

---

## DOWRY: A CURSE TO SOCIETY

---

Mr. Mayank Upadhyay, Delhi Metropolitan Education (DME), Sector 62, Noida

*“Endow Equality, not Dowry: Let Love Prevail, Not Material Gain”*

### Introduction

Marriage is a holy union between two souls or a man – woman relationship as responsible one to one unit in a society and form a family. Its essential components are sexual intercourse, procreation of children and live together to fulfil their mutual obligations together. It is considered as one of the sixteen Sanskaras in Hindu Religion and thus, it is considered as sacred and eternal union but still in many areas, the institution of Dowry continue for centuries. While society has evolved, the practice of Dowry is still a regressive practice that plagues the society. In this essay, we will understand about the dark side of Dowry, the consequences faced by the woman due to less wealth in form of dowry, small brief about Dowry Prohibition Act 1961 and Section 304B of Indian Penal Code 1860.

### What is Dowry?

In simple terms, Dowry refers to the wealth or property that the bride's family is expected to provide it to groom's family during Marriage. This practice has its historical roots considering it to be offering financial security to newlyweds. However, with changing time, Dowry is also transforming into more cunning and wrong approach.

### Dark side of Dowry

The Practice of Dowry is associated with negative aspects and consequences, especially prevalent in some cultures and societies. Some key points illustrating Dark Side of Dowry are as follows:-

- **Gender Inequality:** Dowry reinforces the existing gender inequality by treating women as commodities to be bought through material possessions. It perpetuates the notion that bride worth is determined by the amount of dowry she brings into marriage, rather than her intrinsic value as human being.

- **Financial Exploitation:** Due to high Dowry demands, bride's family can exploit to the financial exploitation. Families may feel compelled to go into debt or sell assets to meet dowry demands, leading to financial strain and even bankruptcy. This can perpetuate cycles of Poverty, particularly in families with limited financial resources.
- **Violence and Abuse:** Dowry related disputes can escalate into violence and abuse against bride who didn't met dowry expectations or whose family fails to dowry demands. It can lead to mental or physical harassment, cruelty, abetment to suicide, dowry deaths etc.
- **Social Stigma and Discrimination:** Women who are unable to provide Dowry or whose families can't afford dowry demands can face social stigma and discrimination within their communities. They may be viewed as undesirable or unworthy of marriage leading to isolation, ostracism and decreased opportunities for social and personal advancement.
- **Legal & Regulatory Challenges:** Even while many nations have laws that exclude or restrict the practice of dowries, enforcement of these laws can be lax, and cultural norms may still be in place. This makes it difficult to stop abuses linked to dowries and to defend the rights of women and girls.

### Consequence of Dowry faced by Women

The Consequences faced by women on unfulfilment of dowry demands can be severe and may include:

1. **Physical Abuse:** Failure in dowry demands may face physical abuse or violence from their husbands or in – laws. This can range from verbal harassment or severe physical harm, including assault or dowry related murders.
2. **Emotional Trauma:** Constant Harassment, verbal abuse, and threats can lead to anxiety, depression, low self esteem, and other mental health issues.
3. **Family Disputes:** Dowry disputes can stain relationships within the family, leading to conflict and tension between women and her husband, in – laws, and her own family

members that lead to creation of hostile environment and contribute to marital breakdown.

4. **Social Stigma:** Women who are unable to fulfil dowry demands or whose families can't afford dowry may face social stigma and discrimination within their communities. They may be labelled as inadequate or undesirable, and subjected to gossip and judgement from neighbours and acquaintances.
5. **Divorce and Abandonment:** In extreme cases, women who are unable to fulfill dowry demands may face divorce or abandonment by their husbands. It can be cited as grounds for divorce, leaving women vulnerable to social and economic hardship, especially if they have children to support.

### **Dowry Prohibition Act, 1961**

1. **Applicability:** According to Section 1 of the act, Dowry Prohibition Act 1961 is applicable throughout India including Union Territory of Jammu & Kashmir after the Jammu & Kashmir Reorganisation Act 2019.
2. **Meaning of Dowry:** According to Section 2 of Dowry Prohibition Act 1961, "*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 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 mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.*"
3. **Administration:** The act is administered by government and enforced by law enforcement agencies.
4. **Remedies:** The Act provides legal remedies for victims of dowry harassment, including the right to file complaints with the police and seek redress through the courts.
5. **Rights:** The Act recognizes the rights of women to live free from dowry-related harassment and violence, and it imposes penalties on those who violate these rights.

## Section 304B of Indian Penal Code 1860

According to Section 304B of Indian Penal Code 1860, *“Where 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.”*

Explanation – For the purpose of this section, ‘dowry’ shall have the same meaning as in Section 2 of Dowry Prohibition Act 1961 (28 of 1961)

### Penal Provision of Section 304B

Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life.

### Conclusion

Dowry remains a dark stain on the fabric of society, perpetuating gender inequality, financial exploitation, and violence against women. Despite legal measures and social awareness efforts, its insidious grip continues to corrode the foundations of equality and dignity. To truly break free from this curse, concerted action is imperative. Society must collectively reject the notion of dowry, uphold the rights of women, and foster a culture of mutual respect and equality in all aspects of life.

*“Empower, Don’t Endow: Let Love be Priceless”*