Challenges in Reducing Dowry Deaths

***Mains**: GS1 - Salient features of Indian Society*

Why in the news?

A series of dowry-related deaths in the recent times has put the spotlight back on the illegal practice of dowry.

What is dowry death?

- **Dowry** – *Dowry Prohibition Act of 1961* defines it as 'any kind of property or valuable security directly or indirectly agreed to be given by one party to another party to the marriage'.
- In simple terms, it refers to any kind of gift in the form of cash or goods including ornaments, which is given by the bride's family to the bridegroom's family.
- **Dowry death** – Section 80 of Bharatiya Nyaya Sanhita (BNS) defines dowry death as
  - Death of a woman, caused by burns, bodily injury, or unnatural circumstances, ***within 7 years of her marriage*** and
  - Where it is proven she was subjected to cruelty or harassment by her husband or his relatives in connection with dowry demands.
- **Causes** - When the groom or his relatives *disagree with the dowry or seeking additional demands* after marriage, the bride may face harassment, cruelty, or even violence.
- This abuse can escalate to the point where the woman either dies by suicide—commonly by hanging, poisoning, or burning—or is killed, most notoriously through "bride burning".
- Majority of the deaths occur within 7 years after the marriage.
- **Societal impact –** It constitute a grave violation of human rights, stripping women of dignity, security, and life.
  - **Gender discrimination** – It makes women vulnerable to abuse, exploitation, and even fatal violence.
  - **Patriarchal supremacy** – It reflects deeply entrenched patriarchal practices, reinforcing control over women within families and society.

Regional Distribution of Dowry Deaths in India

• Dowry was the main motive behind over 6,100 murders across India in the 2017-2022 period.
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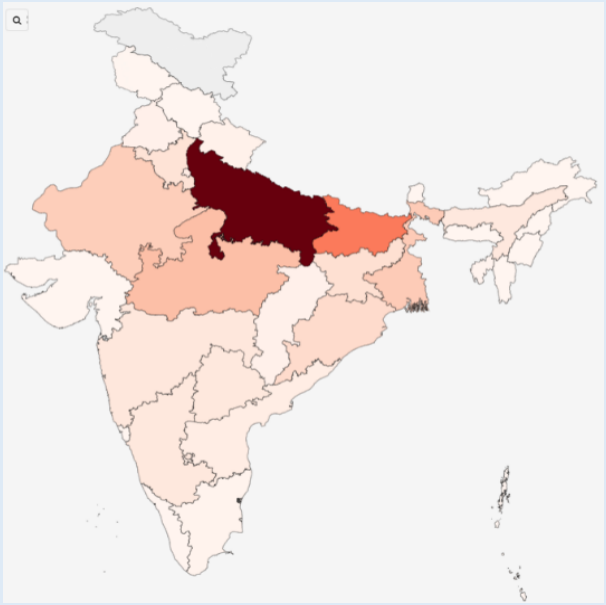
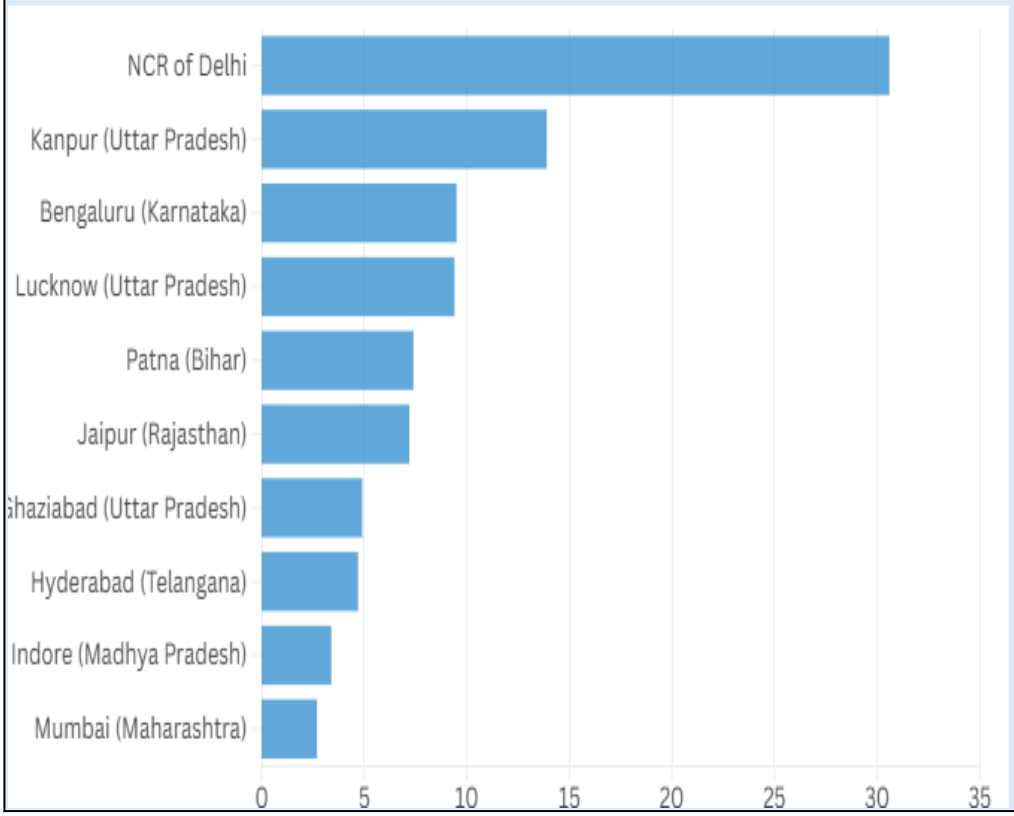
Vulnerable districts – Over 60% of these murders were recorded in West Bengal, Odisha, and Bihar.
• Cases from these three States along with Jharkhand, and those in Uttar Pradesh, Madhya Pradesh, Rajasthan, Haryana and Rajasthan constituted 80% of all the dowry death cases filed in the 2017-2022 period.



