-law had instigated her son and they left Archana behind in India taking her son along. He stole her passport too. He started making phone calls to Archana and asked her for money and a car. She did not comply with his demands. However, her parents got another passport made for her and sent her abroad for further studies because she already had a Green Card and she was a dentist. At the time of the interview she was studying as well as working in the US. Her brother was also working there and lived with her.

Archana filed for a divorce in the US. The court, in its judgement, gave her the custody of her son and allowed Avtar to meet the child once in every fifteen days. One day he took his son out and came back to India without Archana's knowledge. Since then he has been absconding and living in India. He had remarried and was living with his second wife and parents in Faridkot, even though he did not have the divorce papers with him.

Archana's family had lodged a case against her husband for stealing her passport and also for demanding dowry. The boy had demanded money and a car after stealing her passport. Now they meet him only when they go for the hearings of the case once a month.

#### Case Study No. 14

Roshini was married to Rajan in 2002. He was already settled in Athens, Greece and was a distant relative of hers. The intermediary's son was married in village Patara to which Rajan also originally belonged. Roshini's family had inquired about Rajan before the marriage. They were informed that he was well behaved, educated and he had an I.T.I. (electronics) degree. He was working in a vegetable market (mandi) in Greece. His father had passed away and he was living in Greece for the last 12-13 years. Roshini had passed her 10+2 and was of marriageable age. Rajan's mother and sister had come to meet her and they decided the wedding date right away after seeing her. Rajan met her later and agreed to marry her. He was in India just for a month's vacation so they were married in haste. Initially, Rajan's family had agreed for a simple wedding but later demanded that non-vegetarian food be served at the wedding. Roshini's family obliged, even though they were strictly vegetarians. However they made no demand for dowry.

Rajan lived with his wife for 17 days in his village. He went back to Greece after that while she lived with her in-laws. Her in-laws started demanding money from her soon after her husband left. They asked her to get Rs 1.25 lakhs from her parents because she had not brought anything as dowry. They said that they would buy a few household things and furniture for her with that money. Her parents agreed and gave them the said amount. But instead of buying things for Roshini's use, they set up a dairy for Rajan's brother with that money.

After a few days of the marriage, Roshini's parents came to know from other people that Rajan was already married to an African lady in Greece. Her parents called up their son-in-law and asked him if the rumours were true. Rajan made no bones in telling them that he had married Roshini only because of his parent's pressure. Roshini's family remained silent because they wanted their daughter to go abroad somehow. After that Rajan's family began asking for money. They asked her to get Rs 35,000. They started beating up Roshini when her family refused to comply. Her parents rang up Rajan in a state of panic and informed him of his family's misdoings but he hung up on them and never answered the calls again. When they tried talking to him again, his African wife answered the phone and told them that she was his wife and that they have a son and a daughter; and that she would never let her husband return back to India.

However, Roshini continued living with her in-laws until they assaulted her very badly and threw her out of the house. She was preparing lunch at that time. Some of her neighbours heard her scream and informed her parents. Her mother and brother came to her rescue and took her to the hospital, where she was immediately admitted for the treatment of her injuries. She did not go back to her in-laws after that.

Roshini's family had approached Ramoowalia for help and told him all about the atrocities inflicted on their daughter. Her mother-in-law had told her brother that she did not want Roshini to stay with them because her son was abroad and he did not want her anymore. Her husband's brother had asked her to live with him but her brother rebutted the offer saying she was married to Rajan, not his brother. She would rather live with her parents. Her family went to Rajan's village twice with the Panchayat to patch up the matter but they refused to listen.

Rajan's brother raised doubts about Roshini's character. He said she had eloped with a boy before her marriage to Rajan. She was located and brought back by her parents several days later. Some schoolteacher in their village had informed them about this after the marriage. Roshini did not stop talking to that boy on phone even afterwards. She fought with her in-laws over trivial matters. Her husband had sent Rs 15,000 for her twice. Mohan, her husband's brother also gave her some allowance from time to time. According to him, she did not respect her elders and did whatever she felt like. She quarrelled with her in-laws over trivial matters. Her mother had spoilt her and asked her not to worry about being ill mannered to her in-laws assuring her that she could always provide for her. Her husband wanted to call her abroad but he backed off when he came to know that she would leave him for the other man in her life once she reached Greece. He went back to Athens on December 25, 2000 and did not come back after that.

Mohan said that her family had filed a case against him, not her husband. Her family accused him of making Roshini pregnant but this was all wrong because she was never pregnant. Her family wanted Mohan to marry her but he had refused. He also alleged that she had taken things worth Rs 1.60 lakhs with her when she had left for her parental home. She was married to another boy in less than 6 months' time, without even waiting for a divorce that was through only later in 2004. She had a child from her second husband. According to Mohan, Rajan had married the African lady after his divorce from Roshini. And he had never come back since then.

Roshini's family, on the other hand, alleged that they came to know after her marriage that Rajan had an accident before his marriage and had a slight limp because of the rod fixed inside his leg. He was unable to stand with ease during the marriage ceremony. His family had hidden this fact from them. Roshini's family also found photographs of his first marriage in Greece. It was then that they had filed a case of dowry demand against Rajan's family. Rajan's other brother who lived in Italy had called up Roshini's mother and insulted her over the phone. When Roshini's younger brother tried to intimidate him, Rajan's brother threatened him and said that he was a terrorist and could come to India anytime, kill them all and escape back to Italy.

Her family had then taken the opinion of the village folks and decided upon Roshini's second marriage. She was now living with her husband in Batala. This was her husband's second marriage too. He had left his first wife because she could not conceive a child for him. Roshini has given birth to a son but her in-laws and husband ill-treated her all the same.

### **Case Study No. 15**

Sheila was 21 years old when she was married to Satyen on July 13, 1997 who was 23 years old then. She had studied up to class XII while Satyen had passed class X. The proposal for this marriage was put forth by Satyen's aunt. Sheila's father and the husband of Satyen's aunt had a common friend. They came to know each other through this common friend and the negotiations for the marriage started. The marriage was fixed within a few days. Satyen's family lived in a village of Nakodar tehsil in Jalandhar. He worked in Dubai as a carpenter before marriage and had come to India on two months' leave. His younger brother was also working with him in Dubai. There was no demand from the boy's family during the wedding but the girl's family had given dowry willingly.

Satyen had three sisters and a brother. Two of his sisters were already married. His family was very nice to Sheila for some time after the wedding. He stayed with his wife for two months in their native village and then went back.

Initially Satyen did not talk to Sheila over the phone because his mother influenced him into not talking to her too much. He complied with whatever she asked him to do even though he loved Sheila very much. Sheila's mother vouched that he could do anything for her. A year after the marriage, Sheila's mother-in-law and father-in-law started demanding a scooter from her parents. They started beating her up for not bringing enough dowry. When Satyen came back to India after a year, Sheila had given birth to a baby boy. They named him Gagan. Her father-in-law and mother-in-law started behaving nicely with her after their son's arrival, but again reverted to ill-treating her after he went back to Dubai. But her husband was always nice to her. Whenever Sheila called him up and told him about his parent's misbehaviour, he asked her to be patient and wait for his return.

Her in-laws made explicit demands for dowry almost two years after the marriage and kept asking for more but Satyen used to call up Sheila's parents and tell them not to give anything. Her in-laws quarrelled with her over trivial matters. They went to the extent of attempting to kill her by making her consume poison. The neighbours heard her scream and came to her rescue. They called the Sarpanch and took her to the hospital. When she had recovered, Sheila's parents wanted to take her home but her in-laws did not let them take her back. They forcibly brought her to their village. Sheila's father had to take the help of the police to bring her back to Phagwara. Her in-laws accused her of stealing Rs 3 lakhs when she left with her father that day. The police came to Sheila's house with a search warrant but they could not find anything at her place. She then filed a dowry case against her in-laws in 2000.

Satyen came back to India in 2002 and came to meet Sheila at her parent's place. She talked to him and told him everything about his parent's behaviour towards her. He promised to talk to his parents and asked her to wait till then. But his family did not want to have anything to do with her. He went back to Dubai and stopped calling her up.

Sheila's father passed away in 2004. Her father-in-law came to offer his condolences on the occasion. Her husband also started calling her up after this. He even sent her Rs 1000 twice. Both Sheila and Satyen did not want a divorce. Satyen asked her to go back to his parents' house but she wanted him to come to India and take her there. The case remained pending and nothing much had come of it because her in-laws had enough money to bribe the officials and get the facts distorted. Her own family was poor and she had to fend for herself and eke out a living by stitching clothes. She had a 9 year old son who studied in class II. Her father-in-law had a soft corner for his grandson and came twice to meet him but without telling his wife.

When Satyen came to India he went to meet his wife. He took her and her parents to the SSP's office for a compromise. Sheila's father wanted that Satyen should come to their house and personally take her with him. Satyen agreed to come back the next day but then left for Dubai without intimating her. Later he confessed that his parents had booked a ticket for him without his knowledge on the day he had to take her back home. He was left with no choice but to leave for Dubai.

Satyen's family accused Sheila's family of beating up their family members and taking the girl away at night. They said that Sheila was staying happily with them until her sister incited her against her husband's family. She insisted on going back to her parental home only after her sister's visit.

