



INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL
ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

WWW.WHITEBLACKLEGAL.CO.IN

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Editor-in-chief of White Black Legal

– The Law Journal. The Editorial Team of White Black Legal holds the copyright to all articles contributed to this publication. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of White Black Legal. Though all efforts are made to ensure the accuracy and correctness of the information published, White Black Legal shall not be responsible for any errors caused due to oversight or otherwise.

WHITE BLACK
LEGAL

EDITORIAL TEAM

Raju Narayana Swamy (IAS) Indian Administrative Service officer



Dr. Raju Narayana Swamy popularly known as Kerala's Anti Corruption Crusader is the All India Topper of the 1991 batch of the IAS and is currently posted as Principal Secretary to the Government of Kerala . He has earned many accolades as he hit against the political-bureaucrat corruption nexus in India. Dr Swamy holds a B.Tech in Computer Science and Engineering from the IIT Madras and a Ph. D. in Cyber Law from Gujarat National Law University . He also has an LLM (Pro) (with specialization in IPR) as well as three PG Diplomas from the National Law University, Delhi- one in Urban Environmental Management and Law, another in Environmental Law and Policy and a third one in Tourism and Environmental Law. He also holds a post-graduate diploma in IPR from the National Law School, Bengaluru and a diploma in Public Procurement from the World Bank.

professional diploma in Public Procurement from the World Bank.

Dr. R. K. Upadhyay

Dr. R. K. Upadhyay is Registrar, University of Kota (Raj.), Dr Upadhyay obtained LLB , LLM degrees from Banaras Hindu University & Phd from university of Kota.He has succesfully completed UGC sponsored M.R.P for the work in the ares of the various prisoners reforms in the state of the Rajasthan.



Senior Editor

Dr. Neha Mishra



Dr. Neha Mishra is Associate Professor & Associate Dean (Scholarships) in Jindal Global Law School, OP Jindal Global University. She was awarded both her PhD degree and Associate Professor & Associate Dean M.A.; LL.B. (University of Delhi); LL.M.; Ph.D. (NLSIU, Bangalore) LLM from National Law School of India University, Bengaluru; she did her LL.B. from Faculty of Law, Delhi University as well as M.A. and B.A. from Hindu College and DCAC from DU respectively. Neha has been a Visiting Fellow, School of Social Work, Michigan State University, 2016 and invited speaker Panelist at Global Conference, Whitney R. Harris World Law Institute, Washington University in St.Louis, 2015.

Ms. Sumiti Ahuja

Ms. Sumiti Ahuja, Assistant Professor, Faculty of Law, University of Delhi, Ms. Sumiti Ahuja completed her LL.M. from the Indian Law Institute with specialization in Criminal Law and Corporate Law, and has over nine years of teaching experience. She has done her LL.B. from the Faculty of Law, University of Delhi. She is currently pursuing Ph.D. in the area of Forensics and Law. Prior to joining the teaching profession, she has worked as Research Assistant for projects funded by different agencies of Govt. of India. She has developed various audio-video teaching modules under UGC e-PG Pathshala programme in the area of Criminology, under the aegis of an MHRD Project. Her areas of interest are Criminal Law, Law of Evidence, Interpretation of Statutes, and Clinical Legal Education.



Dr. Navtika Singh

Nautiyal



Dr. Navtika Singh Nautiyal presently working as an Assistant Professor in School of law, Forensic Justice and Policy studies at National Forensic Sciences University, Gandhinagar, Gujarat. She has 9 years of Teaching and Research Experience. She has completed her Philosophy of Doctorate in 'Intercountry adoption laws from Uttranchal University, Dehradun' and LLM from Indian Law Institute, New Delhi.

Dr. Rinu Saraswat



Associate Professor at School of Law, Apex University, Jaipur,
M.A, LL.M, Ph.D,

Dr. Rinu have 5 yrs of teaching experience in renowned institutions like Jagannath University and Apex University. Participated in more than 20 national and international seminars and conferences and 5 workshops and training programmes.

Dr. Nitesh Saraswat

E.MBA, LL.M, Ph.D, PGDSAPM

Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University.

