

## FAQs

### How to address issues related to Marriages of Indian Women to NRI/PIOs

1. **Is there any method through which I can check the background of my PIO/NRI fiancé (bride or groom)?**

Before you are engaged to or marry an NRI / PIO, please verify through your network of family, friends, neighbors etc. (both in India and in foreign country), the following details:

1. Verify the status of the spouse as actually represented, especially with regard to the following particulars:
  - ✓ Check his marital status: whether single, divorced, separated
  - ✓ Employment details: qualification and post, salary, address of office, employers and their credentials
  - ✓ Immigration details: type of visa, eligibility to take spouse to the other country
  - ✓ Financial status (to be verified with the employer)
  - ✓ Criminal antecedents, if any
  - ✓ Family background
  
2. Check the following documents relating to the spouse and keep a copy with you and your parents:
  - ✓ Visa, passport
  - ✓ Social security number
  - ✓ Passport number
  - ✓ Tax returns of the preceding 3 years
  - ✓ Proof of Address in foreign country

If you are not able to verify this information through your network of friends, relatives, you may contact the local Indian associations/ bodies/ NGOs etc. in the country where the NRI/PIO fiancé is residing to seek help in checking his details/background of the fiancé.

3. Remember the following strict Don'ts in respect of NRI marriages:
  - Do not blindly trust any bureau, agent, tout or a middleman.
  - Do not ever agree to forge papers or enter into any fake transactions for any reason or on any pretext.

- Do not fall for any schemes to be able to migrate to another country, or promises for green card through marriage
- Do not finalize matters in secrecy. Publicizing and sharing the information about the NRI marriage amongst the near and dear ones, friends and close relatives could help you in getting vital information which you may not be able to collect otherwise.
- Do not agree to have only a registered marriage or getting the marriage solemnized in a far off place.
- Do not agree to the marriage taking place in the foreign country.

2. **My husband is demanding dowry and is ill-treating me after I moved with him to a foreign country. What should I do?**

- i. First and foremost, you must not come under pressure to accept the demand for dowry or any other unreasonable demand made by or on behalf of your NRI/ PIO husband to end your ill-treatment, abuse or desertion.
- ii. You can approach the nearest Indian Embassy/Consulate for assistance/advice, to file a complaint with the local police about harassment, abandonment, ill-treatment, etc.
- iii. The Indian Embassy/Consulate can assist in providing contact details of local NGOs, approach the local police, contact your family/friends, etc. who could help you.
- iv. The Indian Mission can be contacted for initial legal/financial assistance to file a case against your husband in the foreign country.

3. **Is registration of marriage compulsory in India?**

Some of the states in the Indian Union have enacted legislations to make marriage registration compulsory; These states are Andhra Pradesh, Delhi, Goa, Gujarat, Himachal Pradesh, Karnataka, and Maharashtra. Registration of marriage is optional in other states.

After you marry the PIO/NRI, you must register the marriage at the office of the Registrar in India before you/your husband leave the country. The marriage certificate issued by the Registrars' office and a copy of it should be kept with you and your family in India.

Please keep adequate proof like marriage photographs, wedding invitation, copy of the husbands' passport driving license, any other ID proof issued by the foreign country, visa address proof of both bride and groom etc.

Please remember the following points

- Marriage registration certificate should be carried at all times.
- Doing all the paperwork for issue of visa and other required formalities at

your end- keep all the original papers with yourself.

- Affidavit from the spouse stating present marital status.
- Visit with a health/comprehensive insurance policy before arriving in the foreign country.
- Keep your passport with you in the foreign country and at least one copy of the passport.

**4. What are the other precautions one should take before leaving India after marrying to NRI spouses?**

- i. Keep a list of contact details of neighbors, friends, relatives, your husband's employer in the foreign country, police, ambulance, and the Indian Embassy or High Commission in the country where you are living with your husband.
- ii. Please keep photocopies of all important documents including your passport, visa, bank and property documents, marriage certificate, wedding photos and other essential papers and phone numbers with parents or other trustworthy people in India or abroad.
- iii. In case these documents are lost/forcibly taken away /destroyed by your spouse or in-laws, the copies will be useful. If possible, keep a scanned soft copy of these documents with you or/and any person you trust.