Sheila's in-laws reported that she was living at her parental home for the past two years and a half. One night, when they were fast asleep, her sister and brother banged at their door. They held Satyen's younger brother by the collar and slapped him when he opened the door for them. The boy's family started shouting that thieves had entered their house so that people would come round. The villagers gathered just as her brother had started beating her father-in-law. After the incident

Sheila left with her brother and sister. They said that she had also taken away all her jewellery with her. While going she said that she had a son and that she could do without her husband.

When the matter came to the Sarpanch, he said that the girl and the boy should talk over the matter. Sheila expressed her unwillingness to stay on with him. The Panchayat suggested that Satyen should separate from his parents and live with his wife but send money to his parents as well. His parents alleged that he sent money only to his wife, not them. They also rhetorically accused her of not doing household chores and waking up late in the morning. Her in-laws also accused her of consuming poison and pouring kerosene on herself at times. They claimed that the girl's family had falsely accused them of misbehaving and becoming violent when her relatives came to visit them. Her sister had reported to the police that they had to save their lives by jumping across the fence, which was very high and fairly impossible for a girl to climb. They also alleged that the girl had opened a bank account without their knowledge where she deposited the money Satyen used to send her. Satyen did not send money to his parents. He called her up more than he called the other family members.

The girl's family alleged that the boy's family did not want the boy to come back from Dubai. They wanted him to stay there and keep sending them money. They said that Satyen wanted to come back and live with his wife. Every time he called her, he asked Sheila to go back to her matrimonial home. He had told her that he would come back some time this year and settle down with her.

### Case Study No. 16

Sangeeta was 24 years old when she was married to 40 year old Shailesh Kumar on April 15, 1999. Sangeeta had studied up to class XII and Shailesh was trained as a nurse in Philadelphia Hospital in Ambala. He was working as a staff nurse in Muscat. Sangeeta's aunt had made this proposal for her marriage. The groom was her brother-in-law and was already married twice. Sangeeta's parents were unwilling to go ahead with the alliance initially because of the difference in age between the two and because of the fact that he was already married twice. But Sangeeta's aunt convinced her parents and Sangeeta and promised to take Sangeeta with her to the US after the wedding. She also said that she would also get her brother-in-law's share of property registered in Sangeeta's name. She said that her matrimonial house in Ludhiana was full of expensive things and she had a father-in-law to take care of. She could not think of anyone better than her niece Sangeeta to take care of her father-in-law and her property. Sangeeta did not like Shailesh at all because he never was a suitable match for her. He was sixteen years older than her and she used to call him uncle before the marriage as he indeed was her uncle's brother. However, she could not resist the temptation of moving to the US and reluctantly agreed with her parents for the marriage. They were also told that Shailesh was residing in Muscat permanently but they came to know later that he was working there temporarily on contract basis.

The two got married at the bride's home in the presence of very few people. There were no invitees from the groom's family except for his father, a friend, his wife and their two children. The wedding took place within 15 days of the engagement without informing too many people. It was conducted according to Christian marriage rites, but not in a church. Before getting married, both the boy and the girl have to submit applications to the pastors of their respective churches, upon which the pastor makes inquiries regarding their character, baptism, etc., and issues a certificate. Shailesh told them that his village was too far away to get a certificate at such short notice. He said that he would submit it sometime later but he never did so. It was because of the unavailability of this certificate that they could not get married in a church. A marriage certificate also could not be issued. Sangeeta's aunt, who had arranged this marriage, was not present at the wedding. Shailesh had not informed anybody in his village about his marriage with Sangeeta. Dowry was neither demanded nor given except for some jewellery to the bride, the groom, and groom's father.

Shailesh Kumar has a brother and two sisters. His mother had died long time back and his father was alive when they got married. Shailesh's elder brother was married to Sangeeta's aunt and lived with her in the US for the past ten years. One of his sisters was married while the other one was not. She lived with her father. Sangeeta lived in her matrimonial house for a year. Shailesh went back to Muscat after a month but he kept sending money, writing letters and calling her up often. Sangeeta did not get along with her sister-in-law at all. The latter wanted that her brother should care more for



her and give her the money rather than to Sangeeta. She tried to show Sangeeta in a bad light and instigated her brother against her.

Shailesh had divorced his first wife from whom he had a son. She was living in the US since then. Later he married Bina in 1994. He had told Sangeeta's parents that he had taken a divorce from his second wife too, but he had not. On his return from Muscat a year later, he started meeting Bina who lived in Batala. Sangeeta took it as a joke whenever Shailesh told her that he had met his second wife because she was unaware of the fact that he had not divorced her. She came to know about this only later when she found some papers mentioning that Shailesh and Bina had come to a compromise and that Shailesh had given Rs 50,000 to her.

Whenever Shailesh went to meet Bina he would stay back at her place for three to four days. Instead of telling Bina that Sangeeta was his new wife, he told her that Sangeeta was employed to take care of his father. When Sangeeta asked Shailesh to get a divorce from Bina he told her that he would have to pay one lakh rupees for the divorce and that she should bring the amount from her parents. Sangeeta refused because she knew that her parents were not in a position to arrange for such a big amount. Her father was a driver and the only earning member of the family. Shailesh became physically violent and turned Sangeeta out of the house. Sangeeta went to her parental home but her mother took her back to Shailesh's house the next day. Shailesh told Sangeeta's mother that he could not live with Sangeeta because he had not yet divorced his second wife and that he needed Rs 1 lakh for doing so. Sangeeta had to return to her parental home with her mother, where she stayed for about a month until Shailesh came to take her back. He even apologised to Sangeeta's father for his rude behaviour.

Back in Shailesh's home, Sangeeta's sister-in-law did not stop taunting her. On Christmas Eve, Shailesh's sister and her husband came home and started assaulting Sangeeta for no reason at all. Shailesh was out somewhere in the neighbourhood at that time. Sangeeta told him on his return about the assault but he just ignored the matter. Sangeeta then called up her parents and told them about the incident. They talked to Shailesh and tried to make him realise the seriousness of the matter but he just shirked his responsibility and apologised for his sister's behaviour in a very casual manner. Then one day Sangeeta overheard Shailesh's sister telling him to take a divorce from her and that she had found a nice girl from Gardhiwal for him. Sangeeta made fun of her husband saying he was not a young man that somebody would give their daughter in marriage to him. This led to a quarrel between them and Sangeeta left for her parental home.

Shailesh had once asked Sangeeta's sister also if she would marry him. Her sister kept quiet at that time because Sangeeta was living with him, but she gave him back later when Sangeeta had left his home.

Sangeeta filed a dowry case against her husband, both in Jalandhar and Ludhiana in 2002. Shailesh did not stop going to and fro to Muscat even after the case was filed against him. He had no fear of the law. Sangeeta had got the summons served both at his home in Ludhiana and at the hospital where he worked in Muscat. Shailesh had also filed a case against Sangeeta. He said that he had not married her; that she was just kept for taking care of his father; and that she tried poisoning him in Shailesh's absence. The police conducted an enquiry and found the allegations to be wrong. Shailesh was held up in jail for ten days but he obtained a bail and went back to Muscat. Later he was fired and deported back to India after being caught having sex with a girl in the hospital where he worked. Since then he has been staying at his home in Ludhiana. He had destroyed all evidences of his marriage with Sangeeta and married another girl from Ludhiana. At present he was living with his fourth wife Mina without caring to take a divorce either from his second wife or Sangeeta, the third one. He appeared in court for hearings accompanied by his new wife. Though Sangeeta was in possession of some evidences of her marriage with Shailesh, such as, some wedding photographs and some of his letters, she wanted to obtain a divorce from him as soon as possible. The case was, however, still pending in the Civil Court, Jalandhar.

Sangeeta's aunt was no longer in touch with her. Sangeeta's family blamed her aunt for ruining her life. They said that she was well aware of the fact that her brother-in-law was a person without morals and was sick in the mind; he could not live with a single girl for more than a couple of months.

Sangeeta could not take up a full-time job because often she had to go for court hearings. She wanted to marry again and settle down with someone who respected womenfolk. She wanted the government to settle such cases at the earliest instead of keeping them pending for years.

## Case Study No. 17

Ridhi was married to Rohan on January 22, 2001 at Milan Palace, Jalandhar. She was 23 years old then and a graduate, while Rohan was 32 years old and had received little education. He was working in Germany as a labourer and had recently acquired a permanent resident status there. Both the families knew the middle person who was a resident of Rohan's village. A meeting was arranged for Ridhi and Rohan so that they could get to know each other. They liked each other and agreed for the marriage. Ridhi's family inquired about Rohan and came to know that he was a nice and respectable person and was doing well in Germany.

Rohan went back to Germany after the engagement on July 31, 2000 and came back the next year on January 17, 2001 for the marriage. Many relatives and friends had come as 'baratis' who were treated with respect and cordiality. Ridhi's father spent a total of Rs 6.75 lakhs on the wedding and dowry. All the relatives and friends were given gifts and clothes apart from 48 tolas of gold given to Ridhi, Rohan and his family members.

