

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?

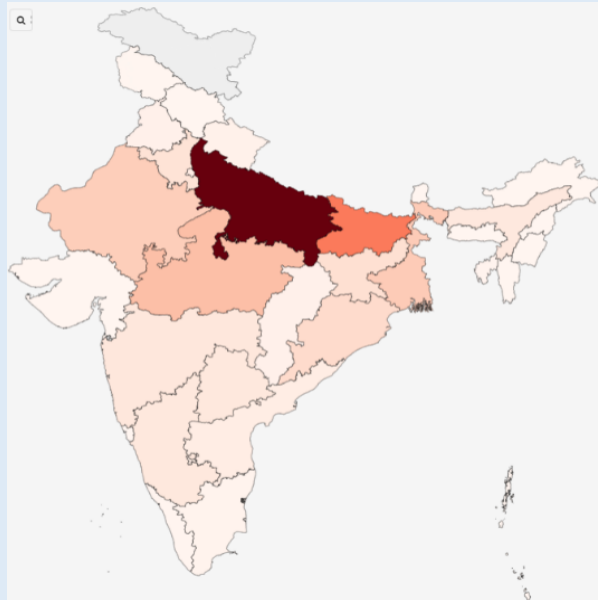
- **Dowry** - *Dowry Prohibition Act of 1961* defines it as 'any kind of property or valuable security directly or indirectly agreed to be given by one party to another party to the marriage'.
- In simple terms, it refers to any kind of gift in the form of cash or goods including ornaments, which is 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.

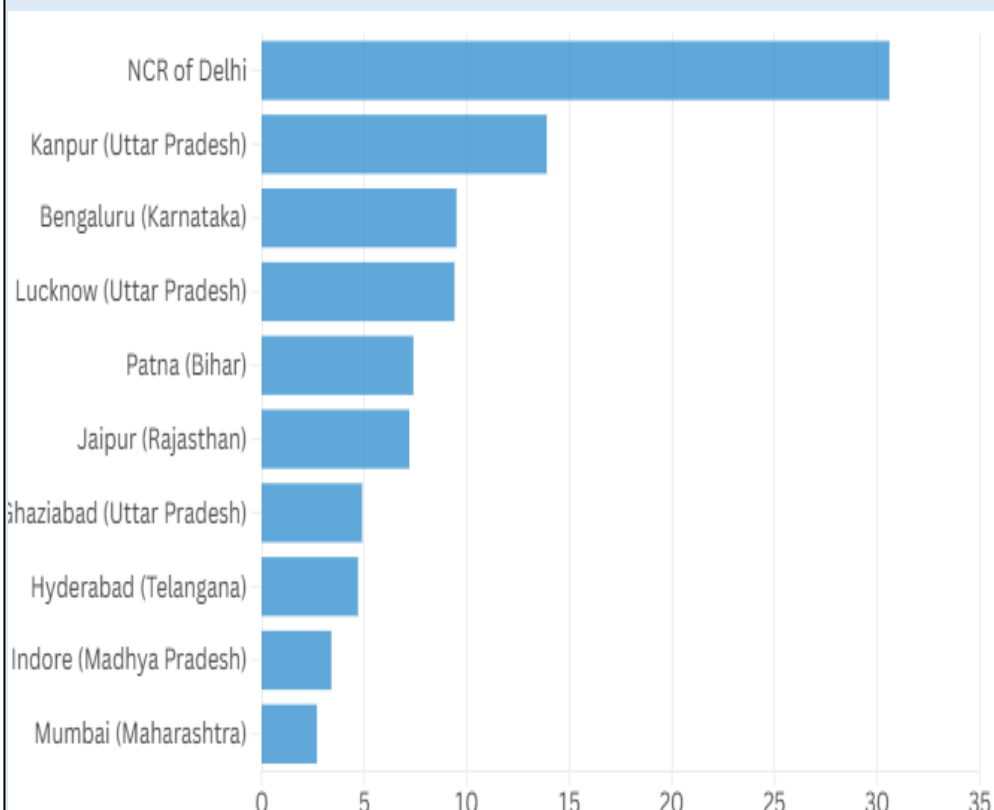
- **Vulnerable districts** - Over 60% of these murders were recorded in West Bengal, Odisha, and Bihar.

- 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 in 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 cases 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](#)