**5. My NRI husband has abandoned me. What should I do?**

- i. If your NRI husband has abandoned you in India, you can immediately file a complaint/ FIR under 498A IPC on grounds of cruelty with the police in the local police station in the area where you were abandoned.
- ii. Offences committed outside India would be deemed to have been committed within the territory of India by virtue of Section 188 of the Cr. P.C. Therefore, you can lodge a complaint for the same in India.
- iii. If your husband has abandoned you in a foreign country or harasses you in any way, you may approach the local police. You may also immediately contact the following in case of an emergency/to seek assistance in the foreign country:
  - ✓ Indian Embassy in the foreign country
  - ✓ Employer of the husband
  - ✓ Local Indian associations and networks of Indian citizens in the area of the residence of your fiancé
  - ✓ Friends and relatives in that country

**6. What are the precautions a newlywed Indian woman can take in a foreign**

## country?

- ✓ Try to open a bank account in the country of residence, so that you can withdraw money in emergency and be financially independent.
- ✓ Read and understand the laws of the foreign country and your rights there, especially against any form of abuse or neglect, including ill-treatment, domestic violence, how to get residence permit, etc.
- ✓ Keep in touch after marriage on phone and e-mail with friends and relatives in the foreign country.
- ✓ Wherever it is possible, learn the language of the country you reside in after marriage.

### 7. **Does the Ministry of Overseas Indian Affairs provide Legal and Financial Assistance to Indian Women Deserted by their Overseas Indian-Spouses?**

- Yes. The Ministry of Overseas Indian Affairs operates a scheme for giving legal/financial assistance to Indian women deserted by their overseas Indian/foreigner husbands through NGOs empanelled and legal organisations with Embassy / Consulate.
- Such assistance under MOIA's scheme is provided through Embassy / Consulate in the USA, UK, Canada, Australia, New Zealand, Malaysia, Singapore and the Gulf countries such as Oman, Bahrain, Kuwait, Qatar, KSA and UAE.
- The amount of assistance provided per case under the scheme to deserted Indian women is upto USD 3,000 in developed countries and USD 2,000 in developing countries. Please contact the Welfare Officer or the Indian Community Officer of the concerned Indian Embassy/ Consulate for further details.

Weblink:

<http://moia.gov.in/services.aspx?ID1=55&id=m8&idp=52&mainid=23>

### 8. **What is the objective of the scheme for Indian Women Deserted by their Overseas Indian Spouses?**

The scheme is a welfare measure to support women of Indian origin who have been deserted by their overseas Indian spouses fraudulently, through the Indian Mission abroad with their empanelled NGOs etc.

### 9. **Who is eligible for assistance under the scheme?**

The assistance would be available to women who have been deserted by their overseas Indian spouses or are facing divorce proceedings in a foreign country

subject to the following conditions:-

- i. The woman is an Indian passport holder.
- ii. The marriage of the woman was solemnized in India or overseas with an overseas Indian or a foreigner.
- iii. The woman is deserted in India or overseas within 15 years of the marriage; or
- iv. Divorce proceedings are initiated within 15 years of marriage by her overseas Indian / foreigner husband or
- v. An ex-parte divorce has been obtained by the overseas Indian / foreigner husband within 20 years of marriage and a case for maintenance and alimony is to be filed by her.
- vi. The scheme would not be available to a woman having a criminal case decided against her, provided that a criminal charge of Parental Child Abduction shall not be a bar if the custody of the child has not yet been adjudicated upon.
- vii. "Parental Child Abduction" for this purpose will be defined as the unauthorized custody by the mother, without the other parent's agreement and contrary to family law ruling, which largely removes the child from care, access and contact of the other parent and family side and shall be deemed to be Parental Child Abduction.
- viii. International child abduction occurs when a parent, relative or acquaintance of a child leaves the country with the child or children in violation of a custody decree or visitation order. Another situation is retention of children when they are supposedly taken on vacation to a foreign country and are not returned."
- ix. A criminal charge of Parental Child Abduction, in the context of this Scheme, would mean the framing of charge against the mother by the police authorities consequent on lodging FIR or its equivalent.
- x. The domicile of Indian woman seeking relief under the Scheme is not relevant for allowing the benefit. The woman may be domiciled in the country of her overseas Indian / foreigner husband or in India at the time of making the application.
- xi. Preference will be given to applicants on the basis of financial need.
- xii. Assistance will be provided to meet the legal and other costs, by the Heads of Indian Missions/Posts overseas directly to the applicant's legal counsel empanelled with the concerned Indian Mission/Post, or through the Indian Community Associations / Women's organizations / NGOs acting on the woman's behalf in an overseas legal institution.
- xiii. The assistance will be limited to US\$ 3000 per case for developed countries and US\$ 2000 per case for developing countries and will be