Ridhi's family was told that Rohan was in Germany since many years and was a citizen of that country and that he would have no problem in taking his wife along with him. A few days after the marriage when Ridhi's family suggested that the marriage be registered, Ridhi's husband told her that he could not do so yet because a divorce case was filed against him in Germany regarding his marriage with a German national. He told her that he had married the German girl only to acquire a citizenship and that the divorce would be through in six months. His parents also promised them that Rohan would get the marriage registered and take his wife along on his next visit to India.

Rohan lived with Ridhi for two months and then went back to Germany on February 11, 2001. As soon as her husband left, Ridhi's in-laws started behaving indifferently with her. Her mother-in-law taunted her for not bringing furniture for the house in dowry. Her sister-in-law abused her and even hit her. Ridhi's cousin visited her in April 2001 and she was aghast to see blisters on Ridhi's hands and the way her in-laws treated her. They beat her and abused her even in the presence of other people. Her parents could not spend more money on her because they had already spent a fortune on her wedding. On June 25, 2001 when her brother-in-law came back from Italy, she heard her in-laws discussing with him that they should not send Ridhi abroad because Rohan would stop sending them money once she went there and it would not be possible for the other family members to go abroad.

Later Ridhi's mother-in-law and brother-in-law asked her to bring Rs 40,000 from her parents so that other members of their family could be sent abroad. Her parents agreed to give them the amount. Rohan came back to India on August 1, 2001 and told her that his divorce was through and that he could get his marriage registered, but the wedding date would need to be changed. She was a little upset, but her in-laws pacified her that the date hardly mattered as long as he was taking her along. Their marriage was finally registered on August 8, 2001.

Rohan asked Ridhi's brother, Pummy to help his family members move abroad as a token of gratitude for taking his sister to Germany. Ridhi had suggested to her husband that both of them could work abroad and save enough money to provide for other family members and help them immigrate. On September 19, 2001 her husband had to go to Delhi and take a flight the next day to Germany. He asked her to stay with her parents for a few days, as she was pregnant and was not keeping well. He had also asked for Rs 90,000 from her mother before leaving which she had given even though she had refused him initially.

Her mother-in-law was very clever; she asked Ridhi to leave her gold ornaments and the keys to the almirah behind when she went to her parental home. As if that was not enough, Rohan kept calling

from Germany asking Ridhi's mother and brother to give six lakh rupees to his parents. But they were in no position to arrange for such a huge amount

On October 27, 2001, Ridhi received a letter from the German Embassy asking her to come and complete the formalities for her visa. She received her visa after a few days and was ready to take the flight on November 18, 2001. Before leaving for Delhi she called up her husband who reiterated that Rs 6 lakhs should be given to his parents. Just as she was about to board the flight after passing through the security check at the Delhi airport she was stopped. She was asked to contact the embassy as there was some problem in her visa. The next day was Sunday and she had to wait until the day after for the embassy to open. Pummy called up Rohan in Germany who again demanded that Rs 6 lakhs should be given to his parents, if they wanted that Ridhi should come to Germany. He also called up his sister's in-laws in India, who reiterated the same thing and told him to do what their son had asked him to.

Ridhi had already purchased the tickets and she was unwell. The next day when she went to the embassy, a lady told her that her husband had got her visa cancelled and did not want her to come to Germany. Devastated and completely shocked by what her husband had done she came back to her parents' home. Rohan called her up and told her that he would rearrange her visa if her parents gave the required amount to his parents. Her mother-in-law and sister-in-law kept harassing her and told her that six lakh rupees was not a big amount for her father who was working in the US.

Rohan came back to India after Ridhi had filed the case against him for taking dowry and marrying a second time. He managed to convince her to withdraw the case against him promising to take her along with him this time. She agreed to withdraw the case against her husband as she was pregnant and wanted to be with him. Rohan took advantage of his wife's malleability and hurriedly got the visas ready for his entire family. He also managed to send one of his brothers to America and the other to England. Having sent his family abroad, he went back to Germany on the sly without bothering for Ridhi.

She went back to her parental home and gave birth to a son on April 23, 2002 in Maker Hospital, Phagwara. Her mother-in-law came to see her in the hospital and told her that she would marry her son elsewhere if she could not arrange for the money. Her in-laws refused to help her parents with the medical bills that came to around Rs 20,000.

On the other hand, Rohan's family alleged that Rohan had cancelled the visa because of the personal differences that had crept up between the two. He had seen Ridhi wave at a boy one day while they were going on a two-wheeler. This had become the root cause of misunderstanding between the two. They also gave the excuse that Ridhi's visa was cancelled because she wanted to postpone her travel after Diwali. It was then that Ridhi filed another dowry case against her husband and his family which was still pending in the high court in Chandigarh. They also alleged that Ridhi was not a good-natured girl and she often quarreled with them over trivial matters.

Basically Rohan wanted a divorce from his wife because he wanted to marry a foreigner. Ridhi could not accept this injustice meted out to her. She also came to know that Rohan's sister was fixing his meeting with other prospective girls for his marriage. Her family intervened and did not let the negotiations materialise. Rohan's family was embarrassed and could not get him married. Ridhi went back to her matrimonial home a week later and decided to stay there until justice was done. Her in-laws allowed her to stay but they removed all the furniture from her room except for a pair of beds. Her parents had to refurnish her room and arrange a separate kitchen for her. They continued taunting her for not bringing dowry so much that her mother had to interfere and remind them that she had given gold to them and arranged for the wedding in an expensive banquet hall even though they had not asked for anything. And she even told them that she would have agreed to give them dowry and one lakh rupees as demanded if she had not spent so much money on the wedding.



Ridhi's family wanted her to come back to her parental home, but she was firm in her decision to live in her matrimonial house no matter what. Her father, who worked in a departmental store, wanted to call her to the US once he got a Green Card, but she wanted to continue staying with her in-laws and fight for justice. She could finally get a piece of land registered and a fixed deposit of Rs. 6 lakhs in her son, Dillu's name. Her father-in-law also gave her Rs 1000 every month out of the pension he received. They also paid all other bills for her. Ridhi also stitched clothes to earn some money for herself and her son who was studying in LKG. However her father-in-law and mother-in-law were not on talking terms with her and they complained that she quarrelled with them a lot. They refused to let Ridhi talk to her parents over the phone.

But according to her in-laws, they tried their level best to come to a compromise with their daughter-in-law but she did not comply with any of the given options. She misbehaved with them and taught her son to do the same. She did not let her father-in-law meet her father. She had even threatened that she would get all their sons killed once they came back to India. They had been paying all other bills for her. Both of Rohan's parents did not keep good health. They were suffering from diabetes but she did not let them live in peace. They also alleged that Ridhi had once said nasty things about her sister-in-law who was able to conceive only after sixteen years of her marriage.

However, the middle person reported that Rohan's parents were scared of their daughter-in-law Ridhi, now that she had decided to take a stand for herself in order to get justice. He said that Ridhi had suffered a lot in her matrimonial house and she had lived for a year and a half with her parents before deciding to shift back to her in-laws' house. He blamed Rohan squarely for ruining Ridhi's life.

On the lighter side, Ridhi's twenty-five year old brother was asked about his ambitions. He had completed his graduation and was engaged in farming at that time. He wanted to go abroad and did not want to work in India even if he could secure a job for himself. He felt that if one wanted to live life to the full, one should go abroad and that it was only lazy people who wanted to stay in India. He was ready to marry an NRI girl if that helped him secure a visa. But he was confident that he would go abroad soon because his father was already in the US and was trying to get a Green Card.

### **Case Study No. 18**

Tanuja was married to Tarun in 1982, when she was 22 years old. She was working as a clerk/cashier in Corporation Electricity Board, while Tarun was a physical education teacher in a school. Tanuja's sister was married to a boy of Tarun's neighbouring village. Tanuja's sister and her husband had suggested to her parents that Tarun would be a good match for her. They thought that both of them would be suited to other as both of them were working. Tanuja had always expressed her desire to marry an employed and well-settled man. They were introduced to each other and with their consent they were soon engaged. They were engaged for a year, and during this time they kept meeting each other and going out together for movies, before they finally got married.

Tanuja's family gave dowry worth Rs 2-3 lakhs as well as gold to Tarun's family. Tarun's family also gave gold ornaments to Tanuja. Tarun seemed to be a nice person but problems started soon after their marriage. He stopped caring about his wife and went roaming around doing nothing. He took away his wife's salary and spent it on his friends. He treated her very shabbily and often locked her up inside the room whenever she tried to stop him from loitering. His behaviour irritated his wife and they quarrelled frequently.

Tanuja gave birth to a baby girl. This further deteriorated their relationship because Tarun wanted a boy. Tarun started beating his wife on some pretext or the other. The birth of a second daughter

worsened the situation. She put up with all this and lived with her husband's family in India for about ten years after her marriage.

Tarun went to the US in 1993. His mother lived with his brother in Canada. His other brother lived in Chandigarh. Tanuja's sister-in-law mentioned that he left his job in India and went to the US because he had somehow got involved in the militancy operations of 1984-85. He was scared because the militants used to give him rifles to hide. He did not have a proper work permit or visa. He asked his wife for a divorce so that he could marry an American and acquire permanent resident status. But Tanuja refused to divorce him. Finally he managed to secure a permanent status for himself after some years and he called his family abroad. Tanuja went to join her husband along with her two daughters in 1997. She left her job where she had been working for the last twenty-one years.

