

## Need a United -Voice against Dowry

According to Hindu mythology, Ashwamedha Yagya was generally performed by Kings and rich people to earn virtue (punya). As common men can effort to perform yagya, so they earned this virtue (punya) by Kanyadan. It is also said that the virtue of Kanyadan is equivalent to one hundred Ashwamedha Yagya. The King and rich people gave land, kingdoms, and other valuable items in Kanyadan. And it is said that this is how a tradition of offering gifts, jewellery etc began.

Later the different sections of the society adopted this tradition and give these gifts according to their capability. But gradually, this tradition got the name of "Dahej" and has become inevitable part of our tradition.



Now today in India, generally the society perceives that marriage is incomplete without dowry. It is hardly believed that a daughter might live and get settled happily in her new family after marriage without dowry. Therefore, parents like to give adequate dowry during the time of marriage to their daughters. Over a period of time, this custom of Dahej turned out to be one of the most dangerous social evils that given birth to many different crimes such as physical and mental harassment, burnt to death, female feticide etc. In fact, it became an everyday story of our news paper. Traditions are hence woven in to mentality that actually created an artificial

environment where daughter's basic aim of life is to get married and raise children. And it becomes a biggest responsibility of father to arrange Dahej and get her daughter married in right age to well do family.

According to The Dowry Prohibition Act, 1961, prohibits the request, payment or acceptance of dowry, "as consideration for the marriage". Dowry is defined as a gift demanded or given as a precondition for a marriage. According to the Act, the giving or taking or abetting the giving or taking of dowry is a punishable offence. An amendment brought in 1984 to the Dowry Prohibition Act of 1961 made women's subjection to cruelty a cognizable offence. The second amendment brought in 1986 makes the husband or in-laws punishable, if a woman commits suicide within 7 years of her marriage and it has been proved that she has been subjected to cruelty. Also a new criminal offence of 'Dowry Death' has been incorporated in the Indian Penal Code.

As per Hindu law, no portion of the parental property was allowed to be shared by female children hence, as a part of compensation dowry was given when daughter gets married. But the issues that really concerns here is that do the money or valuable securities remains under the hands of daughter as a Stridhan throughout her life? Has she in a position to utilize her Stridhan in her own ways? Over a period of time it gets institutionalized as dowry. The beautiful institution of the union of two souls, the marriage, became a business. The pious thought behind the dowry is forgotten. It is no longer treated as security now as in the



past but as a "free" wealth given to the bridegroom's family for owning a "son". Those girls who can't bring good dowry becomes disqualified to approach for well-to-do husbands no matter how qualified or efficient or caring they are. And gone are those days, when the basic purpose of Kanyadan's was to earn virtue (punya).

Crime against women, 2001 - 2005

Year	Rape	Molestation	Abduction	Trafficking	Dowry Death	Total
India (2001)	16075 (19.9)	34124 (42.3)	14645 (18.1)	8796 (10.9)	6851 (8.5)	80491 (100)
(2002)	16373 (20.9)	33943 (43.3)	14506 (18.5)	6598 (8.4)	6822 (8.7)	78242 (100)
(2003)	15847 (21.4)	32939 (44.6)	13296 (18)	5510 (7.4)	6208 (8.4)	73800 (100)
(2004)	18233 (22.4)	34567 (42.5)	15578 (19.1)	5748 (7.0)	7026 (8.6)	81152 (100)
(2005)	18359 (22.6)	34175 (42.2)	15750 (19.4)	5908 (7.2)	6787 (8.3)	80979 (100)

In many occasion we come across with incidents such as, the daughter in law could not bring or did not meet the demand of dowry, and as a result her in-laws beat her and torturing her both physically and mentally. In many cases, in-laws burn their daughter-in-law as if she is just a piece of agreement that has no more value for them. In fact dowry is the one of the most important reasons for suicides and murders. Kanta Chauhan, the 26 years pregnant lady, in MP killed herself in July 2006. She had been harassed for dowry by her husband, Hemant, and in-laws for the two years. Fortunately, we have the example like Nisha Sharma of Noida, who refused to get married in a greedy family and returned the "Barat" keeping aside all fears of being social boycott.

Another angle to this social evils, where mother of a daughter says, "Well, when we can afford it, we can give as many gifts as we want to, so why not? We do not want our daughter finding difficulties in her newly married life. After all we are giving those things to our loving daughter." Such



statement may have a positive or negative aspects, but the rise of thought where everyone needs their own things like furniture, jewellery, TV, flat, car, etc distinctively make this tradition alive. Isn't it a prominent cause of rise and growth dowry? As such new trend stands like an obstacle in the low-income section of society. Since customs are made by elites and to social compulsion to follow it makes them poorer.

As per the ministry of women and child development government of India, the total number of cases registered under the Dowry Prohibition Act has decreased from 2816 in 2002 to 2684 in 2003(-4.7%) and increased to 3592 in 2004(+33.8%). Cases booked under this Act have been the highest in Bihar in 2004 followed by Orissa and Uttar Pradesh. The conviction rate of this crime was 25 in 2004, which was much lower than the average conviction rate of SLL crimes against women (70.66). And according to UN statistics, a woman is battered somewhere in the country on average once every 15 seconds.