released to the empanelled legal counsel of the applicant or Indian Community Association / Women's organization / NGO concerned to enable it to take steps to assist the woman in documentation and preparatory work for filing the case.

**10. How are the counseling and legal services provided to Indian woman deserted by their NRI spouses?**

The counseling and legal services are provided through credible Indian Women's Organizations/Indian Community Associations and NGOs identified for providing such services and empanelled with the Indian Missions in USA, UK, Canada, Australia, New Zealand, Malaysia, Singapore & Gulf countries.

**11. Is there a form to apply for assistance under the scheme?**

A prescribed format is available on the website of MOIA ([www.moia.gov.in](http://www.moia.gov.in)). The applications for providing legal aid received by the Indian Missions/Posts would be examined by an officer designated by the Head of the Mission/Post on case-to-case basis and approved by Head of Mission/Deputy Chief of the Mission/Post and then taken up for consideration for providing legal and financial assistance by MOIA.

**12. What is the procedure to apply for assistance under the scheme?**

The applicant seeking legal assistance has to furnish the filled and signed proforma along with all relevant documents and are a) photocopy of the marriage certificate; b) photocopy of her Indian passport; c) declaration of annual income and d) the details of the present status of the case filed, which after completing can be forwarded either to the concerned Indian embassy/Mission/Post or to the Ministry of Overseas Indian Affairs.

The applications for providing legal aid received by the Indian Missions/Posts would be examined by an officer designated by the Head of the Mission/Post on case-to-case basis and approved by Head of Mission/Deputy Chief of the Mission/Post and then taken up for consideration for providing legal and financial assistance by MOIA.

**13. Who should I address the application for assistance under MOIA Scheme?**

The applications should be addressed to the Joint Secretary, Media & Grievances Section, Ministry of Overseas Indian Affairs, Akbar Bhavan, Chanakyapuri, New Delhi.  
Telephone No.: 11-24197900  
Fax No.: 11-24197919  
Email: [jfs@moia.nic.in](mailto:jfs@moia.nic.in)

14. **If there is an alleged incident of cheating, physical assault & false promises of marriage by foreigner, what actions can be taken against him?**

(i). You can Initiate appropriate legal action in court of competent jurisdiction. The court can issue summon/notice/ Warrants against alleged person.

(ii). You can apply for legal/financial assistance under MOIA's Scheme, the scheme would be available to Indian women who have been deserted by their overseas Indian / foreigner husbands or are facing divorce proceedings in a foreign country. **The assistance under the scheme is available if the applicant makes her intention clear for litigating the case in a foreign court of law. As such, the scheme doesn't provide assistance to cases litigated within the country.**

(iii). Indian women's organizations/ Indian community associations/NGOs empanelled with the Indian missions/posts to provide legal/ financial assistance to Indian women deserted by their overseas Indian / foreigner husbands, which can assist you.

iv) Details of legal/financial assistance under MOIA's Scheme, and list of such association/NGO is available on the weblink

**[http://moia.gov.in/writereaddata/pdf/list\\_indian\\_women\\_17-03-2012.pdf](http://moia.gov.in/writereaddata/pdf/list_indian_women_17-03-2012.pdf)**

(iv). You may also contact the Indian Embassy, in the host country.

