

Appx A

(Ref Para 3 of ADGIC DCD Note No
A/95034/USA/ADGIC/DCD dt 17 Oct 24)

IMP PTS TO BE KEPT IN MIND BY IMMIGRANTS IN FOREIGN LAND

1. Familiarize yourself with the countries you are vis and check the latest travel advisories of MEA. The advisories must be adhered to.
2. Take personal resp for your travel choices, your safety, finances and behaviour overseas, incl obeying the laws of the country you are vis.
3. Make sure you have the right visas for the countries you are vis or transiting and check any other entry or exit reqmts.
4. Org your finances to cover your planned travel and take appropriate travel and comprehensive med insurance that covers you for any unexpected costs; make sure you have sought med advice for hlth concerns, have up to dt vaccinations and if you're carrying pharmaceutical products or medicines from India, make sure they are allowed in the country you are vis.
5. **Passport Docus.**
 - (a) Protect your passport and report it promptly to the Consulate/ Embassy/ Police if it is lost, stolen or damaged.
 - (b) Make sure your passport is valid (with at least six months validity from your planned dt of return to India) and will not expire when you are overseas.
 - (c) Carry extra passport photos in case your passport is lost or stolen and you need to replace it while you are away.
 - (d) Make copies of your passport (incl visa pages), insurance policy, traveller's cheques, visas and credit card numbers. Carry one copy separately from the originals and lve a copy with someone at home.
6. Keep in contact with friends and family back home and lve a copy of your insurance policy detls and your overseas itinerary with them.
7. In case your stay in a foreign country is for a long pd, register with the local Indian Embassy/ Consulate before leaving India or soon after arr to get better access to consular asst and updates.
8. All travelling abroad are requested to register on 'Global Pravasi Rishta Portal' (<https://pravasirishta.gov.in/home>). The portal has been designed to facilitate comn between the Ministry, Msns/ Posts and diaspora. The portal would enable comn with diaspora on real time basis and sp issuing emergency alerts/ advisories.
9. Understand the local sys to access service offered by various local actors, instts & service provides.
10. It is advisable to adapt to host society to achieve highest potential.
11. Be aware of cases of extortion of money by fraudsters claiming mistakes in immigration process & docu of the immigrants.

Appx B

(Ref Para 3 of ADGIC DCD Note No
A/95034/USA/ADGIC/DCD dt 17 Oct 24)

SUMMARY OF CASE STUDIES

1. The docu gives out 19 case studies. The detls are as under:-

S.No	Case Study Cat	No of Case Studies	Case Studies Nomenclature/Subject
(a)	Martial discord and associated issues	Three	(i) Understanding the reality of the American way of life. (ii) Divorce and custody involving Indian and American judiciaries. (iii) Check your visa stamping and understand divorce and custody Laws
(b)	US edn immigration laws for student visas	Three	(i) US Edn-Do it right way or pay the price. (ii) Accepting failure is the first step towards success. (iii) Making the right choice matters.
(c)	Social behaviours and understanding Basic Laws	Five	(i) Anger does not solve everything but can destroy everything. (ii) Behaviour with your own kids matters too. (iii) Keep in reg touch, with at least one person and an ID on hand. (iv) Safety first-Don't be penny wise pound foolish. (v) Never pt a gun unless you are ready to shoot.
(d)	Unforeseen instances-consulate matters	Three	(i) Missing person-seek consulate help during distress. (ii) Death and unforeseen circumstances-seek consulate help during distress. (iii) Easy money comes with a price to pay.
(e)	Understanding travel visa	Two	(i) Imp of vaccination during travel. (ii) Casual business and tourism visas (B1/B2) are not meant for monetary gain.
(f)	Miscellaneous	Three	(i) Cyber offense. (ii) Illegal entry-an illicit choice. (iii) The white-collar crime called 'Hawala'.

6. **Accepting Failure is the Fast Step Towards Success.** The indl pursued deg from university. Later his potential employer informed the indl that his deg was not valid, after which he complaint to consulate that he had trouble from his former college. However, on enquiring it was found that indl on completion of his degree, failed to get job and he did not inform his family and his VISA expired. He had altercation with landlord, faced arrest and had mental breakdown, further which he under went treatment and then deported back to India.

Takeaways. Even with recognised deg from legitimate university it is possible that one may not get job in US. It is best to accept and find right way and legal way.

7. **Making the Right Choice Matters.** The case pertains where in a student (flying pilot) had followed rules, but circumstances became difficult for him by people with malicious intent. Where the indl's instr was deliberately not pursuing his licence & flying course. Also complained against the student when he shifted school. Ultimately the student completed (flying pilot) course from Canada.

Takeaways. Student immigrants to understand how they can insulate themselves from problems that may occurs due to hostile school or instr. It is imperative to research school/university one plans to attend in US.

Social Behaviour and Understanding Basic Laws

8. **Anger Does Not Solve Everything But Can Destroy Everything.** The case is about an indl where he landed in trouble while using threatening language, resisted police arrest and missed court dt.

Takeaways. Control anger. Legal repercussion to be aware of on resisting arrest or any such instances resisting arrest.

9. **Behaviour With Your Own Kids Matters Too.** The case involved parents using physical abuse on their children which was notified by concerned authorities. Thereafter they had to face arrest, children were kept under childcare services. After lot of legal crises, parents got back custodies of children and mov back to India.

Takeaways. Any action by a parent or anyone that is deemed inappropriate or could potentially be perceived as a neglect, threat or endangerment to a child, even playfully, is a punishable offense. Such actions are taken very seriously by the authorities/ agencies. Consequences can be dire, incl loss of custody.

10. **Keep in Regular Touch, with at Least One Person and an ID on Hand.** The case is of an immigrant who was alone in US and not in touch with anyone, incl his neighbours. The indl dies in his house due to med issues, however est the iden was difficult due to lack of ID and no last comn detls available.

Takeaways. Impt for immigrants to be in regular touch with family back home or friends to be aware of whereabouts. To always keep an ID or emergency contact readily available.

Takeaways. Always ensure requisite vaccinations are administered prior to travel to a foreign country. And when traveling abroad it is always safe to have a friend, family member or an acquaintance as local contact in place.

17. **Casual Business and Tourism Visas (B1/B2) are Not Meant for Monetary Gain.** An indl in tourist VISA who is not permitted to work and earn was utilizing tourist VISA for travelling to USA and then wk in Gas stn. On his third vis he got arrested and later deported back to India.

Takeaways. Understand the limitation of visa and abide by the rules. B1/B2 visa are only meant for short stay and people on these visas are not allowed to earn.

Miscellaneous

18. **Cyber Offense.** The case involves an IT indl honey-trapped by a girl whose profile was managed by Dept of Homeland Security and msgs were part of an elaborate sting op to catch suspected pedophiles. The indl was sentenced for one yr in prison and nine yr parole (later waived off) on deportation.

Takeaways. Inappropriate behaviour is punishable by law, whether you are online or offline, in India or any other country.

19. **Illegal Entry – An Illicit Choice.** Three Indians were part of a caravan that smuggled immigrants through South America, the Dominican Republic and brought as above in Puerto Rico. Unfortunately boat cap-seized, one of them died and others injured. Later on auths deported them back to India.

Takeaways. Never attempt to enter the US illegally as there is no decent life if there is no legal status.

20. **The White-Collar Crime Called 'Hawala'.** An Indian green card holder was engaged in 'Hawala' scheme i.e. to tfr a sum of currency of one country and exch it for the equivalent amt in another country's currency via physically handling off payments in cash. This is done to avoid legal payment of taxes on the tfr.

Takeaways. It is better for immigrants to steer clear of white-collar crimes and they must earn and tfr their money through legal means only.

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Azadi Ka
Amrit Mahotsav



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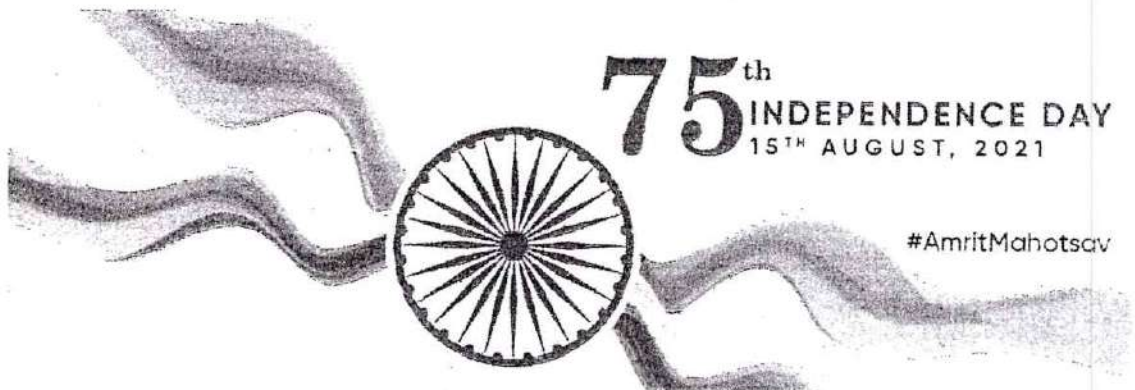
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Azadi Ka
Amrit Mahotsav

**CONSULATE GENERAL OF INDIA
ATLANTA**

Junction Immigration:

Discussing the road to peace and happiness

15 August 2021



75th INDEPENDENCE DAY
15TH AUGUST, 2021

#AmritMahotsav

PREFACE



The Atlanta Consulate is a young Consulate as compared to other Indian Consulates in USA. We opened it in 2011. We commenced consular operations in 2012 in 6 States of South-East USA - Georgia, South Carolina, Alabama, Tennessee, Florida, Mississippi - and two territories - Puerto Rico and Virgin Islands: Since then, the journey has been wonderful and eventful. There is growing activism in all spheres. We have expanded our outreach across the spectrum significantly. This has opened up the windows of opportunity and have helped in influencing India-US discourse.

There are about 450,000 Indian-Americans in our jurisdiction - 180,000 in Florida, 140,000 in Georgia and rest in other States. They are carved out a niche in diverse sectors ranging from academics, scientists, corporates to lawyers, IT professionals, doctors, and engineers. Our successful diaspora is an invaluable asset for increasing civic engagement, enhancing political discourse at both local and federal level and are important partners for development in India.

As you are aware, the Consulate is an extended arm of the Department of Overseas Affairs in Ministry of External Affairs (MEA). The Consulate is pro-active in handling all matters related to overseas Indians and is fully engaged in implementing various welfare measures/schemes introduced by the Department of Overseas Affairs from time-to-time including Indian Community Welfare Fund (ICWF), MADAD, Rishta Portal etc. The ICWF has assisted Indian nationals abroad in times of distress and emergency on a 'means tested basis'. Since establishment of our Consulate, we have used ICWF to assist 17 emergency situations and we have redressed more than 60 consular grievances on MADAD platform since last few years. The Rishta portal is an ambitious initiative where Government is keen to involve overseas Indians as active partners in India's upward growth trajectory.

