

## LEGISLATION COMMENTARY ON THE DOWRY PROHIBITION ACT, 1961 (ACT No. 28 OF 1961)

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### ABSTRACT

*This research paper critically analyzes the Dowry Prohibition Act, 1961, which was enacted in India to prohibit the giving and taking of dowry. The paper examines the effectiveness of the Act in addressing the issue of dowry-related violence and exploitation of women in India. The paper analyzes the various provisions of the Act, including Section 3, Section 4, Section 6, Section 8, and Section 8B, and evaluates their strengths and weaknesses. The research also examines the social, cultural, and economic factors that contribute to the persistence of the practice of dowry in India. Through this analysis, the paper aims to provide insights into the effectiveness of the Dowry Prohibition Act, identify gaps in the Act, and suggest measures to strengthen the Act's implementation to address the issue of dowry-related violence and exploitation of women in India.*

**Keywords**- Dowry, Prohibition, Legislation, Marriage, Punishment, Exploitation.

### I. INTRODUCTION

India is a large country in terms of population, but it is also unique in that each city or state has its own culture or traditions that date back to their ancestors and are still practiced today. However, one thing that can be seen as being common to many of these various cultures is the injustice done to women, such as female foeticide, sati, child marriage, and dowry, among other things. In India, marriage is the sacred union of two individuals, and it involves not only a union of the spouses but also of their families. Several ceremonies are included

depending on the couple's religious beliefs, but one prevalent custom is the payment of dowry.

Dowry has historical roots that date back thousands of years. It was originally intended as bride wealth, also known as the bride-price, to compensate for the daughter who would otherwise not be entitled to inherit her parents' property. The issue of dowry is now regarded as a serious one. Nowadays, dowry serves as both a marriage gift and a bride's wealth. As part of a marriage contract, it includes cash, gold, real estate, both movable and immovable, as well as practical items and intangible assets. Also, even after the marriage, the bride's in-laws continue to receive payments in many ways. The cost of the dowry and other wedding-related expenses is typically challenging for parents who are not well-off or who do not fall into the societal category of moderately wealthy. Parents from this category are only left with the choice of selling their agricultural land, their assets, taking on debt, etc. to pay for their daughter's dowry.<sup>46</sup> Despite some genuine efforts to end this pervasive social evil. Since 1961, The States and Central Government of India have passed numerous dowry-prohibiting laws to put a stop to this problem. The Indian government has taken numerous measures to stop the growing rate of dowry deaths using a variety of statutes that both stop them from happening in the first place and severely punish those who are responsible. The government's efforts led to the passage of the Dowry Prohibition Act of 1961. The act underwent two amendments with greater effectiveness in 1984

<sup>46</sup> Vanshika Shukla, AN ANALYSIS OF THE 'DOWRY PROHIBITION ACT 1961' CONCEPT & EVOLUTION, 7 EPRA International Journal of Multidisciplinary Research (IJMR) 10, XXXX (2021).

and 1986. The Indian parliament made dowry illegal and dowry-related violence against women illegal at the same time. To protect the rights of female victims of dowry-related violence, additional amendments to the Indian Penal Code and the Dowry Prohibition Act<sup>47</sup> have been made repeatedly. The domestic violence act of 2005 was amended to give the girls additional criminal protection. In addition, specific crimes like dowry-related cruelty, dowry murder, and aiding suicide were covered by The Indian Penal Code of 1860.

## **II. HISTORICAL PERSPECTIVE**

Over the years, there have been several discussions about the history and significance of dowry from an Indian perspective. One of these is whether the bride and groom exchanging dowries are referenced in early Vedic religious works, such as (640–642) in Nangia 1997. It is commonly known that in the past, families would exchange gifts to symbolize their love for one another before a wedding. Given that custom maintained a patrilineal system of inheritance, presents were typically given to safeguard the bride from losing her inheritance or to ensure the couple's future. In religious writings, these presents are usually referred to as "stridhan,"<sup>48</sup> which means "gifts to the bride," even though they were merely customary and not obligatory. The voluntary component of dowry has gradually been replaced by a coercive component throughout time. What was originally meant to be a small Dakshina for the groom has since grown out of proportion and have become a social evil in our society which also impacts the post marital relationship of families.