15. **My husband has obtained ex Parte decree for divorce by the foreign court. What legislative safeguards are available for me in India?**

In the case of Smt. Neeraja Saraph versus Shri Jayant Saraph in 1994, the Supreme Court suggested the need to consider legislation safeguarding the interests of women. It suggested three specific provisions namely,

i. No marriage between an NRI and an Indian woman which has taken place in India, may be annulled by a foreign court.

ii. Provision may be made for adequate alimony to the wife in the property of the husband both in India and abroad.

iii. The decree granted by Indian courts may be made executable in foreign courts both on the principle of comity and by entering into reciprocal agreements like section 44A of the civil procedure code which makes a foreign decree executable as it would have been a decree passed by the court.

16. **a) How can I take recourse to/initiate criminal proceedings against my husband?**

You can file a criminal case against your husband under the relevant

provisions of the law, under Section 154(1) Cr.P.C.

**b) What is section 498A IPC?**

Section 498A deals with Husband or relative of husband of a woman subjecting her to cruelty: and is punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

**d) What if the police refuse to register FIR?**

You may make a written representation to the SP (Superintendent of Police) under Section 154(3) Cr.P.C. If the Police refuses to lodge the complaint, then you can forward the complaint to the Superintendent of Police of the concerned District, who, if satisfied that the information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any police officer, subordinate to him.

**e) What if the Superintendent of Police also refuses to take action?**

File a Criminal Complaint before the Magistrate under Section 156(3) Cr.P.C. Any Magistrate empowered under section 190, may order such an investigation on the basis of a criminal complaint filed by the aggrieved wife.

All offences committed by the husband outside India would be deemed to have been committed within the territory of India by virtue of Section 188 of the Cr.P.C.

**17. I have filed a complaint under section 498A IPC, but my in-laws have thrown me out of the house. What should I do?**

You can file an application under the 'Protection of Women under Domestic Violence Act' 2005 and Court will grant ORDER of Residence.

By virtue of Section 27 of the Protection of Women from Domestic Violence Act 2005, an aggrieved person or a Protection Officer or any other person on behalf of the aggrieved person may present an application to the Judicial Magistrate seeking reliefs under the Act, within the local limits of which;

- a) the aggrieved person permanently or temporarily resides or carries on business or is employed; or
- b) the respondent resides or carries on business or is employed; or
- c) the cause of action has arisen, shall be the competent court to grant a protection order and other orders under this Act and to try offences under this Act.

**18. My husband is not attending pending criminal proceedings in India and Court has issued warrant for the arrest of my husband who is an Indian Citizen. What should I do?**

1. Move application for impounding of his passport. The governing rules are as below:

- Section 10 of the Passport Act 1967 governs impounding and revocation of passport. An application can be made to the concerned Passport Authority for such impounding or revocation in form of simple request as no prescribed proforma is given under the Act.
- Relevant part of subsection(3) states that the passport may be revoked if; *the holder of the passport or travel document has, at any time after the issue of the passport or travel document, been convicted by a court in India for any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than two years;*
- Subsection(3) (e) states that, *if proceedings in respect of an offence alleged to have been committed by the holder of the passport or travel document are pending before a criminal court in India.*
- Subsection(3) (h) states that *“if it is brought to the notice of the passport authority that a warrant or summons for the appearance, or a warrant for the arrest, of the holder of the passport or travel document has been issued by a court under any law for the time being in force or if an order prohibiting the departure from India of the holder of the passport or other travel document has been made by any such court and the passport authority is satisfied that a warrant or summons has been so issued or an order has been so made”.*

**19. Whom shall I approach for the compliance of the Criminal Judgment/order passed by the Hon’ble Court?**

The Ministry of Home Affairs has issued certain guidelines for service of summons/notices/judicial processes on persons residing abroad. The complainant may peruse it in consultation with her lawyer the “MHA guidelines” (**link: [http://cbi.nic.in/interpol/mha\\_circ\\_service\\_process.pdf](http://cbi.nic.in/interpol/mha_circ_service_process.pdf)**).

