

Dowry

India has a very rich culture. Marriage is an auspicious sacred ceremony which unites two bodies and souls into one and it is not only bonding of two people but a strong bond that brings two families together according to their culture in arranged marriages. Paying dowry is an essential part of arranged marriage in Indian cultures. Dowry is “goods given by the bride parents to the groom’s family”. In 1961 the demand of dowry becomes illegal, demand of dowry become culture in all societies. It’s a social system that keep alive the torture on women and their deaths. Over the last many years, obstructed laws have not proved a great change in this social practice. Dowry related Violence can occur soon or sometime after the marriage where the demand of dowry seems to be displeasing to the groom’s family. These types of violence occur almost in all societies, it has no caste, class or the religion. As we are living in the 21st century, still women harassed or ill-treated because of male dominating society. In this society women bereft her own identity and dependent on others for their basic necessities. They are not only cheated for her nobility but also suffer from the corruption by the men and become the victim of cruelty within the boundaries of her own house. However, this pain/ordeal does not stop here, it may cross its limits, pressurize her to commit suicide. Many types of torture may be given to them like burning, beating, abusing etc. Section 2 of the Dowry Prohibition Act, 1961 as amended by the Dowry (Prohibition) Amendment Act, 1984 & 1986 defines dowry as follows:- “Dowry”, means any property or valuable security given or agreed to be given either directly or indirectly:- by one party to a marriage to the other party to the marriage; or by the parents of either party to a marriage; or by any other person, to either party to the marriage or to any other person; at, or before, or any time after the marriage, in connection with the marriage of the said parties, but does not

include dower or mehr in the case of persons to whom the Muslim Personal law (Shariat) applies. Thus, there are three occasions related to Dowry: - Before marriage; At the time of marriage; or Any time after the marriage. The punishment for giving and taking dowry or abetting the give and take of dowry was earlier punishable by imprisonment up to 6 months, or a fine up to Rs. 5,000. Demanding dowry directly or indirectly from the parents or guardian of a bride was also liable for similar punishment. This punishment was later enhanced by the amendment act and now these offences are punishable with a minimum of six months and maximum ten years of imprisonment. The fine limit has been enhanced to Rs 10,000 or to an amount equivalent to the dowry given, taken or demanded whichever is more. The court has been given the discretion to reduce the minimum punishment though in doing so the court is required to record in writing adequate and special reasons for doing so. (Sec 3 and 4 of the Dowry Prohibition Act, 1961). The jurisdiction to try dowry offences lies only with the metropolitan magistrates or magistrates of the first class. Cognizance of dowry offences can be taken by the magistrate himself, or on the basis of a police report of the facts which constitute such an offence, or on a complaint lodged by a parent or other relative of such person, or on the basis of a complaint lodged by a recognized welfare institution or organization. Usually the bride or her parents are hesitant to complain, so the recognition of complaints lodged by welfare organizations has broadened the scope of this act. Dowry death has been defined in section 304-B of IPC as follows: "When the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry, such death shall be called 'dowry

death', and such husband or relative shall be deemed to have caused her death". The law prescribes a minimum sentence of seven years for one who is found guilty of dowry death and there is discretion with the judges to award a higher sentence.

In the present scenario dowry system as it is practiced in India, it has become an instrument of torture for the bride and her parents and family. Majority of women reporting domestic violence gave dowry demands as the primary cause of violence against them and also, they have faced all kinds of violence i.e. physical, psychological/emotional and verbal. The results of the present study are in line with these findings. People of all economic status and educational background have demanded dowry and indulged in domestic violence when this demand has not been fulfilled.

In fact, most of the times the girl's family take it as a matter of pride to gift expensive items, cash, jewelry etc. to their daughter at time of marriage and take it as an opportunity to showcase their wealth and exert themselves to a great extent to show off their economic status. But, the problem arises when the demands instead of stopping continue unabated and sometimes increase to the extent that they become impossible to be satisfied. Then only, such people complain about dowry otherwise they are also happy partners in the continuance and spread of this evil. Those belonging to the poor or middle-class strata also feel obliged to give some dowry when they see its prevalence in society. Many times, the girls also want their parents to give dowry so that they may flaunt it in their new families or ensure proper treatment for themselves in their in-laws house, but when the demands don't stop and there are constant comparisons with others who brought more than they are compelled to reconsider the merits of bowing down before this evil practice in

the first place. The problem of dowry is further aggravated in our traditional society wherein divorce is still a taboo perceived as a shame upon family honor, and girls separated from their husbands have to deal with a social stigma which makes even parents reluctant to take their daughters back and they are asked to adjust while their parents strive to fulfill the dowry demands.

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