Going forward, the Consulate has attempted a compilation of cases of unfortunate situations faced by the Indian immigrants that came to its attention and was instrumental in redressing them. The idea is to present this booklet as an all-purpose guide to keep potential immigrants on a clear path which hopefully will lead to success and a bountiful life overseas. Through this booklet, the Consulate has put forward real life tragedies (names have been changed to protect the privacy) that everyday Indian citizen undergoes in this part of the world and how



reaching out to institutions such as the Consulate and taking into consideration its instructions can often be an immigrant's best hope. Immigration, in even the best cases, is not necessarily a rosy path to follow and leaving everything you know to expand your life in a new and often unknown place/country with little to no prior knowledge of customs and laws is extremely strenuous and often takes a huge toll on individuals as well as families. Therefore, one must take utmost precautions preparing for the worst-case scenarios and not gazing at the world through rose tinted glasses.

For the Consulate, human life is sacred and any Indian in distress knocking its doors is precious. Time and again the Consulate extended necessary assistance to those in distress such as cases involving death, issues faced by students, serious accidents, illnesses, natural calamities, and those lodged in jail. Be rest assured that it will be Consulate's constant endeavor to upgrade its services, make them better and more efficient and thereby respond to the expectations/aspirations of Indian immigrants. Here I wish to quote our Hon'ble Prime Minister: *"You are a window to India's heritage. Your achievements, contribution and success make us proud.... The Indian diaspora has faith that in times of trouble the local Embassy is there to help. It is for everyone to see how MEA has, in addition to their routine work, emerge as a strong humanitarian force locally."*

It is our earnest wish that these case studies would acquaint the new immigrants with issues where they may go wrong, sensitize them with country specific challenges and how to avoid them in the first place so that there is a greater awareness to safeguard their rights, working conditions and ultimately fulfilling their dreams optimally.

(Dr. Swati V. Kulkarni)
Consul General

Atlanta, Georgia, USA
August 15, 2021



Dos and Don'ts for traveling and staying on foreign land.

- Familiarize yourself with the countries you are visiting.
- Check the latest travel advisories of MEA and follow them.
- Take personal responsibility for your travel choices, your safety, finances, and behavior overseas, including obeying the laws of the country you are visiting.
- Make sure you have the right visas for the countries you are visiting or transiting and check any other entry or exit requirements.
- Organize your finances to cover your planned travel.
- Obey the laws of the country you're visiting.
- Take appropriate travel and comprehensive medical insurance that covers you for any unexpected costs; make sure you have sought medical advice for health concerns, have up to date vaccinations and, if you're carrying pharmaceutical products or medicines from India, make sure they are allowed in the country you are visiting.
- Protect your passport and report it promptly to the Consulate/Embassy/Police if it is lost, stolen or damaged.
- Make sure your passport is valid (with at least six months validity from your planned date of return to India) and will not expire when you are overseas.
- Carry extra passport photos in case your passport is lost or stolen, and you need to replace it while you're away.
- Make copies of your passport (including visa pages), insurance policy, traveler's cheques, visas, and credit card numbers. Carry one copy separately from the originals and leave a copy with someone at home.
- Keep in contact with friends and family back home and leave a copy of your insurance policy details and your overseas itinerary with them.
- In case your stay in a foreign country is for a long period, register with the local Indian Embassy/Consulate before leaving India or soon after arrival to get better access to consular assistance and updates.
- Treat consular staff with respect and be honest in providing the Embassy/Consulate with all relevant information when seeking our assistance.
- If you get arrested or detained for some reason, insist on Consular access be granted to a representative from the nearest Indian Embassy/Consulate under the Vienna Convention.
- You are requested to register on 'Global Pravasi Rishta Portal' (<https://pravasirishta.gov.in/home>). The portal has been designed to facilitate communication between the Ministry, Missions/Posts, and diaspora. The portal would enable communication with diaspora on real time basis and support issuing emergency alerts/advisories. The portal would provide information on the existing and new Government schemes launched for the benefit of the diaspora. The portal can help Government to collect opinion of the diaspora on important policy matters, for arranging online B2B matchmaking etc. Missions could also share information on events organized and send common invites to diaspora members.



- There is Indian Community Welfare Fund (ICWF) which can extend support for distressed Indian on case-to-case basis for legal consultation, transport of mortal remains to India, one-way flight ticket to India, etc.
- If you are student, kindly register on soon to be launched Global Indian Student Portal (GISP) a single-point contact for information on repository interface with relevant organizations in India and with Indian Missions and Posts abroad. It can also provide relevant information of the educational institutions, their courses, education loans, scholarship, insurance, accommodation, and other counselling services etc. Please keep eye on its launch.
- In case of marriages of Indian nationals with overseas spouse in USA, the following is pertinent:
 - (i) Disappearance of spouse/abandonment of Indian women by overseas husband who may be NRI/PIO/Foreign nationals, the distressed women may approach for legal & financial help to <https://ashaforwomen.org/> and the Consulate.
 - (ii) Abandoned women needing shelter may reach out to these NGOs: <https://www.thehotline.org>, <https://www.cpedv.org/>
 - (iii) In case of abandonment/violence against women seeking permanent residency: Consult attorney for options like Violence Against Women Act (VAWA), U visa etc.
 - (iv) Property rights for aggrieved Indian wife of overseas spouse in foreign country - Consult attorney for your rights/eligibility if you are married for more than 3 years and have child from that marriage, no employment available to the lady due to physical/educational deficiency.
 - (v) Child abduction: consult attorney for rights for child custody for Children born in USA.
 - (vi) Ex-parte decree/divorce in foreign country: Check the requirements for each state for minimum stay requirements in that state for filing the divorce. Please attend the court date personally or through the attorney. The court may allow to represent via video call from India in some cases.
 - (vii) Legal consultation support: Indian Mission/Post may help with consultation fees/assistance of limited amount on case-to-case basis under provisions of Indian Community Welfare Fund (ICWF)
 - (viii) Legal assistance from foreign Government: It is possible in case the spouse in US citizen/permanent resident. Please contact local courts.
 - (ix) Foreign government/court recognizing the jurisdiction of Indian courts: These issues are dealt under Mutual Legal Assistance Treaty (MLAT): <https://2009-2017.state.gov/j/inl/rls/nrcrpt/2012/vol2/184110.htm>
 - (x) Serving summons/Court orders of Indian courts: The Consulate can serve this by post and email only due to local privacy law/trespassing laws.
 - (xi) Extension of visa for aggrieved women: Consult attorney as this is considered by local authorities on case-to-case basis.
 - (xii) Payment of Maintenance amounts for Indian spouse: The court orders on case-to-case basis have legal provision for redressal in case of default.
 - (xiii)



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Understanding the reality of the American way of life

Pramila had just finished household chores and was tending to her child. She longed to go out, but they owned only one car and her husband had driven to work in that car. They were able to afford the basic amenities, but the budget was tight and there was no way she could afford to pursue any of her hobbies. Earlier, she had had a successful career and a carefree life before coming to the USA and this was not how she had pictured her life in the USA, not one bit! As new immigrants to the United States in pursuit of bigger opportunities and better lives, she and her husband Ravi carried with them, a dream of the promised land.

Enticed by the glitzy travel brochures, movies and allure of prosperity, most immigrants to the USA, Indian immigrants in particular, don't realize that it is not always a rosy picture. While most are aware of the laborious visa process required to move to the US, that is just the beginning of a long journey. In addition, the cultural habits and Indian traditions often clash with the American way of life, and this creates problems for adjusting with the new life.

The story of Pramila serves as an example of one such atypical and strenuous move to America.

Originally from Tamil Nadu, Pramila was employed in a large IT company in India. Her project assignment required her to move to the USA for a limited time. Her husband, also an IT professional had no such offer. However, the couple decided to move to the US, with Pramila on an L1 visa and her accompanying husband on a dependent L2 Visa. The couple returned to India upon the completion of the project.

After their return, the couple was blessed with a daughter and in the meantime the husband was offered an opportunity to work in the US on a H1 Visa for his company. This time his wife and daughter were on H4 visas, accompanying as dependents. And therein arose the problem. People having H4 visas are legally not allowed to work in the USA. Pramila had to give up a well-paying job and unable to find a job legally, Pramila had to tend to her child and the household chores, while her husband was at work. Her expectations were shattered and Pramila turned resentful.

Tensions between the couple escalated and at a point Pramila accused her husband of abusing her through neglect, stating that her husband didn't spend time with her and kept her in the apartment with no means to go out or entertain herself. Their conflict peaked when Pramila's husband filed for divorce after just over a year of them moving to the USA for the second time.

Pramila's husband offered her the custody of their daughter on the condition that she would return to India. He bought tickets for her and their daughter. However, the offer was not acceptable to Pramila, and she waited until the last minute to refuse, wasting the money spent on the tickets. They, then, settled out of court that she would get custody of the child for four days out of seven in a week, and he would get the other three. He paid and arranged for a separate apartment for Pramila and their daughter to stay.



Life was about to take a turn for the worse for the Pramila family. After a year of separation, the husband claimed that during her stay with the mother, his daughter was not being fed well. His claims were proven in court and full custody of the child was handed to her husband. Pramila tried to appeal against the judgement, but with no income to support her, she ended up homeless. She was found by an American, sometime later, on the stairs of a church. The helpful American contacted an Indian IT executive he knew and explained Pramila's condition to him and notified the police before he put her up in a motel. Both - the American and the Indian IT executive - then reached out to the local Indian community, and they in turn, reached out to the Indian Consulate in Atlanta as well as 'Reaction Team', a non-profit organization that helps abused and troubled women.

There was more trouble brewing for Pramila. Her visa was expiring on September 30, which was only a few weeks away at that time. Her estranged husband had not canceled her H4 visa but had not renewed it either. Despite the threat of imminent visa expiry, Pramila refused to leave the country. Her estranged husband offered to buy her another ticket to India so she could leave the country before her status was declared void, and she agreed. But she repeated her behavior, waiting till the last minute and then deciding she would not board the flight, and wasting money for the second time.

Ten days prior to her visa expiry, on September 20, 2019, Pramila managed to obtain money to appeal to the court. The Judge who heard the case declined her appeal for custody on grounds that she still had no income and no suitable place for the child to stay.