As soon as Tanuja rejoined her husband in the US he started asking her to get money from her parents. Her brother, Bobby was very annoyed and demanded to know why Tarun was asking for money at that point of time when he had not asked for it at the time of the wedding. But her parents fulfilled the demand thinking that it was the first time and would be the last. But Tarun was encouraged by their response and kept asking for more money.

Tanuja was also worried about her husband's affairs with other women. He got calls from them often and he talked to them for long periods. Nobody spoke when she received the phone. She spoke about this problem to her sister-in-law, who suggested that she should ignore the matter. She pacified her by advising her not to quarrel with her husband because those women could just be trying to annoy her. However, Tarun's brothers in India accused Tanuja of being over-possessive and suspicious of every woman he came across, of having an affair with her husband. She became angry whenever the colour of Tarun's turban matched the colour of some woman's dress at the Gurudwara. She thought that they knew each other and had decided beforehand on wearing that colour. They blamed Tanuja's suspicion for their quarrels which finally ended up in divorce.

Tarun often told Tanuja that he would marry elsewhere because she was unable to bear him a son. She had told this to her family back in India but they did not take the matter seriously because they never thought that he could remarry at such a mature age, after nearly twenty years of their marriage. He came to India in 2002 to look for a suitable groom for his elder daughter. Tanuja wanted to come along with him but he refused saying he did not know if he could accompany her after they reached Delhi. This made her frightful that he would abandon her soon after their arrival at the airport in Delhi. She decided not to leave America at all.

Tarun did not meet Tanuja's family during his visit to India. Neither did he look for any match for his daughter. Instead, he married another girl, Isha from Kapurthala on February 14, 2002. His only reason for leaving Tanuja was her inability to give him a son. But as providence would have it, his second wife also bore him another daughter. She lived in Chandigarh and has never been to the US ever.

When Tanuja's family heard about his second marriage they were stunned by the news. They lodged a complaint against Tarun for marrying a second time without obtaining a divorce from his first wife. The complaint was registered at the Kapurthala police station as his second wife belonged to that place. Tanuja's brother somehow managed to get a copy of the certificate of Tarun's second marriage. The police acted on time and seized Tarun's passport. In retaliation he filed another case refuting his second marriage. He escaped with his passport to the US somehow, from Kathmandu airport. Had he taken the flight from Delhi the police would have arrested him. To teach him a lesson, Tanuja's family got Tarun's photograph published in the newspapers reporting that he was a fugitive.

Tarun divorced Tanuja in the US, on his return from India after this episode. His family reported that he had paid around Rs 20-30 lakhs to Tanuja, excluding the expenses on his daughters. He paid \$ 400 to Tanuja and \$ 100 to his daughters every month after the settlement in the court. Tanuja was living

in New Jersey for the last 16-17 years. She was 53 years old and was sick and depressed most of the time. Her elder daughter married a colleague in the US and has settled down. Her 17 year-old younger daughter lived with her.

Tanuja's parents had passed away. Her brother, Bobby, had a B.A.M.S. degree and was practising as a doctor. He lived with his wife and son in Jalandhar and had a flourishing practice. His son studied in class XII.

Bobby had filed a second case against Tarun claiming Tanuja's share in her husband's property in India. Hearing of this case in the court was in progress since the last two years. Bobby thought that his sister should get some share in Tarun's property in India as she would have nowhere to go if she ever planned to return back. He wanted Tarun to be punished for ruining his sister's and her daughters' life, even though he did not know where Tarun was.

Tanuja's elder sister, who was the intermediary, was living with her husband in Gardhiwal. He was 70 years old and was engaged in farming. He worked as a driver before and had studied up to class VI. They had a twenty-year-old daughter who was in the final year of her bachelor in Arts course in college. They felt that the marriage did not work out because of Tarun's loose character. They regretted having proposed him for Tanuja and said that had they known before marriage what kind of a person Tarun was they would have never have gone in for this marriage. They mentioned that it was Tarun's desire for a son that made him go in for a second marriage.

However, Tarun's cousins Sunny and Jolly blamed both Tarun and Tanuja. They mentioned that their incompatibility was the cause for the break up of their married life. However they felt that Tanuja was more to be blamed as she did not cooperate with her father-in-law's attempt for their reconciliation. He had advised them to live together in harmony because there was no point quarrelling at that stage of their lives. Sunny did not know much about the problems his cousin, Tarun, faced in his marriage because he was not mature enough at that time.

Jolly mentioned that both Tarun and Tanuja had come together to organise their elder daughter's wedding. At that time their younger daughter had expressed her desire to live with her father but Tanuja would not allow it. He said that he had advised Tarun not to bother about what Tanuja said and to bring his younger daughter back. He felt that Tanuja should allow her younger daughter to at least meet her father whenever she felt like.

Tarun's cousins said that they had not demanded anything at the time of the wedding. In fact they had had only tea at Tanuja's place that day. They came back home after the Anandkaraj ceremony and had thrown a party later on. They had something to eat only after returning home.

### **Case Study No. 19**

Hansa was married to Hari on February 4, 2001 according to Sikh rites. The Anand Karaj ceremony was held at Lal Dwara Partap Bagh, Jalandhar. Hansa was a 25-year old graduate, while Hari was 28 and uneducated. He owned a carpenter's shop in Dubai. His father often visited Hansa's uncle's shop. He had asked him to look for a wife for his son. Hansa's uncle found Hansa a good match for Hari and he asked him to meet her. Hari's parents went to see Hansa while Hari was still in Dubai. They liked the girl, but the girl's father did not like the boy's family because during his conversation with them he realised that they were greedy for money. He told his wife about his apprehensiveness and

reluctance to go ahead with the alliance but his relatives convinced him otherwise and he agreed to go ahead with the negotiations. Hari's parents called him from Dubai so that the girl's family could meet him and decide if they wanted to go ahead with the match. Hari and Hansa liked each other and they agreed for the marriage. Hari had come on four months' leave and they were married within a month.

Hansa's father had spent five-lakh rupees on her wedding. 18 'milnis' had been performed and they had given away 18 blankets. A day before the wedding, he gave sufficient dowry to Hari's family but they were not pleased with the quantity or quality of the dowry items. They said that the television was not big enough for them.

His family began asserting their right over Hansa at the wedding. They held her hand and told her parents that she belonged to them from that time onwards. They did not let her talk to her parents or go near them or have dinner with them. She came with her husband to meet her parents six days after her wedding but she was not given any chance to talk to them. She had to stay aloof from her parents. Her husband lived with her for three months and that was enough to make her life miserable. She was tortured by her husband as well as in-laws who were not satisfied with the quantum of dowry articles. They openly proclaimed that the marriage was not performed according to their status and standard. They wanted a car and an inverter to be added on to the other dowry articles. They insulted her many times for not bringing enough dowry. Hansa talked to her father and asked him to fulfil their demands but he was helpless for he could not arrange for more money. Hari used to beat her up at the instance of his parents. They categorically told her parents not to come to their place and meet her and also that they would not allow Hansa to go to meet them.

The behaviour of all her in-laws towards her was indifferent and intolerable. She was treated like a slave and refused medication when she took ill. She was underfed and was given stale food to eat. Her mother-in-law and sister-in-law caused injuries to her without any rhyme or reason. Her husband left for Dubai three months later but he kept instigating his family to commit atrocities on her. They gave her merciless beatings. They even tried to electrocute her once. Her mother fell ill for many days when she heard about their attempt to kill her daughter. When Hansa came to know of her mother's illness she came to meet her but was not allowed to stay back.

Realising the gravity and urgency of the problem, Hansa's father arranged meetings with the Panchayat twice at the residence of his daughter's in-laws. The meetings were called for her redressal and rehabilitation, but her in-laws refused to take her back till their demand for dowry was complied with. They pressurised her to bring two lakh rupees in cash from her parents. When she expressed her inability to do the same as her parents were not in a position to meet their incessant demands, she was turned out of the house in just the clothes that she was wearing. This was on May 3, 2001 and since then she was living with her parents.

Her father talked to the intermediary, who did not think that Hari's family was wrong in making dowry demands. He then filed a case against her daughter's in-laws for torturing her for dowry. He also filed a divorce case against them. Hansa demanded her dowry/stri-dhan back from her in-laws but they refused. Her father took the police with him to bring back the dowry items but they had already hidden away most of the things in a locked room. They kept aside all the gold jewellery that Hansa had been given and showed only the silver items as the ones given in dowry. Hansa's father refused to take back only half of the things.

The boy's family made no attempt at compromise and refused to take her back with them. Her father was so shattered that he suffered a heart attack and was admitted to the hospital. None of Hansa's in-laws' came to visit her father. However, Hari called up from Dubai and wanted to talk to Hansa's father but she refused to let them talk because she felt that their conversation would only worsen her father's condition.

Hansa and Hari were divorced in 2004. His family gave her a small amount as compensation. Hari did not send her any maintenance after leaving her and divorcing her without a solid reason. Hansa completed a computer course in Jalandhar after the divorce and was working at the same place as a faculty. She did not have children and she was living with her parents and two brothers. Her elder brother worked as a photographer and the younger one was not working. Her parents had not thought about her remarriage.