More than 25 Publications in renowned National and International Journals and has authored a Text book on Cr.P.C and Juvenile Delinquency law.



Subhrajit Chanda



BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

WHITE BLACK
LEGAL

WHETHER DOWRY SYSTEM IS VANISHED FROM INDIA?

AUTHORED BY - SHIVALIKA PRATAP CHAUHAN

Class- LLM (SEM 1)

Roll no. - 23GSOL2050001

Subject – Criminology and Criminal justice administration

College- Galgotias University

ABSTRACT

Dowry is a social evil in the society. Dowry system is basically a gift from the bride side to the bridegroom's family including the bridegroom at the time of marriage. In past time, families of bride used to give the things for their daughters convenience and comfort, so they do not face any problem in her new life. They use to give her a small portion of their property also as a gift so they can be connected to them emotionally as well as for their future securities. Even after their marriage she can come to their home without any hesitation. But now a day's people are using dowry not as a gift but they started fixing the rate as per the bride groom occupation. In past time, people take dowry as a gift but nowadays dowry system has taken its ugliest form. Even the stridhan of women is also not of hers because bridegroom's family also took that from the bride by excuses. I will use doctrinal research method for this research and I will relate the laws from the help of dowry Provision Act, 1996. I will also do the structured questionnaire in dhankaur village about their experience after marriage. This will help us to know about the situation and problem they faced in their life after marriage. Dowry system should be vanished because parents save their lifetime savings for the marriage of her daughters but due to grooms family demands they have to sacrifice a lot. And even after all that sacrifices they can't assure their future happy and safe. This research will help them to better understand the laws and remedies which will realize them if they will not stop it from their house, it will never be vanished from the society.

INTRODUCTION

Our society is full of evils, one of the greatest evils in our society is Dowry. In older times, People gave willingly the gifts to her daughter for her comfort. But nowadays, People are taking the disadvantage of this custom. They started listing the price of their Groom according to their profession and their property. Its origin was started from the Vedic age from the upper caste Hindu people as “love gifts” for the marriage. In Medieval era, the demands of marriage became a forerunner for the marriage. In the modern era, dowry is seen as a give and take instead of love gifts. The Grooms family gave directly the list of things like furniture’s, electronics, vessels, transports, jewellery, even money as per their occupation. The gifts are along with the money which is demanded by the bridegroom’s family. There are many factors which are stated as the reason of the dowry like economic factors, social factors, etc. There is no guarantee of after all this gift and money that her daughter will live in happiness. Then if the family of bridegrooms doesn’t fulfil the demands of the groom’s family, it started in the form of extortion and domestic violence against her. But as we know everything can be used as an advantage or disadvantage like a knife, we can use it to cut the vegetables or we can use it for the murder. Government made laws for the prohibition of dowry system in India but people are misusing these laws. They are taking advantages of this laws and started filing the false FIR to run the grooms family on her own terms.

HISTORICAL BACKGROUND

The history of the dowry system in India is multifaceted, with its origins tracing back to ancient times and evolving over centuries under the influence of various social, religious, and economic factors. Here's a glimpse into its historical background:

¹EARLY TRACES (VEDIC AGE):

- The earliest mentions of dowry-like practices in India can be found in the Vedic texts, dating back to 1500-500 BCE. These texts mention gifts given by the bride's family to the groom's family, often consisting of cattle, land, or other valuables. These gifts were not strictly dowries but rather symbolic offerings to ensure the well-being of the couple and their future offspring.

¹ Dowry system in India – Wikipedia/ Oldenburg, veena talwar, dowry murder: the burning bride. World Bank publications, 1989/ Manusmrti; the laws of Manu. Translated by Wendy doniger. Oxford university press, 1991/. "dowry and marriage among high-caste Hindus in India." journal of Asian studies 38.4 (1979): 537-550

CODIFICATION AND TRANSFORMATION (MANUSMRITI):

- The Manusmriti, an ancient Hindu legal text believed to be composed around 200 BCE - 200 CE, mentions both bride wealth (gifts given by the groom's family) and dowry (gifts given by the bride's family). The Manusmriti explicitly sanctioned the practice of dowry, particularly for higher castes like Brahmins. This codification contributed to the normalization and even valorisation of the dowry system in certain sections of Indian society.