The Indian community collected money and bought her a ticket to India and also gave her \$1000 to help her to get back on her feet after her return to India. Again, this time, Pramila left for the airport on September 24, 2019, went past security and didn't board the flight. Instead, Pramila used the money raised from the community to get a motel room near the airport. It didn't take the 'Reaction Team' representative long to find out Pramila. The Indian community reached out to the Consulate again to avoid involvement of the immigration authorities.

A Consulate officer contacted Pramila and explained on multiple occasions to leave the country before expiry of her visa. The Consulate explained factual position to Pramila's father in India on September 26, 2019. All efforts were in vain as Pramila agreed each time, only to abruptly refuse later. Separately, the Consulate contacted local Police Chief and explained the situation. The Police Chief deputed his officer to counsel Pramila on the consequences of her actions and moved her to another motel where she could be tracked. The local Police Chief, in the meantime, asked the Consulate to prepare for her departure. Under the circumstances, the Consulate thought it would be better to arrange an escort for Pramila. The Consulate and the local Indian community were able to find a woman locally, who was willing to do the job on the condition that she meet Pramila first. After her meeting with Pramila on September 28, 2019, the volunteer learned that Pramila did not want to leave, and she backed out of her offer to escort her. With her time in the United States to stay legally running out, the Consulate continued its efforts to convince Pramila to leave the country. Pramila's pattern emerged again, agreeing at first and backing out afterwards.

On the day of her visa expiry, September 30, 2019, the Consulate handed her a ticket, convincing Pramila to go to the airport. With the help of an Immigration and Customs



Enforcement official (ICE) and airport security, the Consulate managed to persuade her that this was her last and best chance to make it back to India and start her life afresh. All arrangements were made to ensure her travel, at layover in New York too and Pramila boarded the connecting flight for Mumbai, India at New York. The Consulate officer in Atlanta also contacted Pramila's father to pick her up after her next connecting flight from Mumbai to Tamil Nadu.

The Consulate succeeded in avoiding the legal repercussions with the American Immigration system and the consequent challenges Pramila had to face, if she continued to stay beyond September 30, which would be considered illegal, especially on her H4 visa that does not permit her to hold a job.

Pramila's saga of an American dream gone sour has several insights for aspiring immigrant families hoping to embark on a dreamy lifestyle. Securing the elusive visa is only the beginning. Unless the new immigrants have a secure financial backing beforehand, the initial years can be quite demanding. One must consider issues like limited finances during initial years, option of opting for cheap and cramped living spaces, sharing a car by the entire family etc.

Take away: It is important to note that in cases of a dire emergency like Pramila's, it is advisable to seek the help and advice of the Consulate which will guide and provide aid to distressed immigrants, so their cases do not get entangled with American law.



Divorce and child custody involving Indian and American judiciaries

Priya Bora had just stepped out of her shower. Her earlier fight with her husband Sanket Bora was still ringing in her ears when she realized something was amiss. Her baby daughter and her husband no longer at home! Priya called 911 claiming Sanket had kidnapped their daughter.

This case serves as an example of how life in the US comes with its own share of challenges and might be overwhelming to newly immigrated families. Many a times disputes are caused by miscommunication. Then there is stress to commence a new life in an unfamiliar territory with limited friends and relatives. The Bora case illustrates hardships faced by them at the beginning of their family life in USA.

Sanket Bora was a researcher at a Florida University. He married Priya Bora, a lawyer by profession, when he went to India during his leave. Both moved back to Florida and sometime later they had a daughter. Sanket was on an H1 visa, and Priya was on H4. Their daughter was a natural born US citizen.

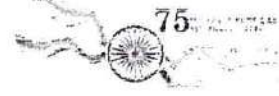
Shortly after the birth of their daughter, the couple fought on diverse issues frequently. When Sanket went to India during one of his trips, an attempt was made by families to patch up the marriage. Their constant fights led to an inevitable divorce filing for the two, though they continued living together. However, all efforts were in vain. The divorce was filed in India. Sanket signed a document that in the case of a divorce Priya would get custody of their daughter but his wife was not keen for the divorce at that time.

One night, during one of their arguments, Priya threatened to leave for India. Immediately after the threat, she went for her a shower. Sanket, accompanied by the baby daughter, in a state of panic, took all the passports, some clothes and left home in his car. A shocked Priya then called the police and claimed that Sanket kidnapped their daughter.

Priya later filed a court case over the matter. The judge ruled that since Sanket was the biological father and hence, the matter could not be labeled as kidnapping. Priya eventually left for India. Upon reaching India, Priya filed a case under 498-A against her husband's family. Since Sanket was in the US, his mother and father were arrested under the 498-A claim. With no evidence of wrongdoing found, Sanket's parents were granted bail.

The family court in India issued a notice to Sanket to appear in the court w.r.t. the cases - divorce and 498-A claim - filed by Priya. The notice was sent to the Indian Consulate in Atlanta, which in turn, mailed it to Sanket. However, the mail bounced. Then Consulate officials physically delivered it to his workplace. Sanket failed to show up at three hearings/court dates, under the assumption that the cases were out of the court's jurisdiction as he was in the US. He was wrong. *(Since the couple solemnized their marriage in India, the Indian courts have jurisdiction in such matters. Sanket did not realize this crucial detail.)*

The court issued Sanket a non-bailable warrant, and since he failed to show up for three hearings, his passport was impounded too. With no passport, Sanket tried to have his



mother travel to the US to take care of his daughter while he planned to attend new hearings. But the court impounded his mother's passport as well.

The case filed by Sanket for child custody in Florida with the local court, was declined for the claim. The surprising thing is Priya attended her court date for this hearing from India via video call and gave her statements. This shows that the judicial system here may also look at all aspects of the case and favor the mother for the custody without in-person hearing. Indian court granted custody of the daughter to Priya who travelled to USA and went back with her child.

Sanket and Priya's dispute showcases another incidence of misplaced expectations and family life stress that spiraled out of control. Any conflicts or altercations between a family will not miraculously disappear because they have moved to America, and in the case of divorce and custody involving the judiciaries of two separate countries, the legal worries can quickly turn challenging. When the marriage is solemnized in India, the Indian courts will have final say in such matters.

Take Away: For couples married in India, it is important to know that the Indian courts have jurisdiction including over cases where 498-A is filed. Legal complications can be get convoluted with divorce filing in different countries. With children involved, and custody battles, things can get even more complicated, and kids suffer most, along with the couple.



Check your Visa Stamping – And understand divorce and custody laws!

The glitz and glamor of America showcased in the Indian movies often fail to portray the realities of leading a life in the country. New immigrants especially married couples fantasize their lifestyle based on silver screen extravaganza. However, reality sets in and conflicts arise in marriages, as they often do, for various reasons including unforeseen challenges of a new life in a foreign nation. And unfortunately, these conflicts tend to take unpleasant turn when visa and child custody issues are thrown in the mix.

Arjun Khatkar was an accomplished associate professor at the Georgia Institute of Technology (Georgia Tech) with a PhD. He came on H1 Visa. His wife came on a dependent H4 visa. His wife's parents were in US as they were US green card holders. The couple was soon blessed with a baby boy, who by birth, was a US citizen. Arjun loved to be in India and wanted to raise his child in India to teach him Indian culture and values. So the family went back to India. He applied for Indian Passport for his son as well.

Khatkar's wife insisted on returning to US as her family was in the US. Khatkar agreed and applied for a B1 visa to return to the US, which was accepted. His wife and son were also granted B1's, since Khatkar did not apply for a US passport for his son.

At the time Khatkar received his B1, his H1 was still valid. So, when Khatkar entered the US, the Custom officer, inadvertently, stamped Khatkar's H1 instead of his B1. Khatkar, too, didn't realize this. This marked the beginning of Khatkar's legal troubles in his entry back into the US. The issue here was that since he was no longer working with the organization that granted him an H1, it was technically invalid, and, therefore, constituted a visa violation.

Upon return to the US, on the family front, the disagreements between Khatkar and his wife stepped up. Khatkar's wife filed for divorce. Even though they had not lived in the US for 6 months, which must occur before a divorce can be filed, a judge granted the divorce and gave custody of the child to Khatkar's wife. Khatkar was given visitation rights for once a week.

On his son's birthday, Khatkar decided to visit him, even though the timeframe was not within his visitation hours. Khatkar took his son out to celebrate the special day. Khatkar's wife called the police. The check revealed Khatkar's technical visa violation, and police turned him over to Immigration and Customs Enforcement (ICE) custody. When Khatkar was in detention, he realized that the divorce was technically incorrect as there is requirement of six months of residence before divorce is granted. Khatkar, then, wrote a letter to the judge who heard his case. With no response, Khatkar wrote more such letters – the tone was hostile and threatening - to district and appeals judges, as well as attorneys. He also filed suits against state and federal officials in charge of his cases, which led to him having five pending lawsuits against local and national institutions.



During this time, ICE offered voluntary departure to Khatkar, which the Indian Consulate in Atlanta also urged him to take. Khatkar did not heed the advice. Khatkar continued writing letters for three to four months and explicitly threatened a Circuit judge via letter.

The Consulate reached out to Khatkar two more times over this period, advising him to opt for voluntary departure and to fight his case from India. The Consulate reasoned with him that since he was married in India, the Indian judicial system would have jurisdiction over the matter. Khatkar continued writing letters and after a few more months, finally, Khatkar accepted to voluntarily depart to India. The case for child custody, filed in India is still pending.

It is important for families to understand the reality of living in the US and discuss the limitations beforehand. It is also essential to keep the communication open and honest while managing expectations for a relationship to be fully functional. Marital stress and spousal conflicts do not vanish across borders, and the legal tools that are available in US can quickly dismantle a relationship in court. Finally, if an Indian national is in trouble with the authorities and is offered voluntary departure, it is usually best to accept it, as was suggested by the Indian Consulate in this case. Indian courts have jurisdiction over marriage cases if the marriage was done in India and involves Indian citizens.

Take Away: Always check your visa stamping to ensure your current status with current company has been stamped. Be mindful of the justice system in US. Be aware that Indian courts have jurisdiction over marriage cases of Indian citizens for the marriage solemnized in India. Do file cases in Indian courts for divorce, child custody instead of fighting the cases in USA. This may be a better option. When one is in legal trouble and offered voluntary departure, it is best to take up that option and fight your legal battles from India.



**U.S. Education -
Immigration Laws
for Student Visas**



U.S Education- Do it the right way or pay the price

Vijay Reddy was almost ready to leave for his office in the morning when he heard his phone ringing. The Immigration and Customs Enforcement (ICE) officials on the other end of the call asked to meet him. Already headed to the office, Reddy asked them to meet him there. Dressed in regular clothes, the ICE officers notified Reddy that he was being placed under arrest due to his enrollment in a fake university for illegitimate CPT. Reddy asked for their IDs, which they quickly pulled out and held directly in front of his face, far too close and fast for him to see clearly. Skeptical and shocked, Reddy tried to flee his office, throwing objects on his desk at the officers in his attempt to escape. He was caught and placed in the county jail and charged with resisting arrest. Currently serving a two-year sentence for his charges, Reddy has been transferred to an ICE facility and is being deported in August 2021.