However, Hari's elder brother who lived in Canada with his family and visited India occasionally, denied the accusations against his family. According to him, Hansa had lived at her matrimonial home just for about ten-fifteen days. He also mentioned that they had got her admission to a computer course at NIT because she could neither do the household chores, nor did she know how to cook properly. He said that Hansa wanted to go and see her sick mother and they had all gone with her. She wanted to back stay with her mother for some more time. They let her stay back and she never returned back. He mentioned that Hansa's family had willingly given dowry even though they had not asked for anything. Yet inspite of this her family had filed both dowry and divorce cases against them. Hari's family had to agree for the divorce because Hansa's family wanted it. Hari had stayed in India only for two months after the wedding and he had not come back since then. Their mother lived alone in the house in Phagwara, Kapurthala and it was only Hari's brother who came often to India to look after her.

#### **Case Study No. 20**

Beena was married to Bimal on October 31, 1993. She was 19 then while Bimal was much older than her. She had studied up to class X. Bimal lived in England with his parents, brothers and sisters and worked in an insurance company. The intermediaries were Bimal's aunt, who lived in Lidra then, and Beena's neighbours. Bimal's aunt and uncle now live in America. The boy and the girl met at Beena's place and were married within 15 days of the engagement. Beena did not like Bimal when she first met him because his eyesight was weak and he was much older to her. She tried to avoid the marriage, but the intermediaries coaxed her into it saying that she would be much better off as the boy was rich. She would get good food, clothes, and would not have to live in poverty anymore.

Bimal's family did not ask for any dowry but Beena's family gave them gold and all other affordable things. Beena lived with her husband's family for 15 days in their native village. He was nice to her and they went together to meet all their relatives. He went back to England with his family after that and kept in touch with her, but he did not send her any money. She went back to her parental home. They sent her money only when the intermediaries asked them to. Bimal often called her up and wrote letters to her. It was only after waiting for three years and a half that she could finally go to England. She could not secure a visa in the first attempt as she had given some wrong statements. Leaving India for England was like a dream come true for her because she always had a keen desire to go abroad.

Her matrimonial family included her mother-in-law, father-in-law, three sisters-in-law and a brother-in-law. She lived with them for about a year, but her in-laws started ill treating her soon after she joined them. Her mother-in-law beat her up often. She lived with her husband, separately from her in-laws but they had food together. Her mother-in-law was crafty and found fault with Beena all the time but her father-in-law was always nice to her. Beena gave birth to a baby girl in England and named her Tanya.



Beena was given pills by her in-laws that made her lose her mind. They beat her up at the same time. They got a medical report mentioning she had lost her mental balance and arranged for sending her back to her parents in India. They did not let her take Tanya with her. Tanya was 9 years old now and lived with her father in England. Beena was two and a half months pregnant with her second child when she was brought back to India. Her husband denied that he was the father of the child she was carrying.

Beena's in-laws did not let her talk to Tanya whenever she called up. Her husband changed all the telephone numbers later so that she could not call them up. She gave birth to a baby boy at her parent's house. He was 7 years old now. After the birth of her son, her in-laws had assured her parents of taking her back to England with them. But they went back on their word.

Beena's family filed a case against Bimal. His family said that they were ready to take her back to England if she withdrew the case against her husband. But her family was reluctant to do so. They had also approached the Panchayat but they were unable to solve the matter. The term of the Sarpanch was over and he had relinquished charge. The present Sarpanch, a lady, did not have much knowledge about Beena's ordeal. The former Sarpanch knew everything about her case and he had tried to help her. Bimal had kept their marriage certificate with him. He wanted to get a divorce from Beena but she was not willing to do so. His family did not let Tanya meet Beena and went as far as telling her that her mother was dead. His family owned 7-8 killas of land in their village and a plot in Jalandhar, but they were not willing to give anything to Beena.

Thirteen years had passed since Beena's marriage to Bimal. She was 32 years old now and worked in a football factory at Suranasi in Jalandhar. She earned about Rs 1200 per month by sticking labels on footballs. She had to take care of herself and her son who studied in first standard. The case was still pending in the court. Beena wanted all her in-laws to be tried in court for ill treating her. She wanted to see all of them behind bars for causing her so much pain. She accused the intermediaries too for instigating her in-laws against her and for her present situation. She suggested that the girls marrying NRI boys should make complete inquiries about their family background and their credentials.

At present, she was living with her parents. She had three sisters, who were all married and settled, and a brother who was not yet married.

### **Case Study No. 21**

Pushpa was married to Pranjan on January 1, 1995. She was 23 years old then and had studied up to class X, whereas Pranjan was 32 and had studied up to BA (Part II). The husband of Pushpa's distant cousin was a friend of Pranjan's brother-in-law who owned a tractor repairing workshop in Phagwara. The two families had met each other through Pushpa's cousin. Pranjan had been living in Austria for three years and he worked as a newspaper vendor. Pushpa taught in a private school in India. Pranjan's sister and her husband had come to see Pushpa at the latter's residence. They held back any decision until Pranjan came to India and met her in person. The marriage was finalised when the two finally met and gave their approval for the marriage. That was Pranjan's first visit to India after he had left for Austria. They were married within fifteen days.

Pranjan's father had passed away long time back. His mother was in India with his elder sister, who was married and had three children. His younger brother Raja was married, while his youngest brother was not. His sister had told Pushpa's family that Pranjan would take Pushpa abroad soon after they

were married. Pushpa's parents did not make any further inquiries about their future son-in-law. Pranjan's family also did not make any inquiries about Pushpa.

Pushpa's family had willingly given gold and other items at the wedding, even though the groom's family had not asked for any dowry. Soon after the wedding she went with her husband's family for a trip to Chintpurni and Amritsar. Pushpa was happy with her husband but this happiness lasted only for the first eight days. Her nandoi (sister-in-law's husband) did not behave decently with her. She did not like the way he talked to her. He asked her to show him the clothes she had got from her parental home. She felt awkward because the female members of the family or the husband usually asked such questions not a sister-in-law's husband. She told her parents about it and they advised her to ignore such minor things. But Pushpa's ill-treatment at the hands of her in-laws increased. They taunted her and insulted her for not bringing a car in her dowry. They made her feel helpless by saying that all other girls brought a car in their dowry and why she had not. Her sister-in-law, took away all of her jewellery and gave it to her mother-in-law.

Two months after the wedding when her husband left for Austria they came to know that she was pregnant. Her sister-in-law and her husband asked Pushpa to abort the child. Even her husband wrote to her that she should have an abortion. But Pushpa refused to comply and went back to her parental home where she gave birth to a baby boy on September 21, 1995. However, nobody from her husband's family came to see her or her newborn son. She named him Tony.

Pushpa had two brothers. The elder one was married and lived in a separate house with his wife and two sons. He was a driver and owned a Tata Sumo. His elder son lived with his grandparents while his younger son lived with him. Pushpa's younger brother had studied up to Class X and was also a driver.

Pranjan neither called her up nor wrote to her even though he was well aware that she had a son by him. She located his address with the help of a person she knew who lived in Germany and mailed him the photographs of their son, but they were redirected back to her because he no longer lived in that place.

Pranjan came back to India after three years only to attend his youngest brother's wedding. The brother lived in Italy. The marriage had also been arranged by his family in India. Her mother-in-law called Pushpa back to her matrimonial home for the occasion. Pranjan and his brother both went back to their respective countries soon after the marriage.

Pushpa's in-laws did not get along even with their youngest daughter-in-law. They began ill-treating her too. Unfortunately, the younger brother passed away in Italy probably due to excessive drinking. His sister used to encourage him to drink too much and even bought alcohol for him whenever he came home. Back in India, she tried to kill his newly wedded wife, Sabby by giving her poisoned laddos to eat. Sabby was admitted to the hospital and had to undergo treatment for a long time. Later she had a son but due to their ill treatment, she began living in her parental home.

Pranjan's brother-in-law, had a very strong influence over the entire family. He was very dominating and his family agreed to whatever he said. He took all decisions at home and was also given some share of what his brothers-in-law earned abroad. He wanted all the bahu (daughter-in-laws) to work like slaves at home. Pushpa regarded him to be the root cause behind the breaking up of her marriage. She filed a dowry case against her husband's family and also demanded some maintenance for herself. The case had been going on for a year and a half. Pushpa did not want to divorce her husband even though he did not care to call her up or write to her from Austria. She still wanted her husband to come back to India, leave his mother and sister and live with her. And if he did not want to take her back, she



wanted him to at least provide for her and their son, who was 10 years old and was studying in class III in a private school. She said that he had not come back from Austria because his mother did not want him to do so. His sister also did not allow him to come back to India.

Presently, Pushpa was teaching in a private school and earned a meagre salary of Rs 250 per month. She had taken up a beautician's course for a year after her marriage. Pushpa did not want to re-marry but she wanted some kind of rehabilitation from the government for women like her in terms of jobs that they could do, such as sewing, beauty parlour, etc. This would help them become economically independent so that they could avoid being dependent on their parents. Her father was providing for her. He was a retired Subedar and received some pension.