EVOLUTION AND DISTORTION (MEDIIEVAL AND COLONIAL PERIODS):

- Over time, the dowry system underwent significant transformations. The nature of gifts shifted from symbolic offerings to more substantial possessions like land, jewellery, and household goods. The practice also became increasingly commercialized, particularly during the British Raj (1858-1947). The British legal system, with its emphasis on individual property rights, inadvertently incentivized the use of dowries as a means of transferring wealth from the bride's family to the groom's family.

MODERN CONCERNS AND CHALLENGES:

- In independent India, the dowry system has been outlawed through the Dowry Prohibition Act of 1961 and subsequent amendments. However, the practice persists in many parts of the country, often leading to social and economic hardship for the bride's family. Dowry-related violence, including harassment, abuse, and even murder, remains a serious concern in India. This highlights the deeply ingrained patriarchal attitudes and gender inequalities that continue to fuel the demand for dowries.

FORMS AND FACTORS OF DOWRY

While the dowry system has faced legal and social challenges, it remains a complex and persistent issue in India. Continued efforts are crucial to address its root causes, empower women, and ensure equal rights and dignity in marriage.

FORMS OF DOWRY IN MODERN INDIA:

1. **DEMANDING "GIFTS" DURING MARRIAGE:** While direct dowry payments are less

frequent, families may still pressure brides' families for expensive gifts, essentially fulfilling the same purpose.

2. **HIDDEN DOWRY:** Dowry may be disguised as wedding expenses or "gifts" given later, blurring the lines but maintaining the financial burden on the bride's family.
3. **EMOTIONAL BLACKMAIL:** Threats of calling off the wedding or post-marital harassment may be used to extort additional money or property.

FACTORS HINDERING ERADICATION:

The dowry system, despite being outlawed in India, remains a persistent social evil fuelled by a complex web of factors and ingrained social norms. Here are some key elements:

²**SOCIO-CULTURAL FACTORS:**

1. **PATRIARCHY:** The deeply entrenched patriarchal structure of Indian society places a high value on sons and views daughters as a burden. This creates an expectation that the bride's family must compensate the groom's family for "taking away" their son. They think that girls are just a responsibility. They don't need to expend a lot on her because one day she will leave the house and live with her in laws. But people don't understand is their emotion towards them. Women has no own house even she has not her own identity.
2. ³**CASTE AND CLASS:** The dowry system is often intertwined with caste and class hierarchies. Higher castes and classes traditionally demand higher dowries, and families feel pressure to comply to maintain their social status. If a middle class family marries her daughter to a reputed post officer's family then they have to do everything according to their status even they can't fulfil their needs. But parents will do everything to fulfil the demands but they don't understand this that they are giving them their daughter and that is the biggest dowry for them.
3. **SON PREFERENCE:** The desire for male heirs, particularly for land ownership and agricultural work, fuels the demand for dowries. Families with daughters often feel pressured to offer more to secure a good match for their daughter. **Hyper gamy:** The social norm of hyper gamy, where women are expected to marry men of higher social standing, further

2 Sharma Ursula. "Dowry and Domestic Violence: A socio-legal study of rural north India." *The journal of Asian studies* (1999): 337-364.

3 Jeffrey, P. "Dowry and marriage among high-caste Hindus in India." *Journal of Asian Studies* 38.4 (1979): 537-550

inflates dowry demands as families compete to secure advantageous alliances. They think that if someone is earning good and they have some land also then that person family is perfect for her daughter, because they can fulfil their needs and make her happy. But they don't understand that her daughter needs respect first then love and care then these things will matter to her. If her husband is harassing her and buying her the lakh rupees purse and dress then that life is a curse for her. While she is living with the husband and he is caring her giving her love and respect but can buy only 500 rs purse and dress is a boon for her life. All that women is need respect and love.