What happened with Vijay Reddy serves as an important lesson to understand and abide by the US immigration laws in general, and as in Reddy's case, the student visa laws in particular.

Pursuit of education is one of the many reasons America draws immigrants from all over the world each year. Most immigrants perceive colleges and graduate programs as doors of opportunities to a better and brighter future in the US. But it is important to note for students that opportunities of American education come with rules and responsibilities that must be abided by, at all times.

A notable case involving troubles with student visas occurred in 2017 regarding master's degree students violating US immigration law. While the students in this case ended up in ICE detention facilities in Georgia and Florida, here are the reasons that put them there.

In an attempt to seize students committing visa fraud, Department of Homeland Security (DHS) and ICE, in a joint operation put together a fake school that they called Farmington University. This university had no faculty, no staff, no classes, just a small valid location for address purpose. It simply accepted tuition money from students in exchange for offering what is known as curriculum practical training (CPT).

The typical and legitimate path for a foreign student enrolled for a graduate program in the US includes applying for a masters on an F1 student visa. The application for such visa involves applying for a verified university that is registered under the United States Citizenship and Immigration Services (USCIS) Student Exchange and Visitor Information Systems (SEVIS). Once a prospective student has applied to a university registered under SEVIS, they are granted an I-20 that allows them to apply for an F1 student visa. F1 visas last until a student has completed their graduate studies and can be extended anywhere from a few months up to two years if the student opts to take what is known as optional practical training (OPT), which lets a student work in a related field of study to gain experience and a little income). This extension also applies for a CPT. CPT requires training with around 10 % in classroom courses and 90% at the job location.

Approximately 600 students of Indian origin, hailing from Andhra Pradesh and Telangana as well as hundreds of students from other countries spread across the US had applied to this fake university to obtain a CPT certification to extend their stays in the US. Furthermore, many of the applicants had already finished their OPT programs



but failed to find a job that would have allowed them to apply for an H1 visa. Over 600 students whose visas were to expire soon, signed up for a college that offered no classes whatsoever, only to extend their stay in the US. Part of a legitimate CPT requires that alongside work opportunities, it also requires that they be taking classes along with such training.

The illegitimate Farmington University set up by the authorities had offered no classes, faculty or even online classes. This should've been a red alert for students applying there. The students were provided a CPT with the cost of tuition, and they ended up working full-time jobs with their papers, which was clear violation of CPT rules. Because they had to give the university information about their jobs, the USCIS had a list of the students' workplaces and residences, since CPT's are issued under the employer's name. Hence these names were relayed to ICE.

Beginning in 2018, ICE with the help of local police, began mass-arresting students who received CPT's from Farmington. 129 students across the country were arrested on the first day alone! Those who were not caught immediately fled the country, catching flights from California. Those that were caught were sent to the nearest ICE detention facilities in their respective states.

Twenty-one Indian students placed in five detention centers (two in Georgia and three in Florida) formed the crux of this case. The Indian Consulate in Atlanta reached out to these students, as they were in states that fell under the Consulate's jurisdiction.

The Consulate briefed each student about how they were in violation of US immigration law due to their enrollment in a fake university for illegitimate CPT's. The students hired outside legal counsel and made a case for bail. Only two students were granted bail. The Consulate then asked the students whether they would voluntarily depart from the US. Of the 21, 18 students opted to leave the US. Their departure required them to purchase their own tickets, which ICE could disapprove or reschedule at any point.

Rajesh Naidu, Naveen Rao and Vijay Reddy were three among the twenty odd students who decided to stay back in the US.

Naidu subsequently got bail. He was released from the detention center, but the charges against him remained. The issue he faced was that the court that would hear his case was inside the detention center that had held him and was being processed internally. After he was released, his case had to proceed to an external docket, competing against every other external case that the court was meant to hear which would be taking 6 months to one year for hearing of the case. To make matters worse, he had no work permit, driver's license or a place to stay after his arrest. To have his case processed internally, he would have to be in jail. The Consulate managed to get him special permission to have his case heard from the inside, but this is a rare exception. The ICE Facility Court granted him voluntary deportation and Naidu left for India.

Naveen Rao was a married man. He tried to contest his case through a private attorney, which took three to four months. After his hearing, he too decided to depart voluntarily. This would be considered a best-case scenario.

And then there was Vijay Reddy who got most entangled with US law for resisting arrest, is still waiting for his deportation.



graduation, he contacted the Indian Consulate in Atlanta, Georgia informing them about troubles with his former college.

Singh claimed that he was being harassed by the college administration over a complaint that he had filed against them. He told the Consulate that he had applied to a job and was set to start working, but his potential employer said the degree Singh had earned, was not valid, rendering him unfit to work. Singh stated that he filed the complaint against the college soon after, accusing them of misleading him about the school's legitimacy.

The Consulate promptly checked the background of the college and found that it had 13,000 students, 42 programs and a solid rating among their alumni. Singh's claims were dubious in light of the information the Consulate found. The Consulate concluded that the university and all its programs were in fact legitimate.

On further examination of the case, it was revealed that after completing his degree, he failed to find a job. Additionally, he did not inform his family that he did not find work, so they were under the assumption that his degree was invalid. To make matters worse, since he did not have a job or and his OPT was over, his F1 visa too expired after graduation. Singh was essentially out of status.

With no legal status and no job on the horizon, Singh was on the brink of breaking down. His problems peaked when an altercation with his landlord led to his arrest for violent misbehavior, which led to authorities discovering his visa expiry. He was detained on charges of immigration law violation and was transferred to an ICE facility and the Consulate was approached to help him.

Problems seemed to mount upon Singh during his time at ICE facility, as he became increasingly aggressive and unstable. When Consulate officials went to talk with him at the detention center, Singh did nothing but scream at the ICE and Consulate officers. ICE provided a psychiatrist to stabilize him before deportation. This was necessary because it is required by US law for a medical professional to deem a patient physically and mentally fit enough to travel before they are sent back to their country. The Consulate, in the meanwhile, explained Singh's condition to his family.

Singh's treatment process spread well over a year, spanning all of 2018. By 2019, he was well enough to travel, but he still had to be kept under watch. ICE opted for a chartered deportation, one of the most complicated options of sending offenders back, since medical professionals had to be on board for this specific type of deportation. Charter flights are also far more irregular than most scheduled flights, and these flights often have offenders from multiple countries that must be deported in one trip.

When Singh was deported, ICE did not give the Consulate or his family any prior notice, nor did they give the details of the flight's arrival or location for security reasons. The Consulate managed to coordinate with ICE about Singh's arrival time so that his family could be notified to pick him up.

The deportation ended successfully, with Singh's brother picking him up at the airport and driving him home.

In this case, the entire fiasco could've easily been avoided. All Singh needed to do was admit to his family that he was unable to secure a job in the US and needed to return



Fake University aside, it is important to note that students knowingly deviated from the US immigration rules and regulations. Students signed up for Farmington University knowing that their OPT's were finished and that their F1 visas expired. They were also aware that a CPT program required classes, of which they took none during the 2 years that they were working. Farmington University process was suspicious in all respects and did not follow standard, legitimate procedures. The students obtained a CPT in name only to prolong a stay in the US after their student visas expired. The USCIS declared every one of the students' status in the US invalid after their application for the Farmington CPT, as it constituted visa fraud. In the time after the first wave of arrests, several more students have been periodically arrested in connection to the Farmington case.

The most significant takeaway for students immigrating to the US to pursue education is to understand and abide by the immigration laws. It is imperative that the students do their own research about the University they plan to apply for as well as for CPT and OPT requirements. It is not difficult to separate legitimate programs from fraudulent ones. There is plenty of public information available online about these programs. In order to avoid being entrapped for breaking US immigration law, it is paramount to do some research about universities and procedures for US education. This is especially true considering how stringent US immigration law is for violators. Those that stayed in the US without valid status for less than 180 days are barred from returning to the US for three years, while those that stay longer are barred for ten years. Almost all of the Farmington students were without status for two years, so they will not be returning to the US any time soon.

Take Away: US Education holds value worldwide, but only when pursued in the legal way. When accepted to a US University, always ensure it is legitimate; and once you are here, abide by all the immigration laws applicable to student visas.

Accepting failure is the first step towards success.

Raghav Singh looked around him. An Immigration and Customs Enforcement (ICE) facility was the last place he had imagined he would be when he had stepped on the American soil. He had a dream. A dream to hold an American degree, which would be his ticket to success in the promised land, USA. A pursuit of happiness most Indian students arrive with and nurture, with tender loving care. But then, not all stories take the same path. Reality had a way of throwing curves in the path of dreams. Singh was not prepared for anything but a happy ending.

Education is one of the prime attractions for foreign students who wish to build their careers in US. Most students, especially Indian, arrive with the notion that it is simple to obtain a degree in America and a preconceived idea of a luxurious life after graduation. But they never stop to think about failure as a possibility. It is important to know and understand that, should someone be faced with such adverse outcome, be it failed classes, lost jobs or destroyed families, the damage from social and economic setbacks in the US can be mitigated, if handled properly.

The case of Singh serves as an example of lost opportunity. Singh immigrated to the US from India on a F1 visa to obtain a master's degree in a STEM field. He studied in a Florida public university and had graduated successfully. However, soon after his



before his visa expired. The admittance of this simple truth and acceptance of reality would have spared Singh and his family of troubles that unfolded later on and associated mental agony. He made the wrong choice to lie to his family and the authorities, bringing upon himself the full might of US immigration law.

There are essential lessons to learn from Singh's story. When students decide to pursue their education in American universities, it is paramount that they research the university they plan to attend. This includes looking into information regarding tuition fees, job prospects for graduate programs, reviews and advice from alumni associations and the market value for whatever degree is being pursued. It is important to remember that no matter what happens, it is not only unethical but illegal to lie about facts, especially to the authorities, as Singh unfortunately chose to do. Just to keep up lies, one should not get arrested and deported and have life derailed as it happened to Mr. Singh.

Take Away: Sometimes, despite our best efforts, it is possible that we face failure in life. Even with an American degree from a legitimate University, it is possible that one may find it difficult to procure a job. At times like these, it is best to accept failure and find ways of success the right way, the legal way. Choosing to falsely accuse a person or university and lying about one's current status to family and friends, can only build more stress and cause one to lose mental balance. This, unfortunately in the US, also means severe legal repercussions.

Making the right choice matters!

