



## **National Commission for Women**

### Press Note

**New Delhi, 03<sup>rd</sup> October 2018:** The National Commission for Women has written to Smt. Sushma Swaraj, Hon'ble Minister of External Affairs regarding the plight of Indian women in NRI marriages.

In its letter to the Minister, the Commission said that in many cases where despite the marriage having been solemnized in accordance with the personal laws of the country and in India, foreign courts decide the cases and dissolve marriages.

The Commission highlighted that it has received a large number of complaints from NRI brides where *ex parte* divorce decree has been passed by the foreign courts, and in many cases, such decisions are taken on the grounds currently not available for obtaining a decree of divorce in India. It has been observed by the Commission that NRI husbands are misusing such provisions.

The National Commission for Women stressed that it is of the view that the dissolution of marriage in such cases should take place in accordance with the laws and in the country where the marriage had been solemnized since Indian women in NRI marriages are especially vulnerable in foreign countries often without any financial support. They have no one to turn at the time of crisis

The Commission has proposed that the Ministry of External Affairs may explore the feasibility of entering into bi-lateral treaties with the countries with sizable presence of India-Diaspora to the effect that cases related to the dissolution of marriage solemnized in India as per Indian law may not be adjudicated by the courts of other country - unless parties to the marriage unequivocally and willingly submit to the jurisdiction of courts in such other country.

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