However, it was felt that with changes in society and economic patterns and other equations would change. There emerged a hope that society will get unleash from all social taboos and evils. That's so



because youngsters believe in complete new theory of living life with challenges and in their own ways. The rise of the modern thought-freedom of choice and availability of options brought a change within the attitude of people from being content in life to highly ambitious and to achieve goals.

The ambitions of leading a highly comfortable life kept alive the evil tradition of dowry but in a new and changed way. It became a status symbol. The society started to change, mainly in metro, from traditional compact to openness society that adopted live-in relationships, extra-marital affairs, pre-marital sex, homosexuality etc. Despite of such openness, dowry like old and meaningless custom did not die. No doubt, youngsters believe in freedom, liberty, and individuality, but when it comes to marriage they follow all those family customs instead of abandoned them. Many times we hear stories like breaking up of a relationship, because the family of the boy wants to marry the girl of his parent's choice and status or vice a versa.

Today, girls are earning well, they are educated, career-oriented, ambitious and sitting at high level position and taking important decisions in corporate as well as government offices. In fact, she is the one who bears the dual burden of household responsibility as well work hard to meet out professional deadlines. It is high time, the young generation should raise their voices against dowry. If they do not take any effective step, the situation might go beyond control. They needs to work harder to revolt against this outmoded dowry system. An effective awareness campaign in association with NGOs, voluntary organisations or with government agencies can help to fight against this social evil.

- Parul Gupta

### Contributions from Readers

Dear Readers,

Would you like to report news related women of your locality? Do you want your imagination and creativity to be seen and admired by others? If you have the journalistic instinct or serious bent towards writing creative piece, there is ample scope for you to set free your journalistic attributes or get your creative piece published in our magazine. You can report news-stories or write feature, article or analysis on success story or plight of women, fight against odds or can be anything but all related to women. You can send your contribution by post or email. Women on the Earth solicits original, well-written articles from writers across the country

So do not wait and send your contributions to us since Women On The Earth is committed to provide a democratic platform to readers for their expression. The final decision regarding the selection and publication of the articles shall rest solely with the editorial board of Women On The Earth.

**You can send or email your contribution to the following address.**

WORLD INFORMATION SYNDICATE  
41/48, DSIDC Complex Pocket-II Mayur Vihar-I  
P.O Box No.9108 Opp. Police Station  
Delhi-110091  
Tel: 91-11-65270068  
91-11-48042168  
Fax: 91-11-48042168  
Email : samarpantrust@vsnl.net



## Legislations and Laws for women

The State enacted several women-specific and women-related legislations to protect women against social discrimination, violence and atrocities and also to prevent social evils like child marriages, dowry, rape, practice of Sati etc. The recently notified Prevention of Domestic Violence Act is a landmark law in acting as a deterrent as well as providing legal recourse to the women who are victims of any form of domestic violence.

Apart from these, there are a number of laws which may not be gender specific but still have ramifications on women.

1. Equal Remuneration Act of 1976 provides for equal pay to men and women for equal work.

2. Hindu Marriage Act of 1955 amended in 1976 provides the right for girls to repudiate a child marriage before attaining maturity whether the marriage has been consummated or not.

3. The Marriage (Amendment) Act, 2001 amended the Hindu Marriage Act, Special Marriage Act, Parsi Marriage and Divorce Act, the Code of Criminal Procedure providing for speedy disposal of applications for maintenance; the ceiling limit for claiming maintenance has been deleted and a wide discretion has been given to the Magistrate to award appropriate maintenance.

4 The Immoral Traffic (Prevention) Act of 1956 as amended and renamed in 1986 makes the sexual exploitation of male or female, a cognizable offence. It is being amended to decriminalize the prostitutes and make the laws more stringent against traffickers. An amendment brought in 1984 to the Dowry Prohibition Act of 1961 made women's subjection to cruelty a cognizable

offence. The second amendment brought in 1986 makes the husband or in-laws punishable, if a woman commits suicide within 7 years of her marriage and it has been proved that she has been subjected to cruelty. Also a new criminal offence of 'Dowry Death' has been incorporated in the Indian Penal Code.

5. Child Marriage Restraint Act of 1976 raises the age for marriage of a girl to 18 years from 15 years and that of a boy to 21 years and makes offences under this Act cognizable.

6. Medical Termination Pregnancy Act of 1971 legalises abortion by qualified professional on humanitarian or medical grounds. The maximum punishment may go upto life imprisonment. The Act has further been amended specifying the place and persons authorized to perform abortion and provide for penal actions against the unauthorized persons performing abortions.

7. Indecent Representation of Women (Prohibition) Act of 1986 and the Commission of Sati (Prevention) Act, 1987 have been enacted to protect the dignity of women and prevent violence against them as well as their exploitation.

8. The Protection of Women from Domestic Violence Act, 2005 provides for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family and for matters connected therewith or incidental thereto. It provides for immediate and emergent relief to women in situations of violence of any kind in the home.

Compiled by WOTE team