Pushpa's mother-in-law had been living with her daughter for quite some time now. Her son-in-law owned a tractor-repairing workshop. According to him, Pushpa was living comfortably at her matrimonial house until the younger brother's marriage. He had problems with his wife and his brother-in-law had tried to make them compromise. He had also suggested to them to split if they could not live peacefully with each other, which made the younger daughter-in-law's father hostile to him. And somehow Pushpa's father also got involved in this dispute. The father of both the girls allegedly assaulted him in 1998 and he was hospitalised. On coming to know of this, Pranjan had come to visit his brother-in-law in the hospital. The brother-in-law had lodged a complaint with the police against both of them for manhandling and assaulting him. Pushpa's father was put behind the bars in February 2004 for the offence. He claimed that the case registered against him and Pranjan's family was baseless and false because they were filed eight years after Pushpa's marriage. Had it been a genuine case, it would have been registered soon after the wedding. Pushpa's father had filed the case under IPC section 406, 498A, and 491 only to avenge him. But the latter was acquitted by the High Court following a number of inquiries and investigations. According to him, the case of dowry and desertion against Pranjan's family was just a counter move to the imprisonment of Pushpa's father, and nothing else.

### **Case Study No. 22**

Sita Devi was married to Satpal in May 1997. He was already settled with his family in the United Kingdom then. Sita had studied only up to class VIII. One of her brothers Harish had a friend in England whose friend knew Satpal's family. Her uncle had suggested this match for her. The wedding took place within a month of the negotiations. Her brothers had arranged a lavish wedding for her. They had spent more than five lakhs on the wedding. All the guests were cordially welcomed and received. There were about sixty foreign guests of the groom at the wedding and the bride's family gave them special attention.

It was the intermediary who made the demand for dowry. The girl's family had arranged for all the items demanded by the groom's family and handed them over to the boy's family at the time of the wedding.

Sita Devi had four brothers and two sisters. Her eldest brother had a son. Her second brother was married but they did not have any children. The other two brothers were unmarried. They lived as a joint family together with their uncles and their families. Satpal's mother and his two brothers were settled in England.

Satpal and his family stayed in India for two months after the wedding. Satpal was alright but his mother was a crafty lady. Sita's brothers applied for her visa a number of times after her husband and the in-laws had left, but it was rejected every time. It was only later when they chanced upon his

divorce papers that her brothers came to know that Satpal had been married before and had been divorced. His family had concealed this fact from Sita's family. They also realised that Satpal was about 10 years older than what his family members had told them he was.

Her family overlooked all this just to save their sister's marriage. Sita's brothers ran from pillar to post in order to send their sister to England so that she could be with her husband and they paid all her travel expenses. But her life with her in-laws was not as she had expected. She was ill-treated by her mother-in-law who had an upper hand in the house and family. She was financially strong because she received three different pensions. Her husband did not taunt her but he was a silent spectator to his mother's atrocities. He could not stop his mother or brother from harassing his wife. He was unemployed and had nothing that he could call his own. The house was also registered in his mother's name. His mother did not want Sita to live in her house, while her husband was not in a position to live in a separate house with his wife. Sita lived with them only for 10-11 months after which she called her brothers over the phone and asked them to take her away as her in-laws treated her very badly and also physically assaulted her.

Sita's brothers brought her back to India and registered a dowry case under IPC section 498 against Satpal's family. This was still pending in the court in Chandigarh. They had sent legal letters to England also. They even tried to talk to Satpal over the phone but his mother never allowed them to talk. They hired four advocates to fight their case. Satpal's uncles had also testified in the court against his family. About 17 testimonies had been produced in the court in favour of Sita but to no avail. Satpal's family called up Sita's family at times and asked them to take Rs 20,000 and come to a compromise but her brothers firmly refused to do so, saying that it was most humiliating. Satpal's mother and brother had been declared Proclaimed Offenders and Sita's brothers wanted them to surrender their passports in the court. They were waiting for Satpal's mother's visit to India so that they could ask her to figure out a fair solution to end the case. His mother wanted nothing short of divorce, but Satpal had not asked for it. She was unwilling to give out her property to her sons, even though her other two sons had asked her for it. Sita wanted to join her husband again and start life afresh with him, but her mother-in-law's decisions regarding her family came in the way.

### **Case Study No. 23**

Gunjan was married to Gulshan on September 6, 2002 at Vijay Resort in Jalandhar. She was 20 years old then and Gulshan was 25. She had studied up to class XII. Gulshan lived in England with his mother, a younger brother, and a sister. He was born and brought up in England. Gunjan's cousin, who lived in the US, knew his family. Gulshan's grandmother had seen Gunjan's photographs at her place when she visited her in the US. She liked her photograph very much and asked Gunjan's cousin to negotiate for Gunjan's hand in marriage for her grandson. The girl's cousin called up her uncle (Gunjan's father) in India informing them that Gulshan's family from England would come to see their daughter for marriage. Gunjan's father had made it clear right from the beginning that he would refuse if the boys were too old for his daughter, but his niece asked him to meet the boys first and then decide because both of them were of marriageable age. In a few days Gulshan's family left for India to meet the girl's family.

The families met at the girl's place. Gunjan's family liked the older brother Gulshan who was a manager in some bank in England. They did not think that it was necessary to make any further inquiries because they liked the boy very much and they found him very decent and of pleasing manners. The two were married within a week because Gulshan had to return soon. The girl's family wanted a simple wedding but the boy's family asked them to arrange for an air-conditioned hall. They did not ask for dowry but the girl's family gave 36 tolas of gold. The boy's family went back on September 11, 2002.

Gunjan went back to her parental home after her in-laws left for England. Her husband had already started preparing her sponsorship papers and he asked her father to apply for her passport as soon as possible. He even asked him to give

some money to the officials and get the passport delivered at the earliest. But Gunjan's father refused to bribe the officials because the passport is delivered within 3 months in due course. Gunjan got her passport on time and left for England thereafter. She could finally rejoin her husband's family six months after the marriage. However, her parents paid all her travel expenses.

She was happy at her matrimonial home for the first three months. Her husband loved her and her in-laws were nice to her. Nevertheless, they started taunting her after few months for not bringing enough dowry. Gunjan's husband started asking her to get money from her parents. He told her to ask her parents to give Rs 85,000 to his uncle. Her parents thought it was a one-time demand so they fulfilled it. Later her husband's uncle wanted to construct a house in India for which he was short of Rs. 50,000. Gulshan told his wife to ask her parents to give the amount to his uncle. This time Gunjan refused to comply, upon which Gulshan's uncle became furious and asked him to kill her. Gulshan and his family started beating up and threatening Gunjan. She could not tell her parents about the beatings because her in-laws had threatened to do away with her if she did so.

After some days, Gulshan and his mother made a plan to visit India for a couple of days because Gunjan's visa was going to expire. Before they left her mother-in-law asked her to leave all her jewellery and clothes in her room and to take with her just two sets of clothes because they had to come back very soon. When it was time for them to leave they informed her that only one ticket was available for that particular flight. They asked her to take that flight alone and told her that they would board the next available flight to Delhi. They left her at the airport and returned to call up her father in Jalandhar to pick up his daughter from Delhi airport. He left Jalandhar at 11:30 pm at night in a state of panic and found her sitting all alone at the airport. She asked her father to wait for her husband and mother-in-law expecting them to arrive by the next flight as they had told her. But her father explained to her that they would not come and that they had abandoned her. He brought her home and tried calling his son-in-law who did not answer the phone and later changed all his numbers.

Gunjan's father tried to get Gulshan's telephone number from his uncle who lived in India but the latter refused saying he had no information about Gulshan. He asked Gunjan's father to send his daughter back on his expense. But Gunjan's father refused to send his daughter unless her husband came to take her with him. He was ready to pay all the travel expenses but only if Gulshan came to take Gunjan back. Gulshan did not call up his wife after that. He did not ask for a divorce either.

Gunjan did not want to live with him anymore. She wanted to divorce him as early as possible. Both Gunjan and her father wanted Gulshan's family to be punished for cheating and ill treating her. Gunjan was not working. She had not decided if she should remarry and she did not know if Gulshan had married elsewhere. Her father wanted her to remarry once she was able to get a divorce from her husband.

#### **Case Study No. 24**

Seema was working in the Accounts Department of an Engineering College in Jalandhar since many years. She was a graduate. Sandeep was a friend of her nephew and a student of the same college. He visited Seema's place often to meet his friend and they fell in love with each other eventually. Sandeep was 11 years younger than Seema. They decided to get married soon after Sandeep could manage to get an engineer's job despite opposition from both their families. Seema was 35 years old then while Sandeep was just 25 years old. They were able to convince Seema's parents but Sandeep's family was not pleased with the alliance at all. They married in the year 2000 against the wishes of Sandeep's family.

They started living in a rented house in Jalandhar after the wedding. They were happy together and Seema gave birth to a son on July 17, 2001. Sandeep went to the US when their son was a year and a

half old. He used his old passport for getting a visa; according to this passport he was unmarried. He promised Seema that he would apply for a new passport and make arrangements for calling her abroad. His parents and elder brother were already living in the US. Seema knew from the very beginning that Sandeep wanted to go abroad and be with his family. For almost two years after leaving for America, he used to call Seema and talk to her over the phone. He kept promising her that he would make some arrangements for her soon. His calls became less frequent later and then abruptly stopped.