The court order shall be addressed to the Under Secretary (Legal), IS-II Division, Ministry of Home Affairs, 9th Floor, Lok Nayak Bhawan, New Delhi-110003.

**20. How can a woman search for location/whereabouts of an NRI husband?**

You can contact your family, friends, neighbours etc. or Indian associations/NGOs etc. in the country where NRI fiancé is resident. The list of such associations is available on the weblink [http://moia.gov.in/writereaddata/pdf/list\\_indian\\_women\\_17-03-2012.pdf](http://moia.gov.in/writereaddata/pdf/list_indian_women_17-03-2012.pdf) .

**21. If a husband deserts his wife and children in a foreign country, where they are residing and marries another women, whom should the aggrieved wife approach?**

First you can contact your family, relatives and friends both in Indian and foreign country and seek their help, advice or assistance.

The Indian Mission through their empanelled NGOs, local community welfare associations can assist in filing a case approaching NGOs, contacting your family or seeking legal advice.

List of NGOs empanelled with High Commission / Consulate General of India in foreign countries is on the link [http://moia.gov.in/writereaddata/pdf/list\\_indian\\_women.pdf](http://moia.gov.in/writereaddata/pdf/list_indian_women.pdf) . You may contact them to seek assistance.

**22. What are the specific rights of women against exploitation in the context of Protection of Women from Domestic Violence Act enacted in 2005)?**

- Right against physical/sexual exploitation (498A IPC)
- Right against economic exploitation (S.125 of CrPC)
- Right to compensation against desertion (1994 6 SCC 641).
- Right to keep the children below 5 years under the custody of the mother.
- Right to back matrimonial presents and streedhan.
- Right against dowry.
- Right against cruelty, bodily harassment, torture, etc.
- Right against domestic violence (S.3)

**23. What is the procedure for divorce when there is mutual consent?**

- No grounds are required to be given if divorce is by mutual consent.
- The husband and wife should remain in the relationship and stay separately for the preceding one year before giving a joint application.
- The judge will issue a notice after six months intervening period.
- If the couple do not change their mind after six months and still seek divorce, the same shall be granted to them.

**24. What constitutes Domestic Violence and are considered illegal? What acts constitute mental/emotional abuse, verbal/social abuse and economic abuse?**

### **1. Domestic Violence and activities considered illegal**

The following acts on the part of the husband constitute domestic violence and are illegal in most countries and against which the local police of every country can be approached for protection and help:

- Physical abuse
- Mental and emotional abuse
- Verbal and social abuse
- Sexual abuse
- Economic abuse

### **2. Instances of mental/emotional abuse**

- Blackmailing, coercion, threat, pressure
- Accusing the woman of loose morals
- Humiliating, both in public and private
- Breaking household goods, killing family pets
- Threatening to hit or harm children & close relatives

### **3. Instances of verbal/social abuse**

- Abusing and derogatory name calling
- Maligning in front of peers and friends
- Insulting in front of others
- Abusing her parents, friends & family
- Enforcing isolation, physical confinement, restricting familial contacts, controlling movements: generally treating badly

### **4. Instances of economic abuse**

- Controlling all family income and limiting access to finances
- Forcing not to take up employment
- Forcing financial dependency
- Not providing sufficient funds for household expenditure
- Accusing of misuse or misappropriation of finances

### **25. What is the procedure for the service of judicial process including summons/show-cause notices etc. upon person(s) residing outside the geographical limits of India?**

As per Allocation of Business Rules of the Government of India, service of judicial process outside India including summons/show-cause notices etc., in Civil Matters is regulated by reciprocal arrangements as per statutory provisions in the Civil Procedure Code.

In the absence of such notified arrangements, the question of service of judicial processes outside India would require to be examined and decided by the *Ministry of Law & Justice (Joint Secretary & Legal Adviser, "A" Wing, Shastri Bhawan, New Delhi)*, in view of the relevant Indian Municipal Laws.