• **Vulnerable cities** - Among the 19 cities in India for which data was available, *30% of all the dowry deaths cases were filed in Delhi i*n that period, the highest in India.
• Delhi was followed by Kanpur, Bengaluru, Lucknow, and Patna.



How it is regulated in India?

- **Dowry Prohibition Act of 1961 –** Section 3 of the Act penalizes both the giving and taking of dowry.
- If dowry has been exchanged at a wedding anyway, it imposes a duty on the person who is given dowry to give it to the bride.
- **Bharatiya Nyaya Sanhita (BNS) -** Sections 85 and 86 *criminalize such acts by the husband or his relatives* that drives a woman to suicide or causes grave injury, including harassment related to dowry demands.
- The prescribed punishment under BNS remains a *minimum of 7 years' imprisonment*, extendable to *life imprisonment*.
- **Bharatiya Nagarik Suraksha Adhiniyam –** It will govern the *procedural aspects of investigating and prosecuting offenses* under the Dowry Prohibition Act and the related provisions in the BNS.
- It will dictate the processes for registration of cases, investigation, arrest, bail, and trial related to these crimes.

> *Bharatiya Nyaya Sanhita replaced Indian Penal Code while Bharatiya Nagarik Suraksha Adhiniyam replaced the Code of Criminal Procedure.*

What are the challenges in reducing dowry deaths?

- **Unreported cases** – According to the National Crime Records Bureau, an *average of only 7000 case*s of dowry deaths was reported every year in the period of 2017-2022 while many were unreported.
- **Lesser chargesheets** – Of the 7000 reported dowry deaths reported, only around 4,500 were charge-sheeted by the police.
- The rest were either stuck at various stages of investigation or disposed off for various reasons.
    - **For instances**, 'case true but insufficient evidence', 'false case', and 'complaint was based on a misunderstanding or incorrect information.
- **Delayed investigations** – Some cases were stuck in the investigation stage for *more than 6 months*.
    - Of the nearly 3,000 dowry death cases pending investigation at the end of 2022, 67% were stuck in that stage for over 6 months.
- **Delays in filing charge sheets** – Many chargesheets were filed following investigations that lasted for over two months.
- **Judicial pendency and lesser conviction rate –** Only few cases reach the court and results in convictions while other cases got stuck in court procedures or were disposed off by the courts.
    - **For instance**, the case may be withdrawn, or compromised, or ended in a plea bargain.
- In some cases, the accused were *acquitted due to lack of evidence*.
    - Of the average of 6,500 cases sent for trial every year, only around 100 resulted in convictions.
    - Over 90% of the rest remained pending in court at various stages.

What are the measures can be taken?

- Gender-sensitization can be encouraged to promote dowry-free marriages and community vigilance.
- Awareness campaign can be conducted to encourage victims to report any case of dowry harassments and dowry related deaths.
- Fast track courts can be set-up to ensure stricter enforcement of anti-dowry laws.
- Investigations can be expedited to ensure timely and accurate prosecution.

Quick Facts

National Crime Records Bureau (NCRB)
• **Establishment** - Formed *in 1986 under the Ministry of Home Affairs,* headquartered in New Delhi. • **Role** - Act as a central agency for crime data collection, analysis, and dissemination to aid policy and investigation. • **Publications** - Publishes the annual "*Crime in India" report* and other specialized crime reports. • **Key functions** - Maintains criminal databases like - Crime and Criminal Tracking Network and Systems (CCTNS) - National Automated Fingerprint Identification System (NAFIS)

Reference

The Hindu| Dowry Deaths in India

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