Two of Sandeep's younger brothers were living in Garhshanker and one of his sisters was married in Phagwara, but they did not have anything to do with Seema. They thought that she was too old to be the right match for their brother and they were too pleased that Sandeep had stopped associating with her.

Seema was worried when her husband stopped calling her up. She made inquiries about her husband through the Gurudwara in the US, and came to know that her husband had married another girl. She also came to know that her father had come to India on the demise of his brother. She met him and told him that she was Sandeep's first wife and showed him the photographs of her wedding as well as of their son. This convinced him that Seema was actually married to Sandeep when he was in India. He also showed her the photographs of his daughter's marriage to Sandeep and that of their son. He advised her to file a case against Sandeep assuring her of his support for her, but he backed off when she actually did so. Sandeep left his second wife too when he heard that her father had supported Seema and advised her to file a case against him. This was easy for Sandeep because he had not registered his marriage in America. His second wife had been living with her parents since then. Her father served in a Gurudwara in America, while Sandeep's brother served in the Gurudwara in Garhshanker, India. These Gurudwaras were in touch with each other and this was how her father and Sandeep's brother had met each other and fixed up the marriage.

Seema had filed a case against Sandeep in July 2004. He made phone calls to her after that asking her to give him a divorce so that he could settle himself in the US. She did not want to divorce her husband because she was worried about her son's future. She wanted that the government should make arrangements for the deserted wives to go abroad for a month or so to meet their husbands to decide about their future, because the husbands never came back to India after deserting their wives. This would help the deserted wife in either convincing her husband to take her back or acquire rehabilitation and maintenance from him after the separation.

Seema has been living with her mother and her son on rent at her sister's house in Jalandhar. She was not receiving any monetary help from her husband; neither was her son given any share from his father's property. Her only source of income was her job that she had been doing for last fifteen years.

### Case Study No. 25

Bindu often went to Dr. Sood, a medical practitioner by profession whenever she had any problem. The doctor had become a family friend and he treated Bindu as his sister. He also knew Binod's family very well and suggested to Bindu's parents that Binod would be a suitable match for her. Bindu was in the first year of her undergraduate course. She was appearing for her year-end examinations when Dr. Sood called both the families together at his residence for the initial meeting. Binod had come with his sister and brother-in-law and Bindu was accompanied by her parents. The two were left alone by their family members so that they could talk to each other. Binod asked her if she had a boy friend and Bindu asked him if he was already married in Canada. Both of them denied having any kind of relationship with anybody else. They talked to each other for about an hour and agreed to the proposal.

Binod used to drive trolleys in Canada and he lived in Montreal before shifting to Toronto. He had been working in France and Germany before settling down in Canada and acquiring a permanent resident status there. Four of his uncles and an aunt were also living in Canada, and his brothers and sisters were in England. Only one of his sisters was living in India with her husband and children.

Binod and Bindu were engaged at a small ring ceremony and the wedding date was fixed for May 5, 2002, which was later postponed to May 12, 2002 because of Bindu's exams. Bindu's parents spent about Rs 1.5 lakhs at the wedding. Gold jewellery was given to all the members of the groom's family. Bindu was 19 years old then and her family was told that Binod was 24, but they came to know later that he was not less than 30 years old at the time of marriage.

Binod was nice to Bindu for the entire period he stayed with her in India. He lived with his wife for 40 days. After he left for Canada, his wife realised that she was pregnant. She insisted that he should send her the sponsorship papers before the child's birth. He did send the papers but they were incomplete. Binod assured Bindu that she should not worry and that he would send another set of papers for her.

When Bindu was approaching the time for the delivery of her child, her in-laws did not take her to the hospital and let her suffer in pain saying there was nothing to be worried about. Three days later she was taken to the hospital and she gave birth to a baby girl. She went straight to her parents after she was discharged from the hospital. She told her husband over the phone about how his mother and sister did not come to see her or their daughter in the hospital. Binod called home questioning his mother about her behaviour with his wife. This made his mother very angry. She called up Bindu and scolded her for instigating her son against her. After that she did not care to call or come to visit Bindu. It was only a month and a half later on February 10, 2003 that Bindu's mother-in-law and sister-in-law came to visit her with some ghee.

Bindu's in-laws were not at all pleased with her as she had given birth to a baby girl. They wanted a son. They were not willing to keep Bindu with them. Her parents waited for them to come and take Bindu home but when they did not come to take her, Bindu's mother went to drop her at their place a few days later. Both her father-in-law and mother-in-law were inclined towards black magic and they gave her something or the other to eat. But she never ate any of those things. Her mother-in-law would say openly that she would not let her live in the house because she had given birth to a girl child.

All this time Bindu kept requesting her husband to send her the sponsorship papers as soon as possible, but he purposely kept delaying. Then somebody told her that her papers should have been ready by that time if her husband had applied for them as he had said. She went to Delhi to enquire about the matter and came to know that her husband had neither submitted the photographs, nor the video recording of their wedding. She came back from Delhi and asked her mother-in-law for the photographs and the video but she made an excuse that Binod's uncle had taken them to Paris for some days. Her marriage certificate had been submitted but these two evidences were also required to support the same. She took some photographs and a copy of the video cassette from her parents and went to Delhi again. At that time, an official in the embassy told her that her case had been rejected and that she had been duped/cheated by her husband.

Bindu was in a state of shock. On her return from Delhi, she went straight to her mother-in-law to enquire about the matter. Very soon the conversation turned into heated arguments when her mother-in-law told her that she did not want her. Bindu fought with her sister-in-law and sister-in-law's husband too. And then she went back to her parents' home. Bindu's mother talked to Dr. Sood about



the matter who suggested that Bindu should touch her nandoi's (sister-in-law's husband) feet and apologise. Bindu obliged and went back to live with her in-laws.

But her in-laws did not treat her well even after that. They kept on quarrelling with her and her mother-in-law prevented her son from sending Bindu's sponsorship papers. Then they demanded that Bindu should bring five-lakh rupees from her parents if she wanted to go to Canada. Bindu's other sister-in-law had also come for a 15 days' visit at that time from England. She did not talk to Bindu at all because her mother had already told her nasty things about her. She had brought six lakh rupees with her.

When they could do nothing else, Bindu's in-laws made a plan to stage a robbery. They asked some of their own men to barge into their house at night so that people would think that some robbers had come. They would, however, put the entire blame on Bindu and her brother. The so-called thieves came to their house at night and badly assaulted Bindu with a sword but did not even touch the other members of the family. They snatched her jewellery and hurled her daughter on the floor. They threatened that they would kidnap her child. They were 3-4 men and they finally left at around 3 a.m. in the morning. Bindu's in-laws were silent spectators throughout the whole episode. Even when Bindu pleaded for help from them to save her daughter they were worried more about their own lives than their granddaughters'. They felt that it did not matter as long as the robbers did not hurt them.

When the family went to the police station to report the incident, Bindu recognised all the men who had come the night before but her mother-in-law refused to recognise even one of them. She gesticulated at Bindu hinting at her not to recognise them. The SHO, however, noticed her mother-in-law's gesture and sensed that something was amiss. He gave his business card to Bindu and asked her to call him up and promised her that he would get her jewellery back.

Bindu's mother-in-law accused Bindu and her brother for the robbery. She filed a complaint at the police station that Bindu's brother and his friends had robbed her house and taken away 6 lakhs which her daughter had brought with her when she came from England. The police took Bindu's brother in custody and put him in the lock up for the whole night and tortured him. He was bailed out the next morning.

Bindu's mother-in-law also wanted to prove that Bindu was a girl with a loose character. She made her son-in-law ask his friends to make calls to Bindu without disclosing their name and ask her to come out with them. Later she accused Bindu of having a relationship with other men. She poisoned Binod's mind by telling all these false stories about Bindu. But her father-in-law's sister, who lived nearby and was a nice person, supported Bindu. She said that Bindu could not be blamed for the calls made by unknown men.

When her mother-in-law's scheme to malign Bindu did not work, she made another plan with her daughter and son-in-law. She attempted to kill her this time by pouring kerosene on Bindu while she was working in the kitchen. Her mother-in-law had caught hold of her hair to stop her from running away. Bindu acted fast and caught hold of her mother-in-law's hair telling her she would not die alone. In the struggle that followed, Bindu was able to come out of the house somehow. She picked up stones from the ground and threw them at her in-laws. Then she ran and locked herself in a room and called up her mother. Her mother turned up with her brother and other relatives. They took Bindu away with them and informed the police. But her in-laws had already bribed the policemen to file a false report that Bindu had attempted to immolate herself. Bindu informed the SHO, Kartarpur about the whole incident, who suggested to her to lodge a complaint with the SSP.

Meanwhile, Bindu's aunt came to visit her from Canada and assured her that she would talk to Binod and took their wedding photographs with her. She met Binod and talked to him about Bindu and all the things that she was going through, but he was adamant and did not want to call her to Canada. He told her that he would prefer sponsoring his parents instead of Bindu. The aunt then called up Bindu and informed her how stubborn and rude her husband was. After hearing about her husband's attitude, Bindu talked to the SHO again, who directed her to the Women's Cell and she lodged a complaint with them. Binod's family was charged under Section 498A and 406 of the IPC. The Women's Cell asked her in-laws to report to them. The in-laws tried their level best to defend themselves by saying they had never asked for dowry and that they were not sending her abroad only because they wanted her to stay with them. The Women's Cell asked her in-laws to give them Binod's phone number. When they were reluctant to do so, they were threatened that they would be put behind bars. They finally gave the number and Bindu made a phone call to Binod who asked her to give him a divorce.