Sky was the limit for Nikhil Kapoor, son of an Indian pilot who harbored dreams of flying airplanes, very much like his father. Kapoor decided to obtain his commercial pilot's license at a flight school in the US. His choice was a flight school located in Florida. And this choice made all the difference.

As observed in previous reports, disputes and legal problems tend to be a common obstacle for immigrant students in their time in the US. These can range from visa troubles to laws that apply differently than a student expects when compared to their country. In some cases, like this one, the dispute can stem through no fault of a student but rather the institution they choose to study at.

The flight school Kapoor picked happened to be owned by a man named Faraz, a US citizen of Pakistani descent.

Kapoor was off to a smooth start at the school, passing his assignments and with no complaints on either side. Kapoor, owing to his dad's profession and connections in India, already had some prior flight experience. And because of this reason, Kapoor was able to complete his commercial license flight hours in half the expected time for a student. Kapoor's expedient completion of his first requirement soured his relations with Faraz, who thought it would take him longer to complete his hours.

This friction between the two began manifesting in the assignments that Faraz gave Kapoor. Of the four planes that Faraz had in his school, he began giving the oldest of the planes to Kapoor. Instead of pairing him with actual instructors during flights, he instead partnered him with student instructors that had less experience.



Faraz didn't just stop there. He filed complaints against Kapoor for minor faults. During a night flight, it is recommended that a student fly on their own, unless circumstances call for a co-pilot. During one of his night flights, Kapoor had a student instructor on board. Faraz immediately filed a complaint with the Federal Aviation Administration (FAA). At that time, Kapoor still needed to finish his instrument training to become a certified pilot. Faraz continued his harassment by telling Kapoor that he would be arrested due to the complaint.

Kapoor went back to India in a hurry because of this incident. The FAA eventually cleared Kapoor. Determined to obtain his license, he returned to the US and registered with a different school to complete his requisite instrument training for pilot rating as mandated by FAA.

Upon learning that Kapoor was in a new school, Faraz called the owner of that school and told him that there was an FAA case pending against Kapoor (which had already been cleared). The new owner did not let Kapoor fly as a result. Despite the fact that Kapoor could show that no case was pending and that Faraz had lied, he was unable to fly at his new school. Kapoor sought help of the Indian Consulate in Atlanta, as he was running out of options. Consulate officials met with the new school's owner and explained the situation to him. But the new owner kept claiming that since Kapoor has no official FAA clearance, he cannot fly. The new owner did not accept Kapoor's previous FAA court clearance records, and this exchange went back and forth for almost a month.

During this time, his new school cancelled Kapoor's I-20 and told him to wait for FAA clearance. Kapoor still had legal status in the US, and the Consulate connected him to a flight school instructor in Augusta, Georgia. This Consulate contact explained the FAA rules and regulations to Kapoor, as well as the tedious nature of getting cleared through the FAA after a complaint. Kapoor decided then that he would look elsewhere to finish his training. He found a flight school in Canada and completed his instrument training there.

Kapoor had done nothing wrong. He had followed the rules, but life can be made difficult for foreign student by people harboring malicious intent. The important lesson for student immigrants to learn from Kapoor's story is to understand how they can insulate themselves from problems that may occur due to hostile schools or instructors. It is immensely essential for students to research the institution they wish to study at. This research can be furthered by visiting a school's website, taking tours of the campus, and talking to alumni that have gone through that institution. Immigrants that are prospective students should also look into the faculty and staff at the schools they plan to attend, either by looking up comments about them online or speaking to other professionals in the field. Finally, as seen in Kapoor's case, when dealing with a hostile party, a student should avoid unnecessary hardships by documenting all of their interactions with that party. Such documentation may be required to clear a student's name, and it is better to keep a good record of it.

Take Away: While it is always imperative to research the school/university one plans to attend in the US (or any country), it tends to be even more important when it is run by individuals, who can make or break careers. In such cases, it is essential to talk to previous students and understand the environment and the kind of people that run these institutions. Because sometimes even without any fault, someone's malicious intent can disrupt rising prospects and careers.



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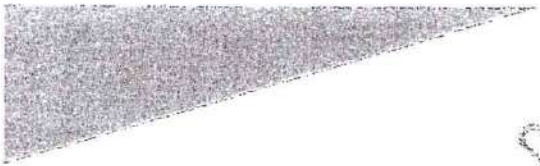


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Lesson Learned: While it is always imperative to research the school/university you plan to attend in the US (or any country), it tends to be even more important when it is run by individuals, who can make or break careers. In such cases, it is essential to talk to previous students and understand the environment and the kind of people that run these institutions. Because sometimes even without any fault, someone's malicious intent can disrupt rising prospects and careers.





Social
behavior and
understanding
basic laws



Anger does not solve anything but can destroy everything!

With the sun's rays directly over Ritesh Gavaskar's head, and the sand beneath his feet, surrounded by the soothing sounds of the ocean, it would only seem that Gavaskar was on a dreamy vacation in the sunshine state of Florida. Yes, Gavaskar was on a beach in Florida, only, it was NO holiday. On the contrary, he wandered on the beach, penniless, looking like a vagabond. His life was about to get worse.

What happened to Gavaskar and what else could go wrong?

Immigrating to the US, along with elaborate and tedious visa process, also involves immense personal sacrifices from the immigrants and their families, with a burning hope that the America dream is worthy of it. And most times, and for most people it certainly seems like they are living their dream. But what their social media status or they themselves generally never talk about; is the underlying stress they bury beyond their smiling faces. It is naïve to assume that life is all fun and carefree in the US. Yes, there are plenty of ways to enjoy life in US, however, it comes with its share of rigidities and demands that must be met and handled with care. As in the case of Gavaskar, who never foresaw the toll his US job would take upon him, and how the stress and his reaction to it, nearly cost him everything.

Gavaskar, an IT worker from India had relocated to Iraq for a project soon after he landed his job. In Iraq, Gavaskar befriended his co-worker, Cruz, an American citizen, who talked to Gavaskar about the career and education opportunities in the US. Cruz even offered to help him financially if he decided to move to America.

Gavaskar decided to follow through with Cruz's suggestions and moved to the US and enrolled in a master's degree program. Cruz kept his promise to offer some financial help to him when he arrived. Gavaskar completed his degree and landed a job with a company in California that managed solutions for large tech companies. Gavaskar's life at this point was more or less settled.

Patience was not one of Gavaskar's virtues. Gavaskar had one underlying issue of being short tempered. His new job came with new responsibilities the scenario did not help in easing his temper. As projects piled up and workload increased, Gavaskar reached his breaking point. One afternoon in a fit of rage, he walked over to the office of one of his clients screamed threats of bombing the building. Security at the building promptly called the police and Gavaskar was immediately arrested. Police questioned him until he calmed down, and then he was given a court date and released.

This ordeal would have ended with his court date if Gavaskar showed up on time. Unfortunately, Gavaskar made an impulsive decision that would only worsen his situation. Around the time of his court date, Hurricane Irma hit Puerto Rico and parts of Florida, and Cruz happened to live in Ocala, FL, which was one of the affected cities. Gavaskar, feeling that he owed Cruz a visit, who had helped him when he moved to the US, drove off to Florida without a word to his boss or the judge. He missed his court date entirely.

His trip to Florida did not pan out exactly as he planned either. Gavaskar first touched down in Pensacola, FL. He had been on the road for two days, unshaven and without a shower. He tried to book a motel, but his card did not scan, so he slept in his car in a



public parking lot. The next morning, Gavaskar walked into a Starbucks to charge his phone, but the employees thought he was homeless and called the police. The authorities told him that if he wanted to charge his phone, he would have to buy something first. Tired, Gavaskar headed to another store where he received the same reply. However, people at the store suggested he try a public location, such as the beach.

And that is how Gavaskar had landed on a beach in Florida, penniless and vagrant like. He was soon arrested by the police for his suspicious behavior and argument with local residents/ store owners. The police notified Indian Consulate upon learning about his Indian Citizenship. During this entire ordeal, Gavaskar had been communicating with his sister in India, but after his arrest, his phone died and was taken by the police. His family knew nothing of his whereabouts, so they reached out to the Ministry of External Affairs in India, which notified the Consulate.

Consulate officers visited him in Florida, and Gavaskar decided to speak to a public defender. He also told the Consulate about his friend Cruz. He was released after a month, and the Consulate had reached out to Cruz and informed him of Gavaskar's troubles. Cruz came to pick him up from jail and offered him a place to stay. Cruz also offered to take him back to California, but Gavaskar refused because the jail still had his belongings, while the city had towed his car from the beach and was going to put it up for auction. After visiting the police station to inquire about his car, he was told to go to the auction house. The auction refused to return his car, and Gavaskar was once more without his belongings.

Gavaskar chose to stay back to try and get his car back. Having refused Cruz's offer, and without any money, he had to live in a homeless shelter. He worked small jobs for a gas station but was unable to afford shelter and slept on the beach. Gavaskar was reduced to begging for food. At one point, a man offered Gavaskar a meal and a beer. He drank the beer on an empty stomach, leaving him drunk, homeless and out in public. He was arrested and police charged him for intoxication in public place, and the police learnt about his missed court date in California.

As he resisted police while arresting, Gavaskar was sentenced for six months jail. During this period, his immigration status expired. After serving his term, he decided to voluntarily depart back to India. He had no working phone, no clothes, and no working credit card. His initial flight for deportation was to Delhi, though he was originally from Kerala. The Consulate had to inform his family that they needed to purchase a ticket to Delhi to Kerala and get Immigration and Customs Enforcement (ICE) approval for the flight. His family was also advised to pick Gavaskar up from the airport in Cochin.

The Consulate arranged for Gavaskar to receive ₹5000 via an Indian contact at Delhi airport. Cruz helped reimburse this contact as a way to help his friend one more time. The Consulate also got ICE to send updated photos of Gavaskar to Indian immigration officers so that his pickup would go smoothly. He made it back safely and managed to get a job at a local company after 6 months.

Gavaskar's case serves as an example to new immigrants in the US. Some basic common-sense behaviors, even during stressful times, can keep a person out of trouble. First and foremost, avoid using any threatening language in public, as it can be seen as an attempted attack and will lead to an arrest. In the case of an arrest for any reason, do not resist the police under any circumstances, as that will only add extra criminal



charges and increase jail time. If a court date has been assigned, do not miss it as doing so will incur additional charges. Finally, always keep either cash or a working card when traveling, as even the most basic accommodations, such as shelters, require a small amount of money to be accessed.

Take Away: First and foremost, learn to control anger. And the most important lesson—understand the legal repercussions, especially in the US about resisting arrest and showing up for a court date. Never resist arrest and always show up for a court date. When you step outside your home, always carry some cash or a working card.

Behaving with your own kids matters too!