Similarly, as per the Allocation of Business Rules of the Government of India, service of judicial process outside India including summons/show-cause notices etc., in Criminal Matters, the *Ministry of Home Affairs (Joint Secretary (IS-II), NDCC-II Building, Jai Singh Road, New Delhi – 110 001)* is the nodal Ministry and the Central authority for seeking and providing mutual legal assistance in criminal law matters. The Ministry of Home Affairs receives all kind of such requests, examines and takes appropriate action.

**26. Under what circumstances can a person be deported or extradited with regard to disputes that arise out of NRI marriages? What is the procedure to extradite a person from outside India to face trial in India?**

A person can only be deported/ extradited, if he is wanted by any Law Enforcement Agencies in criminal case. Normally, criminality is covered by the law of that country, where accused is residing and India has extradition treaty/arrangement with that country.

List of countries is available on the website link [http://cbi.nic.in/interpol/extradition\\_treaties.php](http://cbi.nic.in/interpol/extradition_treaties.php)

Note: The Ministry of External Affairs (CPV Division) will take appropriate steps after receiving a formal request for extradition from the concerned investigating agency or from the relevant state police authorities.

The process of extradition is invoked and negotiated on the basis of established International legal principles.

There are Extradition Treaties between India and 38 countries namely; Australia, Bahrain, Bangladesh, Belarus, Belgium, Bhutan, Bulgaria, Canada, Chile, Egypt, France, Germany, Hong Kong, Kuwait, Malaysia, Mauritius, Mexico, Mongolia, Nepal, Netherlands, Oman, Poland, Portugal, Republic of Korea, Russia, Saudi Arabia, South Africa, Spain, Switzerland, Tajikistan, Turkey, Tunisia, United Arab Emirates, United Kingdom, United States of America, Uzbekistan, Ukraine and Vietnam.

The Ministry of External Affairs (CPV Division) will take appropriate steps after receiving a formal request for extradition from the concerned investigating agency or from the relevant state police authorities.

***\*\*Extradition of subjects wanted in Criminal Cases registered against them out of matrimonial/private/family disputes matters is not in conformity to the law of Extradition. Such offences lack dual criminality criteria which is mandatory for seeking extradition from the country of location of the subject.***

**27. What are the categories of cases in which the investigating agency can seek recourse to Look-out-Circular and under what circumstances?**

You can ask for a recourse to **Look-out-Circular** (LOC) to be issued by the investigating agency in cognizable offences under IPC or other penal laws, when the overseas husband is deliberately evading arrest or not appearing in the trial court despite NBWs (Non Bailable Warrants) and other coercive measures and there is a likelihood that he will leave the country to evade trial or /arrest.

**28. What procedure is required to be followed by the investigating agency before opening a Look-out-Circular?**

LOC is a coercive measure to make a person surrender to the investigating agency or Court of law. The subordinate courts' jurisdiction in affirming or cancelling LOC is commensurate with the jurisdiction of cancellation of Non Bailable Warrant or affirming Non Bailable Warrant.

a) The investigating Officer shall make a written request for **Look-out-Circular** to the concerned officer, as notified by the circular of Ministry of Home Affairs, giving details & reasons for seeking LOC. The competent officer alone shall give directions for opening LOC by passing an order in this respect.

b) The request for opening of LOC must invariably be issued with the approval of an officer not below the rank of:

- i. Deputy Secretary to the Government of India; or
- ii. Joint Secretary in the State Government; or
- iii. District Magistrate of the District concerned; or
- iv. Superintendent of Police(SP) of the District Concerned; or
- v. SP in CBI or an officer of equivalent level working in CBI; or
- vi. Zonal Director in Narcotics Control Bureau(NCB) or an officer of equivalent level (including Assistant Director (Ops.) in Headquarters of NCB); or
- vii. Deputy Commissioner or an officer of equivalent level in the Directorate of Revenue Intelligence or Central Board of Direct Taxes or Central Board of Excise and Customs; or
- viii. Assistant Director of IB/Bol; or
- ix. Deputy Secretary of R&AW; or
- x. An officer not below the level of Superintendent of Police in National Investigating Agency; or
- xi. Assistant Director of Enforcement Directorate; or
- xii. Protector of Emigrants in the office of the Protectorate of Emigrants or an

officer not below the rank of Deputy Secretary of the Government of India; or  
xiii. Designated officer of Interpol

c) Look-out-Circulars are also issued as per directions issued by any Criminal Court in India.