ECONOMIC FACTORS:

1. **FINANCIAL SECURITY:** Dowries are often seen as a way to secure the financial future of the groom and his family. This is particularly relevant in rural areas where income levels are low and job opportunities are limited. People give dowry to the family of groom for her daughter convenience. But when she was in their house that perks should be given to her that time. The mentality of people is set that when she will go to her in laws house then they will give her everything whatever she needed for her entire life when she was living with them. And they also think that her daughter will go to in laws house so she will not face any sort of problem then that time.
2. **COMMODIFICATION OF MARRIAGE:** The increasing commodification of marriage, particularly in urban areas, has led to a transactional view of relationships, where dowries are seen as a bargaining chip to secure desirable qualities in a spouse. Basically it's a listing things which totally depends on the profession of the groom. They think that if they will give them a dowry then they can take the advantage of his post or help in future. So basically it's a give and take relationship.
3. **DEBT BURDEN:** The pressure to meet exorbitant dowry demands often forces families to take on heavy loans or sell assets, plunging them into debt and financial hardship. But when people find for their daughter a perfect groom with the bank balance and position then they have to fulfil their demands beyond their pocket. Then the parents of bride has to take debts, sell the property or mortgage their land or home to fulfil their demands. To recover from that debt they have to give their whole life, sacrifice their whole needs and dreams. And that's all happen due to these greedy groom's family.

NORMATIVE FACTORS:

1. **SOCIAL STIGMA:** Families who are unable to provide a substantial dowry face social stigma and ostracization. This fear of social exclusion compels families to comply with unreasonable demands. The practice of dowry, the giving of parental property or valuable possessions to a daughter at her wedding, is a complex and controversial issue with deep roots in many cultures. While it can be seen as a way to support a couple starting their new life together, it often leads to harmful consequences, particularly for women. One of the most insidious ways this happens is through ostracization. This can involve being barred from attending weddings and other social gatherings, being gossiped about and ridiculed, and even being physically shunned by their community.
2. **SILENCE AND SHAME:** The culture of silence surrounding the issue of dowry and dowry-related violence further perpetuates the practice. Victims are often hesitant to speak up due to fear of blame, societal pressure, and lack of support. Their in-laws may constantly taunt them about their “inadequacy” making them feel worthless and unwelcome. They even start to assault the daughter which becomes domestic violence. Some women attempt to suicide for their parents.
3. **INADEQUATE LAW ENFORCEMENT:** The implementation of the Dowry Prohibition Act remains weak, and there is a lack of effective enforcement against dowry-related crimes. This emboldens perpetrators and discourages reporting of such offenses. Some people misuse these laws and also make the groom a victim for compensation. There are so many loopholes in the dowry act.

EFFORTS TOWARDS ERADICATION:

The dowry system is a harmful practice and should not be encouraged or supported in any way. Therefore, there are no legitimate government initiatives that directly promote the dowry system. However, there are efforts aimed at combating and eradicating it. Here's a revised breakdown of some key initiatives of Legal Measures:

1. **⁴DOWRY PROHIBITION ACTS:** As mentioned previously, countries like India, Pakistan, Bangladesh, and Nepal have enacted laws prohibiting the giving and taking of dowry, making

⁴“Eradicating Dowry: A critical Analysis of Government initiatives in India “by the journal of gender studies”

it a punishable offense. While their effectiveness varies, these acts demonstrate a legal commitment to ending the practice. (References: The Dowry Prohibition Act, 1961 (India); Dowry Prohibition Act, 1976 (Pakistan); Dowry Prohibition Act, 1980 (Bangladesh); Dowry System (Offenses and Punishment) Act, 2004 (Nepal))

2. **LAWS PROTECTING WOMEN FROM DOMESTIC VIOLENCE:** These laws, like the Protection of Women from Domestic Violence Act (2005) in India, offer legal recourse to women facing violence related to dowry demands, providing some level of protection and accountability.