Jaya was a busy mother of fraternal twins. One morning, after her husband Srinivas Agarwal left for work, she noticed that her daughter's shoulder was swollen. She called her husband and both headed to the ER. What happened next was beyond the family's wildest imagination.

This case sheds light on the importance of being aware of the laws, especially childcare laws in the United States for those who migrate with kids. Raising kids is different in different cultures, but it is worth your time to understand the rules and regulations in the US and strictly adhere to them.

The Aggarwal family had immigrated to the US on the Srinivas's H1 sponsored by a consulting company and wife Jaya's H4 visa along with their twins. Life had seemed normal to them until the day Jaya had taken her daughter to the ER. The pediatrician, who requested an x-ray had called the police after she had looked at the results on suspicion of child abuse based on the irregular swelling and location of the wound. The police arrested both the husband and the wife.

Things quickly started taking a turn for the worse. In the aftermath of the arrests, Shrinivas was charged with third degree child abuse/negligence, while Jaya was charged with criminal charges of child abuse. Childcare services were contacted at once, and the children were put into foster care. The parents were granted bail, however, both had to wear tracking devices and their passports were confiscated.

After their arrests, the Indian Consulate sent staff to meet the couple. Consulate staff also reached out to the local Indian community, which suggested an attorney with an experience in cases like theirs. During their hearing, the court ruled that both charges of child abuse against the parents would have to be cleared in order for them to regain custody. They were granted visitation rights for one hour for one day a week. The lawyer did manage to petition the court to have Srinivas's tracking device removed, as it got in the way of his travel-based job. The judge agreed, though Jaya had to keep it for another month after her hearing.

What really did not help the couple's case was the findings on their phone. When the police confiscated both of their phones, they found a video of Jaya lightly slapping the daughter on the cheeks until she cried and then calmed her down, only to do it again. This happened several times in the video and was not received well in court.

In the meantime, Shrinivas's charges were dropped, while Jaya's case went on for almost another year. Both of them underwent parental training on the judge's orders, and their evaluation was to be done by a psychiatrist. Since Jaya's English was not the best, the



Consulate had to find a doctor that could speak her language to do her evaluation. Finally, the charges against Jaya were dropped by the court after almost a year.

The court decided that their visitation hours will be steadily increased until it was deemed fit for the children to go back to their parents. Srinivas managed to renew his H1 for the first year but for the next year his company was able to help him to get a B1 visa. Finally in 2020, the family got custody of the twins and they departed for India. The family received mixed reaction from the community, with some ostracizing them, while some members did help them by raising close to \$30,000 via GoFundMe. Their case got heavy media attention in India.

An important take away from Srinivas and Jaya's situation is that a family should be aware of the childcare laws in the US. Both - agencies that specialize in childcare and Government authorities - do not take any form of neglect, endangerment or abuse lightly, even playfulness as it may be perceived as a threat to a child. Anything deemed threatening to a child can result in a loss of custody, as seen with the Agarwals. Any media attention to a case like this is likely to be negative, so it is paramount that new parents in the US be very careful with how they raise their children.

Take Away: Any action by a parent or anyone that is deemed inappropriate or could potentially be perceived as a neglect, threat or endangerment to a child, even playfully, is a punishable offense. Such actions are taken very seriously by the authorities/agencies. Consequences can be dire, including loss of custody. Be mindful of the childcare laws and raise kids accordingly.



Keep in regular touch, with at least one person and an ID on hand.

Not all stories have a happy ending. Certainly not this immigrant story. Shankar Mehta was what one would describe as a loner. Freelancing on H1 visa, Mehta called Georgia his home. His apartment neighbors did not know him well and he did not have many friends and had no family in the US. He mostly kept to himself and worked whatever jobs came his way.

As officials at the Indian consulate in Atlanta went about their busy day, a phone call from the Sandy Springs Police Department regarding the corpse of an Indian national suspected to be Mehta changed the course of the day. Authorities had found the body in Mehta's apartment but could not confirm whether it was him because the body was badly decomposed. All police could find in the way of identifying documentation was an old, renewed passport from California.

Jumping into action, the Consulate looked into this passport, in an attempt to find any possible phone numbers or other residences. Consulate officials were finally able to find records of Mehta's first passport from 1984 with a permanent address in Pune, India and an old phone number. The number did not work. The Consulate then sent their contacts in Pune over to the listed address.

When the contact reached the listed Pune address around 12:00am, a woman who answered the contact refused to open the door. The contact explained his reason for being there and asked if she knew Mehta. He also left a number to reach the Consulate in case she wished to talk further. An hour later, the Consulate received a phone call from the woman's husband who was Mehta's brother. The Consulate officials explained the situation and asked for recent pictures of Mehta, which he provided.

The next morning, Consulate official took the photo to the medical examiner's office in Fulton County where the body was being kept. The medical examiner predicted that the body was unattended for close to fifteen days post Mehta's death. So even with a recent picture, it was next to impossible to confirm if the body was that of Mehta. The deterioration had been extensive.

Unable to confirm the identification of the body, the Consulate officials further enquired Mehta's brother for updated medical records and injury reports. The Consulate obtained his dental x-rays, along with records of an ankle fracture that required steel bracing to be put onto the bone, as well as records of a root canal surgery. With the new information provided by the Consulate, the medical examiner was able to confirm that the body was indeed that of Mr. Mehta. His death was deemed to be from natural causes, as he had been suffering from severe cirrhosis of the liver.

Mehta's brother who had a valid visa came to the US to cremate his brother. Most of Mehta's items were infected, hence, were disposed of. Mehta's brother collected his remaining belongings, authorized a friend in the US to sell Mehta's car, while he handled the cremation.

The essential lesson to take away from Mehta's tragic end is the importance of immigrants keeping in regular touch with their family back home or a few friends, so someone is always aware of their whereabouts. It is also helpful to at least be on cordial terms with the neighbors, as they are the immediate resources to whom even authorities



reach out to, in case of an emergency. It is also of prime importance to always keep some ID or emergency contact information readily available. Also, as seen in this case, the Consulate can play a vital role in providing services, assistance and guidance to relatives or friends of deceased Indian nationals to ensure the family of the immigrant can bid a dignified farewell to their dearly departed.

Take Away: While it is not essential to post updates on social media every day, when in foreign land, it helps to be in regular touch with at least one person or in the least be acquainted with neighbors. It is essential to have an ID readily available in the instance of any unforeseen circumstances.



Safety first – Don't be penny wise pound foolish

Sahil Khurana was one among thousands of immigrants who move to the USA with a dream and a determined mind to save money whenever he could.

While new Indian immigrants land on US soil are famous for carrying certain special groceries with them, they do leave behind their old lives and possessions. As such, the first few years in a new country are often spent managing expenses and saving whenever possible, since many newcomers do not arrive with plenty of money. While frugality is an admirable quality for immigrants whose budgets are tight, one must learn to pay reasonable prices on everyday necessities as it will be more beneficial in the long run.

Khurana stretched frugality to its limit and unfortunately had to pay a very heavy price because of this decision. Khurana was working in the US for an IT company on an H1 visa. His work involved being at a client's office for on-site work. Khurana would commute from his home in Tampa, FL to the client's office, which was only a few miles away.

Khurana decided that he could save money on his commute by driving a low capacity, 50cc scooter to work instead of a car, since those vehicles do not require insurance and his commute was relatively short. He did this for some time.

On his routine drive to work one morning, Khurana was rear-ended by a pickup truck. The impact flung him off his scooter and he was slammed into the sidewalk. He was hospitalized with multiple skull and spinal fractures, leaving him paralyzed. After a police report was filed, it was revealed that the one driving the truck had been a 16-year-old boy working part-time for a painting company, and the truck belonged to the owner of the business.

The owner claimed that he was in the middle of renovating a home and left his truck in the driveway when the boy took it without his permission, so the owner could not be held responsible. The boy in question was not only a minor, but his mother was a single mom with no real assets. She agreed to give whatever she could, but she had nothing to offer.

Meanwhile, Khurana's health insurance through his IT job had paid for his surgery and some of his physical therapy, but all of his treatments became too expensive for the company to pay. Since Khurana could not work the entire time, his brother came to the US on a B1 visa to help him out. With the help of the Indian Consulate in Atlanta, they were able to get as much money as possible from the insurance company, as well as \$15,000 worth of compensation from Khurana's employer. His brother began a GoFundMe, which raised over \$50,000 from the local India community to cover their medical and daily expenses.

After it became clear that Khurana would receive no more insurance or compensation, his brother decided to take him back. A flight back to India with the specialized medical equipment on board to keep Khurana's condition stable was priced at \$100,000, which neither the Consulate nor the local community could help raise. The hospital that Khurana was at was able to find an agency that could provide the same service for \$27,000. The local Indian community was able to raise that much money and they also bought a ticket back for Khurana's brother. Both of them returned to India as soon as the flights were confirmed.



Khurana's unique case is an example of how it is important to consider overall safety of a person in the long run. If Khurana had bought an actual car and paid for insurance rather than driving a scooter, he could have avoided the accident that crippled him altogether. There is no use being thrifty if the consequences involve endangering one's health. And given how the community rallied for Khurana, it is important to note for immigrants to connect with their local communities, as they are the ones who can help out in case of an emergency. Finally, new immigrants should know that the Indian Consulate can assist in cases of injury or emergency and try to get the best possible outcome in a given situation.

Take Away: Invest in your tomorrow – ensure your safety first. A safe mode of transport with proper insurance is the only investment you should line up as soon as you land here. Be a part of local community which may help, in case of emergency.



Never point a gun unless you are ready to shoot.

It had been a normal day in the life of Krishna Bapat. Employee at a gas station convenience store in McComb, Mississippi. Bapat was busy with his daily routine when suddenly he noticed something. He had just seen a man walking out of the store after blatantly stealing items off of the racks. Bapat went to confront the man outside of the store. The disastrous turn of events that followed was beyond Bapat's wildest imagination.

Cases of tragedy befalling immigrants who make simple mistakes without understanding the ramifications of their actions are not uncommon and often escalate out of hand very quickly. The case of Krishna Bapat was no different.

When Bapat had walked out of the store, all he intended to do, was get the man to pay for the items he had stolen from the store. But the confrontation quickly became heated, with the man yelling at Bapat that he did not steal anything and that he would not give any money. Bapat then pulled a gun on the man and waved it around, trying to threaten him into paying. The man responded by pulling his own gun and shot Bapat several times at close range, killing him instantly.

The shooting was treated as self-defense, since Bapat drew a weapon first and made threats with it.

Bapat had some family members in the US, but his mother was in India. The Indian Consulate requested the US Embassy in India to extend her visa so that she could attend the funeral.