**29. What are different types of notices such as Red Notice, Yellow Notice, Blue Notice, Black Notice, Green Notice, Orange Notice, INTERPOL-United Nations Security Council Special Notice and Purple Notice ?**

- i. Red Notice- To seek the location and arrest of wanted persons with a view to consider extradition or similar lawful action.
- ii. Yellow Notice- To help locate missing persons, often minors or to help identify persons who are unable to identify themselves
- iii. Blue Notice- To collect additional information about a person's identity location or activities in relation to a crime.
- iv. Black Notice- To seek information on unidentified bodies.
- v. Green Notice- To provide warnings and intelligence about persons who have committed criminal offences and are likely to repeat these crimes in other countries.
- vi. Orange Notice- To warn of an event, a person, an object or a process representing a serious and imminent threat to public safety;
- vii. INTERPOL-United Nations Security Council Special Notice— Issued for groups and individuals, who are the targets of UN Security Council Sanctions Committees.
- viii. Purple Notice – To seek or provide information on modus operandi, objects, devices and concealment methods used by criminals.

**30. Can I approach National Commission for Women (NCW)?**

Yes, the National Commission for Women in New Delhi can be approached to seek help. NCW is the nodal authority and the apex national level organization of India with the mandate of protecting and promoting the interests of women.

- Based on the recommendation of the Parliamentary Committee on Empowerment of Woman (14th Lok Sabha) on the subject "Plight of Indian Women deserted by NRI husbands", National Commission for Woman was nominated as the Coordinating agency at the National level for dealing with issues pertaining NRI marriages. In furtherance to this, NRI Cell was formally inaugurated in NCW on 24<sup>th</sup> of September, 2009 to deal with such complaints.

- Contact Details:  
NRI Cell- National Commission for Women  
4, Deen Dayal Upadhyaya Marg  
New Delhi-110002  
Telephone Number: +91-11-23234918  
Fax: +91-11-23236154/6988  
Email: nricell-ncw@nic.in
- NCW enables such women victims to make their complaints from any corner of the world. Depending upon the nature of the complaint, NRI cell may take the following actions to address the grievances of the affected women:
  - a. Notices/Summons are issued to the opposite party/parties/concerned authorities calling upon them, to furnish their reply on the complaint received or to appear in NCW and respond to the complaint.
  - b. Complaints are forwarded to the police authorities for action taken reports, where any matter is pending for investigation or any failure on their part to take appropriate action.
  - c. Complaints are forwarded to Indian Embassies abroad for desired action at their end
  - d. Complaints are forwarded to Ministry of External Affairs, Ministry of Home Affairs and Ministry of Law and Justice for expediting the service of summons, warrants issued or any orders passed by the appropriate courts of law.
  - e. Complaints are forwarded to the Passport Authorities for matter relating to Passports.
  - f. If necessary, complaints can be forwarded to the employers of the respondent husband to take necessary action against him.

**31. I am living in Australia. Is there any institution which I can approach for assistance?**

Yes, you may approach the Department of Social Services, Government of Australia and the local police for assistance.

- In Australia, domestic and family violence are crimes against the law. A person who commits these crimes can go to jail, whether they are a man or a woman.
- If you or someone you know is in danger call the police on 000. Police in Australia are safe and can be trusted.
- For free, confidential advice and support call 1800 RESPECT on 1800 737 732. 1800 RESPECT is Australia's National Sexual Assault, Family and Domestic Violence Counselling service. It provides free, confidential telephone and online counselling and information. Counsellors will listen to you, answer questions and can refer you to other support services in your

local area. If you need a free interpreter call 131 450.

- Domestic and family violence includes behaviour or threats that aim to control a male or female partner by causing fear or threatening their safety. Domestic and family violence can include:

- hitting
- choking
- denying essential money to the partner or family
- isolating the partner from friends and family
- insulting or constantly criticizing the partner
- threatening children or pets