SOCIAL AND AWARENESS CAMPAIGNS:

1. **GOVERNMENT-RUN CAMPAIGNS:** Initiatives like the #End Dowry campaign in India utilize various media channels to spread awareness about the negative consequences of the dowry system and promote gender equality. Government makes a lot of initiatives but those initiative didn't reach to the rural areas. People didn't get aware of these kind of campaigns. So, government should also plan some camps in rural areas with the help of gram panchayat and then aware and give some contact number to call if there is something happen like this.
2. **COMMUNITY-BASED PROGRAMS:** NGOs and civil society organizations like Saheli Samiti in India work with local communities to address and change attitudes towards the dowry system through education, advocacy, and support for affected individuals.⁵ Save Indian Family is a strong team of dedicated families comprising of victims of misuse of Section 498A, Dowry Death and many other similar section of the Indian Penal Code, Various sections of the Dowry Prohibition Act, Protection of Women from Domestic Violence Act – 2005, Section 125 of Criminal Procedure Code.

ECONOMIC EMPOWERMENT:

1. **EDUCATION AND SKILL DEVELOPMENT PROGRAMS:** Schemes like Beti Bachao Beti Padhao (India) aim to educate girls and equip women with skills, increasing their autonomy and reducing their dependence on dowry as a form of security. Women should study and be in some position where they will not be dependent on anyone. So, when the demand

⁵ <http://www.saveindianfamily.in>

⁶ "Dowry in India: An analysis of causes and consequences" by the international journal of humanities and social science

of dowry happens then they can also object and save her future by her own.

2. **MICROFINANCE INITIATIVES:** Programs providing access to loans like the Self-Help Group program in India empower women to become financially independent and start businesses, lessening their reliance on dowry. Women should be self-dependant so, she can do everything according to her choice. She doesn't have to ask for anyone about anything that she needs. When a women is born, she has no specific identity because when she will get married then she will get her husband's identity. That why, when she will be self-independent then she can make her own identity in the society.

ADDRESSING CHALLENGES:

1. **STRENGTHENING ENFORCEMENT:** Governments need to allocate resources and invest in better implementation of existing laws, ensuring proper investigation and prosecution of dowry-related crimes.
2. **COMBATING DEEP-ROOTED NORMS:** Social awareness campaigns and community engagement are crucial to challenge traditional beliefs and practices that perpetuate the dowry system.
3. **SUPPORTING ORGANIZATIONS:** Providing funding and resources to NGOs and civil society groups working on the ground can amplify their efforts and reach wider communities.
4. **GOVERNMENT INITIATIVES:** Awareness campaigns, financial aid programs for girls' education, and stricter legal provisions like the Dowry Prohibition Amendment Act 2005 aim to combat the practice.
5. **CIVIL SOCIETY ORGANIZATIONS:** NGOs and activists work on raising awareness, supporting victims, and advocating for stricter enforcement.
6. It's crucial to recognize that the dowry system is harmful and exploitative. Our efforts should always be directed towards its eradication through awareness, legal measures, and empowering women to break free from such harmful traditions.

CIVIL SOCIETY EFFORTS

Civil society plays a crucial role in combating the dowry system, a harmful practice deeply ingrained in the social fabric of many countries. While government initiatives provide a legal framework, it's often the tireless efforts of NGOs, activists, and community organizations that bring about real change

on the ground. Here are some key civil society efforts towards eradicating the dowry system, along with references:

RAISING AWARENESS AND CHALLENGING NORMS:

1. **STREET PLAYS AND CULTURAL PERFORMANCES:** Organizations like Haq Centre for Human Rights in Pakistan use engaging street plays to raise awareness about the negative consequences of dowry and promote gender equality. Some law scholars can go to their nearest village and perform a nukad natak and make them aware about the real side effects of dowry system.
2. **COMMUNITY DIALOGUES AND WORKSHOPS:** NGOs like Sakshi in India facilitate discussions and workshops within communities to challenge traditional beliefs and practices that perpetuate the dowry system. They should make their more branches so they can reach much people and try to change the mind sets of the people.
3. **MEDIA CAMPAIGNS AND ADVOCACY:** Organizations like the dowry-prevention campaign "Stree Sangharsh" in India utilize radio, social media, and other platforms to spread awareness and advocate for legislative changes.