Bapat's case underscores another important aspect of life in the US: weapon ownership. It is quite easy to carry a firearm in the US, and permits can be obtained that also allow for carrying weapons that are concealed. The most significant takeaway from this incident for every immigrant is: be aware that others could be armed. Also, it is important to remember that ground laws can justify use of lethal force in the case of self-defense. Finally, and what Bapat failed to realize, pointing a gun is deemed as a threat and can get someone killed in retaliation.

Take Away: It is easy to obtain and carry a firearm in the US. It is better to refrain from owning/carrying a gun but in case you have then make sure that you know how to handle it and what are the legalities/laws related to its use.





Unforeseen
instances –
Consulate
matters!



Missing person - Seek Consulate help during distress

The case of Hari Bora highlights the role of the Indian Consulate in the life of immigrant families and the ways in which immigrants of Indian origin can seek out help of the Indian Consulate in the face of tragedy.

It all began when the Indian Consulate in Atlanta received a call from Bora's family. Bora's family told the Consulate that Bora, who served as an employee for 'Carnival Cruise Line' as a kitchen assistant had been missing and had not made contact in several days. His job on the Cruise Line involved being on the ships to help in the kitchen.

When the Consulate officials called Carnival Cruises at their Miami, FL office, the Carnival officials confirmed that Bora went missing during one of their recent cruises and their own team was investigating the incident. Consulate officials went to meet with the cruise's ship director, risk management crew and the ship's captain.

Consulate officials soon confirmed that Bora had jumped off the third deck living quarters of the ship and into the ocean while the ship was off of the coast of the Dominican Republic. In interviews with Bora's roommate, he revealed that Bora had been having tense arguments with his then girlfriend, who was in India, over the phone. It was during one of these arguments that Bora, emotionally overwhelmed, jumped the ship. Cameras from the third deck captured footage of Bora as he jumped.

The ship was registered in Miami, hence, the complaint for missing person would have been registered with the Miami-Dade Police office. However, since he jumped in international waters, Miami-Dade police authorities did not have jurisdiction over the case. Maritime law dictated that the closest country to his disappearance would have to file a report and send a search and rescue team in case of a missing person. The Dominican Republic Police, in turn, registered the case and initiated the search operation for two days. Finally, they closed the case as the body was not found and submitted the report to the International Maritime Authority (IMA) for further processing.

This allowed Carnival to begin its worker compensation process for Bora. Bora also had private insurance that covered a life insurance policy, which required a death certificate.

The Consulate followed up with Carnival and Bora's private insurance company and also guided with all necessary documents ensuring that his relatives got his belongings and maximum compensation, at the earliest.

While Bora's story was more of an unforeseen tragedy, the takeaway from this case is that even in the aftermath of a death, there are avenues for the families of immigrants to get closure and justice. In this case, the Consulate was able to return Bora's belongings to his family, as well as helped in initiating the compensation process from his workplace and from life insurance. It is always better for immigrants to seek the advice and guidance of the Consulate.



Take Away: During distress, it is best to seek the advice and guidance of the local Consulate.



Death and unforeseen circumstances – Seek Consulate help during distress

Life, like a child, laughs, shaking its rattle of death as it runs,” said Rabindranath Tagore. For some, unfortunately, rattle of death shakes way too soon. It just so happens that this untimely incident happened to immigrants, though it could have happened to anyone, anytime.

When Gopal Singh and Priti Nayak, both students at University in Tennessee started to drive together in the same car on a Thanksgiving evening in 2019, all they had in mind was perhaps the joy of an upcoming holiday and the myriad of ways to celebrate – maybe a travel vacation, maybe visit friends or family or just eat good food and catch a movie. But in the blink of eye, all of their plans vaporized.

Singh was in the driver’s seat and had stopped at a red light. As the light turned green and Singh began to accelerate, a driver zipping over 100 miles per hour on the road perpendicular to them smashed into the side of Singh and Nayak’s vehicle. The car flipped sideways. Since the impact was from the side instead of head on, the airbags failed to deploy accurately.

The dispiriting crash left both Singh and Nayak with severe spinal cord injuries, brain damage and bleeding. Since they were both in the vicinity of a city, rather than a rural area, first responders were able to get to them quickly. Singh breathed his last in the ambulance on the way to the hospital. Nayak made it to the hospital and received some care, but her injuries ultimately proved to be fatal as well.

The Indian Consulate in Atlanta came was notified about the accident a day later. In the aftermath of the deaths, the local Indian community reached out to a non-profit group that specialized in helping those who face emergencies or crises in a foreign country. Members from the non-profit then reached out to the Consulate. All that could be done after the accident was to oversee the safe return of the bodies back to the bereaved families in India.

The consulate worked with the local community and the college student groups to raise enough money for the transportation of the bodies. Funeral home expenses for embalming a body for transport and shipping costs range between \$7,000-\$8,000. The GofundMe link created by the community and spread by the Consulate managed to make enough money to cover those expenses. Consulate officials also worked on getting a death certificate from the county office as fast as possible. The death certificate is a requirement for the deceased before any transportation or funeral services can be proceed.

Funeral homes require blood relatives of the deceased to fill out paperwork in order to officially transfer the bodies. Volunteers of the non-profit organization helped the parents of the two students fill out this mandatory paperwork.



As abrupt and devastating as this case was, there is no advisory attached to this particular incident, especially since the students had followed all the rules and only succumbed to unfortunate circumstances. The only thing that an Indian immigrant can take away from this is the ability for a community to band together to aid a fellow Indian in need. And it bears repeating that the Consulate in a given jurisdiction will use any resources possible to help an Indian in distress, even in the dreadful event that the bodies of dearly departed be returned to their abode back in India.

Take Away: Reach out to the Consulate in times of distress and the Consulate will find a way to help out and make things easier.



Easy money comes with a price to pay!

When it rains, it pours, they say. Sometimes disasters have a way of piling upon each other in unimaginable ways. And things tend to get even more complicated when immigrants to the US get embroiled in sticky situations.

Sorting through the mail, the Indian Consulate in Atlanta opened a letter addressed to the Consulate from Afya Kassem, a woman in her late 20s. She mentioned in her letter that her brother had been arrested in the Florida, and that he was innocent of the charges against him. The consulate got the arrest report for her brother, Faisal, and found that he was arrested on suspicion of fraud. Faisal was on a J1 training visa learning hotel management at the time.

When the Consulate officials reached out to the community member's in Faisal's city, they were told that he was involved in a scheme where callers pretended to be the Internal Revenue Service (IRS) and stole the credit card information, social security numbers and identities of the victims.

Upon further investigation, Consulate officials also discovered that Faisal was not directly related to the group running the scam, but rather, was friends with them.

Faisal had noticed that his friends were flourishing economically. His curiosity got the better of him and he had enquired about their source of income. He was told that he too could make money and all he needed to do, was pick up a package from an old Post Office box and collect the cheques in it. That PO box address was the one they gave to their victims so that they could steal cheques deposited there.

Unaware of a scam, Faisal collected the cheques in person from the PO box. The authorities, who had been notified of suspicious activity related to the PO box had been waiting for someone to show up to collect its contents. And as soon as Faisal had collected the cheques, he was arrested. His friends who learnt of his arrest got rid of their phones and fled their homes.

When questioned by the police, Faisal explained that he was told to pick up a package for his friends. He gave police the names and phone numbers of his friends. Since their phones were discarded and they had hidden their traces well, the police were unable to catch any of the actual scammers. The only person they had in connection to the crimes was Faisal, so he was charged with fraud.

The bail for Faisal was set at \$15,000. Afya, his sister in India with an IT job at hand, had done well for herself. She had helped pay for her brother's education in US as well. She had the money for his bail and decided to make a trip to the US to bail out her brother. Although Afya had \$15,000 in cash, US law prevented her from carrying over \$10,000 in cash during overseas travel. So, she brought \$9,000 in cash and put the rest onto a travel card.



Afya decided to consult an attorney in Florida about bailing her brother. The attorney explained that she would have to get a bail bond from an agency in person. When Afya went to the bail bond agency, she was told they only accepted a cashier's cheque and not cash or card.

Afya finally went to meet her brother in jail. During the course of their conversation, Faisal told her that someone he knew in jail had a friend in Florida that could maybe help her out with the bail bond.

A series of unfortunate events were about to follow. Afya called the number her brother had handed to her and the "friend" picked her up from jail. On the way to her hotel, a man tried to rob her as she crossed the street. The "friend" managed to push the thief away before he grabbed her bag. The thief fled the scene. Shocked, Afya went up to the room with the "friend". But she headed back to the bank immediately to procure the cashier's cheque for the bail bond. On her way to the bank, she was robbed again. This time, the robber successfully got away with the bag, which had all of Afya's money, credit cards, her license and passport.

Afya was left with nothing! She had thankfully paid for three nights at the hotel. And the first thing she did after she got back, was seek the help of the Consulate. A police report was filed, and the friend of Faisal's prison acquaintance was arrested on suspicion of being involved. Unfortunately, none of Afya's belongings were recovered.

The Consulate, through its contacts in Florida put her up in a hotel owned by an Indian. She was provided room, boarding, access to his Uber app for travel, and some pocket money for daily expenses. Since she had no income in the US, a small amount of money and no way to reliably travel, the Consulate advised her to return to India. While Afya readily agreed, without a passport, the only way to fly would have been obtaining a travel document called 'Emergency Certificate' from the Consulate. Consulate helped Afya to get Emergency Certificate after a due procedure.

Afya's flight ticket was paid for by the Consulate's Indian Community Welfare fund, a resource used to help Indian nationals in distress. After her return, courts found that the extent of her brother's involvement in the IRS scam was limited, but since he was partially involved, he would have to serve a six-month jail sentence. His J1 visa was canceled, and Faisal was officially deported from the US, leaving him banned from ever returning.

Afya and Faisal's lives changed forever in the aftermath of their ordeals. Afya had taken a month off of her job due to her time in the US. She had to find new work and make up for the money that was stolen, but her life is being rebuilt. Faisal had to reboot his life all over in India and must live with the fact that he is banned from traveling overseas owing to his deportation and criminal status.





Understanding Travel Visa



Take Away: Any get-rich-quick scheme that involves breaking the law can ruin someone's life in an instant. The US treats criminals harshly as such, and being an immigrant accused of a crime only makes it harder. In situations of distress, it is best to reach out to the Consulate and not a stranger. Consulate officials will do their best to explore various avenues to help citizens of Indian origin and help them get out of afflicting situation.



Importance of vaccinations during travel

The US receives footfall of foreign students for short academic tours each year. The rules here are stringent and it is mandatory for traveling students to understand the requirements, take necessary precautions, and then plan their travel.