Bindu then asked the Panchayat to intervene and demanded Rs 25 lakhs as compensation to divorce her husband. Her in-laws negotiated and were willing to give only five lakhs and wanted the custody of their granddaughter. But Bindu refused to give away her daughter and agreed to take Rs 10 lakhs from them. Her father-in-law and mother-in-law also agreed to spend money on their granddaughter's marriage when she would be 20 years old. Bindu signed an agreement that she was leaving her husband because she did not get along well with him but it did not mention anything about a divorce. She was willing to get a divorce from her husband only when he came back.

Bindu's mother was aware of the fact that Binod was already married four times before marrying Bindu. She came to know about it three days after her daughter's wedding. Binod had come straight out of the prison for the wedding. He was put behind bars because of a case regarding his earlier marriage. He had to give four lakh rupees to his earlier wife for the separation. Bindu's mother told her all this only after her in-laws tried to set her on fire. Bindu saw the divorce papers that her husband had got prepared by a lawyer in Jalandhar and a receipt of Rs 60,000 that he had paid him as fee.

Binod did not give anything to his daughter out of his property. Bindu's mother wanted the government to take stricter measures against such husbands who deserted their wives. She wanted such NRIs to be deported back to India for trial. Binod was trying to get a divorce from Bindu so that he could marry someone else. Bindu's mother did not want Bindu to get divorced from Binod. She was still hoping that he would take Bindu and his daughter along with him to Canada. However, even if he did not want to live with Bindu, her mother wanted him to accept his daughter and take her to Canada with him.

### **Case Study No. 26**

Asha was 18 years old when she was married to Aryan in 1993. The intermediary was a lady in their neighbourhood that knew Aryan's family. They met each other at Asha's home and they were married within 4-5 months. Asha had studied only up to the primary level. Aryan was living in India at that time and worked as a painter on daily wages.

The wedding was a grand affair and there were more than 300 guests from the groom's side. Aryan's family did not ask for any dowry but Asha's family had willingly given gold and other household articles for Asha. She lived with her husband for 2 years after the wedding. She was happy during the first six months. Later her in-laws started ill treating her for not bringing enough dowry. They often



quarrelled with her and asked her to bring money from her parents. She was even threatened by her in-laws that they would kill her if she did not. She knew that her parents could not arrange for more money and that they had already spent more than what they could afford during the wedding. Her mother-in-law, father-in-law as well as her husband used to beat her. Her husband's brother and his wife also beat her once. But she did not share her plight with her parents initially as they would be hurt.

Asha's husband had four brothers. One of them, named said that she was very naïve and innocent. He said that she never started any quarrel at home, but it was her mother who was entirely responsible for breaking up Asha's marriage. He also said that Asha did not stay at her matrimonial home at a stretch; very often she came to stay with her parents. He also mentioned that Asha was mentally deficient; her reflexes were very slow and at times she would just keep on sitting or standing at one place for hours. She did her household chores very well but she was unable to talk properly or move around the house on her own.

Asha gave birth to a son after a year in August 1994. Her in-laws took no care of her and even denied her proper food during her pregnancy. Her mother could not bear to see her pathetic condition so she brought her home. Her husband's family did not pay for the expenses at the time of delivery nor did they come to see the child for almost a month. Aryan's family said that Asha wanted to come back to her husband's home right after the delivery but that her mother did not let her come. They also denied that they had not borne the expenses of her delivery. They said that they had spent Rs 7,000 on her delivery and that they had given gold and clothes to the child. When Aryan went to bring back his wife and child, his wife's brother closed the door on him and also insulted him.

Asha's family said that Aryan's mother had called her up and asked her not to come to them without the money. Aryan and his family wanted that he should go abroad and they wanted that Asha should talk to her sister's husband who was working in the US and ask him to take Aryan along. Asha spoke to her brother-in-law but he expressed his inability to get a visa for Aryan. However, he had promised that he would get Aryan a job if he could come to US on his own. Aryan's family was very disappointed and annoyed with Asha because of this.

Aryan went to Saudi Arabia a year later. Asha had no knowledge about his programme because she was living with her parents at that time. When she asked her in-laws about his whereabouts they denied having any knowledge about him. Her father, then, lodged a complaint with the police in 1995 that Aryan had left his wife and had gone abroad without informing them. It was only 3 years later that they came to know that Aryan had been living in Saudi Arabia. The police seized Aryan's passport when he came back to India after five years.

In retaliation, Aryan's family also filed a complaint with the Women's Cell that Asha's family did not allow her to live with her husband. Asha's family refuted the accusation by sending their daughter back to her husband's house. But her husband's family kept behaving with her in the same manner as before. One day, as Asha and Aryan were going to purchase some medicines for their son, Aryan left her at the railway crossing and went back on the pretext that he had left the prescription at home. As he did not come back for a long time, she called up her parents and went home with them. Her parents tried leaving Asha at her matrimonial house several times but her in-laws never wanted to keep her. If at all they let her stay they ill-treated her. They also tried killing her once by choking her with her dupatta.

It was twelve years since she was married to Aryan. Her son was 11 years old and was studying in Class VI. She had been living with her parents for a long time now. She was not working and the entire

burden of expenses was on the shoulders of her parents. Her father died of cancer seven years back, following which, her mother and her brother were taking care of her and her son.

Aryan remarried in 2005 without obtaining a divorce from Asha. Her family reported this to the police. Aryan did not bring his second wife home in order to prevent any complications but started living with her in a rented house in Nawashaher. The father of Aryan's second wife had come to Asha's mother pleading with her to withdraw the case against Aryan for the sake of his daughter whose life could be ruined now that she was also married to him. A few days after his second marriage, Aryan had also come to take Asha back, but her mother and brother sent him away. The police handed over Asha's family the photographs of Aryan's second wedding. They had found them during the investigation.

Asha's family wanted Aryan to pay for the child's expenses. The court had fixed a monthly payment of Rs 750 per month to be paid by Aryan to his wife. But he made the payment only once. Asha's family does not want a divorce because she had a son who needed care and attention of both his father and mother. Aryan was the one who kept asking for a divorce all the time according to the girl's mother. However, when asked, Aryan showed interest in bringing Asha back to his home and start a new life again. His parents were very old and they needed somebody to take care of them because all of Aryan's brothers were living separately with their families. Aryan was the only son living with them because he was the youngest one and had to take care of his parents. He also mentioned that he was ready for divorce if Asha wanted him to do so. His brother was willing to guarantee the safety and well being of the girl. Aryan's parents wanted to meet their grandson. They said that Asha also wanted to come back but her mother prevented her from doing so, the reason being that she needed domestic help at home. According to them, Asha was so unaware that she could not testify against them in the court because she was mentally challenged and unable to speak before other people. Her mother just wanted to extract money from Aryan.

They accused Asha's mother of destroying her married life for her selfish interests. Aryan lamented that she had deprived him of being with his son and that he had remarried because she refused to send Asha home with him. His second marriage also lasted only for fifteen days because his wife left him and went back to live with her parents because she was intimidated by the court cases and the threats by Asha's family.

Aryan's family denied having any knowledge about his second marriage because it was not an arranged one. He had fallen in love with the girl and had married her on his own without taking permission from home. He was living with his parents right now and working on daily wages as a painter. He could not go back to Saudi Arabia because the police had confiscated his passport.

According to Aryan, the court had stipulated that he should give five thousand rupees to Asha, whereas he had to pay an extra sum of rupees two thousand and a half as fine for the delay. Aryan's brother said that after they had deposited Rs 7,500 in the court, his family had claimed for the child's custody but Asha's mother did not oblige as earlier promised by her. They had approached the panchayat at Ravidass Nagar for the custody of the child but she went back on her words and told them that she would think about it and let them know.

Aryan followed Asha whenever she went for the court hearings. On June 8, 2005 Aryan followed Asha and her mother again. This time he caught hold of Asha's hand and slapped her 2-3 times. Her mother raised her voice and collected people around. She showed the photographs of Aryan's second wedding and the FIR to the people standing nearby. The mob wanted to beat up Aryan to teach him a lesson but Asha's mother stopped them. She felt that she would be blamed for his injuries since she would

not be able to prove to the police that the mob had injured him because she would not be able to locate them for their testimonies. Instead she herself slapped him a number of times upon which he fled from the scene. The people advised her to report this to the SSP. Then she called up her son and they went to the office of the SSP and reported the whole incident.

Aryan, on the other hand, got some fake bandages tied and armed with a medical certificate, went to the police station, and filed a complaint that his wife's brother and some friends had beaten him up on the road near the milk plant. The police arrested Asha's brother the next day but her mother told the police that he was with her at the SSP office at the time reported in the FIR. The police found Aryan's FIR false and acquitted Asha's brother.

Aryan's family wanted Asha to come back to them with her son. But Asha wanted to stay with her mother and wanted Aryan to pay for their son's expenses. She did not want to divorce her husband, but at the same time, did not want to live with him either.