EMPOWERING WOMEN AND BUILDING SUPPORT SYSTEMS:

1. **SKILL DEVELOPMENT AND LIVELIHOOD TRAINING:** Organizations like SEWA in India provide women with vocational training and access to microloans, empowering them to become financially independent and less reliant on dowry. When women can earn then they can also help in their households and also they can fulfil their own dreams.
2. **LEGAL AID AND COUNSELING:** NGOs like Lawyers Collective in Pakistan offer legal aid and counselling to women facing dowry-related violence and harassment, ensuring they have access to justice. School of law students also need to focus on these aspects and organise some legal awareness camps for the rural areas women.
3. **SAFE HOUSES AND SUPPORT GROUPS:** Organizations like Sakhi in India provide safe houses and support groups for women fleeing dowry-related abuse, offering them refuge and emotional support. Government should also have a home like old age home, widow homes so

⁷ "The role of NGO's in eradicating dowry in India" by the economic and political weekly

women who are suffering from these type of harassments then they can live there. And help them to start their own business or teach them some art and crafts.

PROMOTING COLLECTIVE ACTION AND SOCIAL CHANGE:

1. ⁸COMMUNITY WATCH GROUPS: Initiatives like the "Dowry Suraksha Samiti" in India encourage communities to form watch groups that monitor and report dowry demands and related abuses. Death due to dowry is increasing in India.
2. PUBLIC INTEREST LITIGATION: NGOs like Human Rights Law Network in India file public interest litigations challenging discriminatory laws and practices that uphold the dowry system. More people should support these PIL's and vote as much as they can so it will come in force.
3. NETWORKING AND COLLABORATION: Civil society organizations often collaborate and form networks to share best practices, amplify their voices, and advocate for systemic change at the national and international levels.

The dowry system requires a multi-pronged approach. Civil society efforts play a vital role in complementing government initiatives, raising awareness, empowering women, and fostering social change. By working together, we can create a society where women are valued for who they are, not for the wealth they bring to a marriage.

STATISTICS

⁹The National Crime Record Bureau (NCRB), in its recently published report, has said though the overall number of cases registered for crimes against women has decreased in Jharkhand in 2022 compared to 2021, the state has the highest rate of cases in the country under the Dowry Prohibition Act. In 2022, the number of cases registered under the Dowry Prohibition Act, of 1961, was 1,844, compared to 1,796 in 2021. The crime rate, calculated by the number of cases per one lakh population, and was 9.4%, the highest in the country. Dowry deaths, where a woman dies due to violence or self-harm related to dowry demands, are a tragic consequence of a deeply ingrained social practice in

⁸ "Women's Agency and Resistance to Dowry: A Case Study from Bangladesh" by Gender & Society

⁹<https://timesofindia.indiatimes.com/city/ranchi/jharkhand-tops-the-list-for-dowry-cases-in-india-ncrb-report/articleshow/105768857.cms>

India. While the dowry system itself is illegal, its influence on societal norms and family dynamics continues to claim lives. According to the National Crime Records Bureau of India (NCRB), 6,874 dowry deaths were reported in 2021. This represents a slight decrease from previous years, but the number remains alarmingly high. Uttar Pradesh reported the highest number of dowry deaths in 2021, with over 2,000 cases.¹⁰ Other states with significant numbers include Bihar, Madhya Pradesh, and Rajasthan. Young women, particularly newlyweds, are most vulnerable to dowry-related violence. While murder is often associated with dowry deaths, suicides driven by harassment and abuse are also common.¹¹ Families of dowry death victims often face social stigma and isolation, adding to their grief and trauma. Survivors of dowry-related violence require access to legal aid, counselling, and safe housing.¹² The Indian government has implemented various initiatives to address the dowry system, including the Dowry Prohibition Act of 1961 and awareness campaigns.¹³ Numerous NGOs and civil society organizations work tirelessly to raise awareness, empower women, and advocate for legislative changes.