Rahul Gokhle was excited! A high school student, he could boast about his educational tour to 'Rocket Center' in Orlando, Florida, USA! The energetic group accompanied by a teacher had set off on a journey to remember. Their teacher, holding a notarized document with parent signatures, was their legal guardian for the tour.

The tour, however, turned sour for Rahul as he contracted chicken pox during his stay in the US. When it was time to leave for India, Rahul was not allowed to fly because he was still contagious. The teacher who had responsibility for the rest of the group could not stay behind with him. Rahul's parents were informed of the situation.

When the Indian Consulate in Atlanta learned about the situation, Consulate officials helped Rahul connect with a local Indian family that could take care of him until he was allowed to fly back. Eventually, Gokhle's parents found their acquaintance where Rahul could stay rest of his time in the US. Upon recovery, Rahul needed a medical certificate that deemed him fit for travel and a special document that authorized the travel of a minor. The Consulate guided the Delhi travel agency in charge of Rahul's tour with the necessary procedures that would secure these documents. The family acquaintance in the US was also given instructions to obtain the documents. The documents were prepared under the guidance of the Consulate and Rahul made it back to India safely.

This case emphasizes the importance of vaccinating kids, especially so when they travel to foreign countries. Vaccinations should not only be taken as soon as possible but should be considered a requirement before any travel to a foreign country. Another important part of effective and safe travel is to keep ready contact details of a local friend/relatives/ acquaintance at the place you are traveling to and speak with them as a courtesy before undertaking travel, just in case.



Take Away: Always ensure requisite vaccinations are administered prior to travel to a foreign country. And when traveling abroad it is always safe to have a friend, family member or an acquaintance as local contact in place.



Casual Business and Tourism Visas (B1/B2) are NOT meant for monetary gain

Each visa stamped on an immigrant passport has its own set of rules and regulations that the passport holder must comply with. Despite these laws implemented strictly across the US, there is no shortage of visa violations and immigrant detentions, and the cases behind each offense vary from technical offenses to blatant disregard for immigration rules.

At the heart of a case of straightforward visa violation was Ali Yousef. The Indian Consulate received a call from Yousef after he was arrested in Atlanta and sent to an Immigration and Customs Enforcement (ICE) detention center in the city. He had requested consular access, which was his right as an Indian national. The Consulate also received a call from Yousef's wife, claiming that her husband had done nothing wrong and that he was in ICE custody.

In their conversation with Yousef at the detention center, Consulate officials learnt that Yousef had visited US on B1/B2 visa, which is strictly visitor and casual business visa. Meant strictly for tourism, a traveler on B1/B2 is prohibited from making monetary gain or profit from business of any kind while traveling. Breaking every rule of the visas, Yousef had made a practice of coming to the US on this visa and stay at a friend's home. While in the US, he worked at a local gas station near his friend's house, and the owner paid him in cash. After six months of work, Yousef would return to India with his earnings and wait for a few months before coming back to the US for another six-month trip. He had made these work trips three times in total.

Yousef was arrested during his third visit. The frequency of his visits and his specific length of stay had set a red flag with the authorities, and they decided to act upon their suspicion. A full search of Yousef's bags and phone revealed evidence of Yousef's visa violation in the chat logs on his phone, where he had messaged his wife about the \$1,600 dollars a month, he made at the gas station.

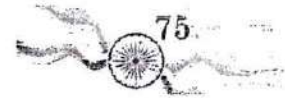
Since his round-trip ticket to India was still valid, ICE had offered him the chance to take a voluntary departure to India. Initially, Yousef refused the offer. After the Consulate officials advised him that a voluntary departure was in his best interest, as it would still allow him a chance to apply for an appropriate visa upon his return to India, if he ever wishes to do so. However, should he refuse the offer, he would be officially deported,



which would result in a lifetime ban from ever entering the US. Yousef agreed to leave after learning his options and went back to India.

Yousef's case reflects that while several opportunities await immigrants in the US, violating immigration law is a surefire ticket to destroying any such opportunities. Immigrants to the US must note that any kind of visa violation or other or breaking of US immigration policy is met with swift and harsh punishment. It is advised that immigrants should strictly comply with the requisite immigration rules.

Take Away: Understand the limitations of your visa and abide by the rules. B1/B2 visa is ONLY meant for short stay and people on these visas are not allowed to earn US dollars.



Cyber Offense

Several thoughts raced through 25-year-old Akash Patel's mind as he pulled into the driveway of a home. The home belonged to a girl he had been chatting with, online. The last thing he expected as he got off his car, was to find himself surrounded by the local police! And the culprit, HIM!

The rest seemed a blur as Patel was taken into custody and charged with sexual offense with a minor and sentenced to a year in prison and nine years of parole.

The nightmare had only just begun.

Newly married and a well-educated IT employee on H1 Visa, Patel had flown into the US harboring the quintessential American dream of finding opportunities and success as an immigrant. With most of their relatives still in India, Patel and his wife arrived in Georgia with an expectation that this would be a fresh promising start for them, a new beginning.

Shortly after his move to the US, Patel began a correspondence that would uproot his life. He visited an adult dating site and started chatting with a woman who claimed to be 29 years old. She later revealed to him that she was a 14-year-old girl. The girl said "the age is just a number" which should have raised red flag in the mind of Mr. Patel. However, Patel continued talking to her. They arranged a time to meet at her home, and he agreed to be there.

Patel had barely parked his car in front of the house they were supposed to meet when he found himself on the wrong side of the law. Unbeknownst to him, the girl he was texting was an agent in the Department of Homeland Security, and the messages were part of an elaborate sting operation to catch suspected pedophiles.

What caused Patel to continue talking to the agent after she said she was 14 is unknown. Despite state variances in the age of consent, Georgia's being 16, which is higher than the agent's falsified age, having sexual relations with a minor or even attempting to is a felony offense in the US.

What followed next, was not exactly Bollywood's interpretation of America where the grass is lush, the flowers are pink and everyone is just happy, all the time. The authorities canceled visas of both Patel and his wife. Patel was sent to an Immigration





Miscellaneous



and Customs Enforcement (ICE) detention center in the state. With no visa and legal status, his wife was forced to go back to India.

Patel's family in India had no idea about the trouble their son was in, until his wife got back to India to narrate the story. Patel's father booked the first flight to the US.

Being a Hindu vegetarian, he was left with very few options of food in prison. In addition to not being able to eat well, Patel was consumed with a looming fear of being attacked by his cellmates.

He took behavioral learning courses in the jail which gave him two months credits towards his sentence. Subsequently, his sentence was reduced to eight months owing to his good behavior, no prior criminal history, and educational background. Since he was out of status due to cancellation of his H1-B Visa, he had to be in the jail till ICE obtained a travel document called the "Emergency Certificate" from Indian Consulate of Atlanta, which was expedited.

Patel was able to return to India after his emergency certificate was processed. As he was leaving USA, his balance sentence of 9 years parole was waived off and he travelled back to India.

Upon reaching India, he left the IT field and took steps to venture into a new business. Patel's dreams of the promised land, however, are a thing of the past.

To any immigrants with an American dream, Patel's story is an unfortunate paradigm of things "NOT to do". Patel paid a huge price for his judgmental lapse and that costed him everything he held dear. The torment his family underwent and the horrors he faced in US prison system for his attempted crime will perhaps haunt Patel for the rest of his life.

The message is loud and clear: stay off from adult chat sites. Must avoid talking to anyone online that is or claims to be a minor. It is simply NOT worth it. Just say NO and stick with your decision – your life might depend on it.

Take Away: Inappropriate behavior is punishable by law, whether you are online or offline, in India or any other country.



the US, decent jobs are only available for those with documentation. The jobs without documentation are always menial, low-paying, have no medical benefits and any chances of advancing economically and socially are zero to none. Add to that, the looming threat of deportation and family separation, life is all but a disaster waiting to happen. The cost of illegal immigration is not just paid in blood and sweat -smuggling rackets often charge anywhere from 20-25 lakh rupees (\$28,000-\$35,000), with no guarantee of safe passage.

The story of Sen and Mishra are perfect examples of all things that can go wrong when one attempts to enter the US illegally. And there are plenty of things that can go wrong in more dreadful ways. It is simply not worth your time, money and perhaps your life to even think of entering the US illegally. Just not worth it. Do not come to the US illegally. Apply through legitimate channels only.

Take Away: Never attempt to enter the US illegally. There is no decent life if there is no legal status.



The white-collar crime called 'Hawala'

America is a land of opportunity. And many Indians who have called it home and worked hard have realized their dreams far beyond their imagination. Some of their stories serve as inspiration to aspiring immigrants. Earning name and fame in America with dignity and ethics reflects positively on the individual, on the community and on the country. However, attempting to accomplish success through unethical and illegal means reflects badly on that individual, on the community and on the country.

Harshal Virani, an Indian green card holder from South Carolina was keen to earn easy and quick money. He decided to engage in what we call "Hawala" scheme i.e. to transfer a sum of currency of one country and exchange it for the equivalent amount in another country's currency via physically handing off payments in cash. This is done to avoid legal payment of taxes on the transfer. Virani acted as the middleman that organized the exchange between the two parties, took commission for himself, and did not pay taxes to local tax agency called IRS, netting him an easy profit.

Virani continued this illegal business for few years. In an informal get together in public place, when a group of his friends asked him once what he exactly do for a living, Virani told them about his 'Hawala' scheme and how he transferred large sums of money clandestinely. Someone present there, heard him, and tipped off the IRS. The rest as they say, is history. The IRS was on his trail.

The IRS kept Virani on their watchlist and plotted a sting operation to secure enough evidence to arrest Virani and his associates. An Indian operative was used to blend in seamlessly and avoid suspicion. The operative's task was to infiltrate the scheme. The operative, immediately approached Virani at the small-town store location he often frequented and asked if Virani could transfer a small amount of money. Being distrustful, Virani pretended that he didn't understand the request.

The operative did not give up. The operative spent three months building rapport with Virani to gain his trust, visiting his favorite dinner location, and interacting with him at every opportunity he could get. After he gained his trust, Virani finally agreed to move \$5,000 to India, as well as another small transfer of rupees to dollars. The transfer was successful. The operative mentioned to Virani that he knew several other people who



wanted to transfer even more money and it would increase Virani's business and his commission.

Virani continued the transfers with the operative and his "friends". The amount increased from \$ 5000 to \$20,000 to \$ 25,000. When the IRS had enough evidence to act on, they raided Virani's house, alongside the houses of his close associates and clients that had connections to the "Hawala" scheme. In Virani's attic, the IRS found two separate trash bags containing a total of \$650,000 worth of unaccounted money. The IRS arrested all of those involved in the scheme.

Take Away: It is better for immigrants to steer clear of white-collar crimes. They must earn and transfer their money through legal means only.