CASE LAWS RELATED TO DOWRY SYSTEM IN INDIA

The illegal dowry system remains a persistent issue in India, unfortunately claiming lives and causing immense suffering. Several landmark cases have set important precedents in the fight against this harmful practice. Here are some notable examples:

1. ¹⁴State of Rajasthan v. Santosh Kumari & Ors. (2018): This Supreme Court case upheld the conviction of a husband and his family for the dowry death of their wife. The court emphasized the need for strict enforcement of anti-dowry laws and held that harassment for dowry can be inferred from circumstantial evidence.
2. ¹⁵Rajesh v. State of Kerala (2018): The Supreme Court acquitted a husband accused of his wife's death, emphasizing the need for careful evaluation of evidence before concluding dowry death. The court highlighted the importance of distinguishing between genuine suicides and dowry-related deaths.

10 National Crime Records Bureau of India: <https://ncrb.gov.in/>

11 Ministry of Women and Child Development: <https://wcd.nic.in/>

12 Saheli Samiti: <http://www.sakhisahelifoundation.org/>

13 Stree Sangharsh: <https://www.amazon.in/Stree-Sangharsh-Dr-Pawan-Singh/dp/9390708451>

¹⁴ <https://indiankanoon.org/doc/77966/>

¹⁵ <https://indiankanoon.org/doc/35047711/>

3. ¹⁶Rajesh Gulati v. State of Haryana (2022): In this recent case, the Supreme Court granted bail to a husband accused of his wife's dowry death based on the lack of strong evidence and inconsistencies in prosecution witness statements. This case underscores the need for thorough investigation and strong evidence in dowry death cases.
4. ¹⁷Suman Rani v. Satish Kumar (2004): This Delhi High Court case established the concept of "cruelty of the dowry demand" as a ground for divorce under the Hindu Marriage Act. This ruling provided legal recourse to women subjected to mental and emotional abuse due to dowry demands.
5. ¹⁸Seema v. Ashwani Kumar (2006): The Supreme Court in this case ruled that giving or taking even "token dowry" is illegal under the Dowry Prohibition Act. This decision strengthened the act's scope and emphasized its strict implementation.

These are just a few examples, and numerous other cases have contributed to shaping legal understandings of the dowry system. It's important to note that each case is unique and requires careful consideration of the specific facts and evidence.

It's essential to remain vigilant in tackling the dowry system and ensure justice for those affected by this harmful practice. These case laws and resources provide valuable insights into the legal framework and ongoing efforts towards eradicating this social evil.

QUESTIONNAIRE RELATED TO DOWRY SYSTEM

This questionnaire aims to understand people's perceptions and experiences regarding the dowry system.

1. Demographic Information:

- ❖ Age:
- ❖ Gender:
- ❖ Country/Region:
- ❖ Marital Status:

¹⁶ : <http://dainiknation.com/2017/09/court-pronounced-life-imprisonment-rajesh-gulati/>

¹⁷ : <https://indiankanoon.org/doc/1382895/>

¹⁸ : <https://indiankanoon.org/doc/1037437/>

2. Awareness of the Dowry System:

- ❖ Have you heard of the dowry system?
- ❖ If yes, what is your understanding of it?
- ❖ If no, would you like to learn more about it?

3. Personal Experiences with the Dowry System:

- ❖ Have you or anyone you know personally experienced the dowry system, either directly or indirectly?
- ❖ If yes, could you share your experience briefly?

4. Attitudes towards the Dowry System:

- ❖ Do you think the dowry system is acceptable? Why or why not?
- ❖ What are the negative consequences of the dowry system?
- ❖ What are the positive aspects of the dowry system, if any?

5. Factors Perpetuating the Dowry System:

- ❖ What cultural, social, or economic factors do you think contribute to the persistence of the dowry system?
- ❖ How does gender inequality play a role in the dowry system?

6. Eradicating the Dowry System:

- ❖ What do you think are the most effective ways to eradicate the dowry system?
- ❖ What role can individuals, families, communities, and governments play in ending the dowry system?

7. Additional Thoughts or Comments:

- ❖ Please feel free to share any additional thoughts or comments you have about the dowry system.

Thank you for your participation!

1. I went to Dankaur village with this questionnaire. I went to 20 houses and I asked the woman did the face the dowry system in their life? And I was surprised because there was not even a single family who was not the victim of dowry system. One of the women shared me her experience that when the marriage proposal was come to her family she was so happy because her husband was working in a very good company. But they demanded her family for 20 lakhs in cash, one car and all the basic amenities like AC, freeze, coolers, etc. from her father. Her father was a farmer but her father wants his only child, only daughter to be happy in her future life. So he sell or mortgage some properties and then married her with that person. After 2 to 3 months whatever the jewelry was given to her in that marriage and whatever the stridhan which she got from her house was a snatched by their in laws by making excuses like give it to me, I will give it to you back after some days whenever you will need you can come and ask me. And then what happened then after one year sister in law was getting married and every jewelry was given to sister in law marriage and she was left or nothing just for the basic jewelry. After 2 years she was the victim of domestic violence due to the old mentality she was said to be silence, they said that he is your husband he will slap you its right you are not performing your own duty so perform your duty well so that he will not slap you. But after some days when she had a child her in laws change themselves and stop the violence but whatever happened to her life was not right. Her father gave her life earnings and make jewelry and buy comforts for her but she didn't enjoy any of these. So these are the discrimination which I heard there and I was very shocked that what people are in these generation after getting that much education, after working in very good company, they didn't learn anything. They think women as the sand of their shoes. And by performing these activities in their own house, they proved that "No matter how much you teach a donkey, he does not become a human being" and I was very upset about her and the mentality of her in laws. I am not blaming anybody mentality actually Mentality is come from their environment and whatever they had seen in there generation they are passing that thing in next generation. Whatever we learn that is from our past and whatever she had faced she imposed that thing on her daughter in law.

CONCLUSION AND SUGGESTION

Unfortunately, claiming the "vanishing" of the dowry system in India would be overstating the current situation. While significant efforts have been made to combat this harmful practice, it remains a complex and persistent issue. However, declining statistics and increased awareness offer reason for cautious optimism. Here's a nuanced conclusion acknowledging both the ongoing challenges and the positive strides: Government initiatives and civil society efforts through NGOs and community programs are raising awareness about the negative consequences of dowry and promoting gender equality. Programs like Beti Bachao Beti Padhao focus on educating girls and equipping women with skills, making them less reliant on dowry.

Traditional beliefs and expectations surrounding dowry, often intertwined with notions of status and family honour, remain deeply ingrained in some communities. Implementation of existing laws faces challenges, with loopholes and lax enforcement allowing perpetrators to escape accountability. Victims of dowry-related violence may face further harassment and isolation within their communities, discouraging them from seeking help. Eradicating the dowry system requires sustained efforts on multiple fronts. While claiming its complete disappearance in India would be inaccurate, the decreasing numbers and increased awareness offer a glimmer of hope. Continued legal efforts, social awareness campaigns, economic empowerment initiatives, and a shift in traditional mind sets are all crucial for achieving a society where women are valued and respected, free from the burden of harmful practices like dowry. Strengthening legal frameworks, providing resources for awareness campaigns, and empowering NGOs working on the ground are vital.

Remember, the fight against the dowry system is a long and ongoing journey. While challenges remain, the positive trends offer a hopeful path towards a future where women in India are truly free from this harmful and outdated practice. Instead of depicting a vanishing act, consider a symbolic image representing hope and progress in the fight against dowry. This could be a woman breaking free from chains, a group of people holding hands in solidarity, or a young girl studying with a determined expression. Such visuals can inspire continued efforts and optimism for a brighter future. By acknowledging both the progress and the ongoing challenges, we can ensure that the fight against the dowry system remains a priority, paving the way for a more just and equitable society for all. I think we should start from our own house to stop this dowry system in India. A father is giving her

daughter you as a dowry, he is already given a Kanyadan that is a big sacrifice of her life, and he is giving the piece of his heart to you. And what these greedy people do, demand for the Dowry and make that heart into much more pieces. And due to that entire life of the father get end while finishing those debts. So, start asking questions and objecting for what is illegal and wrong. The change will come from you.