According to historical accounts, the dowry exchange system began as an attempt to distinguish socioeconomic standing from other members of society. Despite its prevalence among the upper classes from the eleventh to

fourteenth centuries, the dowry exchange system did not reach the middle and lower classes until the mid-eighteenth to mid-nineteenth centuries.<sup>49</sup> During this period, the repercussions of colonialism profoundly impacted the marital systems of the middle and lower caste cultures. The British Empire emphasized equality for all individuals, regardless of caste. As a result, to challenge caste stratification, the poor began adopting their social standards to those of the upper castes. As the caste system's rejection and dissolution spread throughout the twentieth century, the option of upward societal acceptance became more accessible, allowing the disadvantaged to engage in widespread dowry exchange.

### **A. NEED FOR ABOLISHING DOWRY**

Women pay a high price for their maturity from conception to tomb. Women from various societies have always been subject to discrimination from the moment of birth. As a result of patriarchy, women are regarded as a liability to the family, whilst the groom is elevated to a position of reverence. In the past, parents frequently practiced female foeticide because they lacked the funds to pay for their daughters' dowries in the future. Ironically, the purpose of dowry was originally to protect the financial security of a bride-to-be. But, due to materialism of people dowry became a greedy evil where after the wedding, these same daughters would face cruelty or dowry deaths because their in-laws were not satisfied by the dowries already paid. Due to dowry, young girls were killed before they could even cry their first tears or after having their hands painted yellow.

## **III. THE DOWRY PROHIBITION ACT, 1961**

The "Sind Deti Leti Act, 1939" was passed by the government of Sind long before India attained independence to fully eliminate the dowry system, but it was unsuccessful in doing so, and the practice continued. After that, the state governments of Andhra Pradesh and Bihar

<sup>47</sup> The Dowry Prohibition Act, No. 28, May 20, 1961, XXXX (India).

<sup>48</sup> Tara S. Kaushik, *The Essential Nexus Between Transformative Laws and Culture: The Ineffectiveness of Dowry Prohibition Laws of India*, 1 Santa Clara J. Int'l L. 74 (2003). Available at: <http://digitalcommons.law.scu.edu/scujil/vol1/iss1/2>

<sup>49</sup> Dowry: its meaning, historical background, and ill effects (<https://thefactfactor.com/>)

respectively passed the "Andhra Pradesh Dowry Prohibition Act, 1958"<sup>50</sup> and "The Bihar Dowry Restraint Act, 1950" to create the appropriate laws for their respective States. However, these acts, like the previous Act imposed by the Sind government, failed to have the expected effect because the dowry system was well established in society and was being mindlessly upheld.

Even though the above enactments were considered as a failed attempt at abolishing dowry, but they fulfilled a different purpose which was that it empowered people to raise their voices against this social evil.<sup>51</sup> This issue was brought up in the Lok Sabha's very first session of Parliament. Many Private Members Bills that sought to restrict dowry were introduced in the Parliament, which further was submitted to the cabinet for review. The Cabinet then determined that the proposal could be put on hiatus until the Hindu Succession Act was passed. After the Hindu Succession Act was passed in 1956, the government deemed it was not urgent to pass separate dowry-prohibition legislation, which proved to be a mistake as the problem persisted and grew to be a major point of contention in the parliament and state assembly.

The Dowry Prohibition Bill, 1959 was introduced in the Lok Sabha on April 24, 1959. The Bill was referred to a Joint Committee of both Houses of Parliament following some discussion. The Joint Committee's recommended revisions were rejected by both Houses of Parliament, which led to the Bill being discussed at joint sessions of both Houses of Parliament.<sup>52</sup>

Finally, after discussion by both houses of parliament at the joint session, *the dowry prohibition act 1961*<sup>53</sup> was enacted to explicitly

prohibit the practice of dowry which applies to persons of all religions in India.

### A. THE OBJECTIVES OF THE ACT

*Any young man, who makes dowry a condition to marriage, discredits his education and his country and dishonors womanhood-Mahatma Gandhi.* This law was passed solely to promote the establishment of dowry-free societies and to safeguard the sanctity of marriage and families. Since dowry system have ended many marriages and have played a significant role in acts of violence against women so, this law also aims to raise knowledge of the current laws against cruelty, dowries, and harassment and their negative consequences on families and to offer psychological, judicial, and social help to the innocent people impacted by the vengeful implications of dowry laws etc.

### B. CRITICAL ANALYSIS OF SECTION 2

Section 2 of the dowry prohibition act defines the term dowry, but this section has been greatly criticized on some of the following points-

1. Ambiguity in the definition: -The term of dowry is excessively wide and imprecise, as defined by Section 2 of the Dowry Prohibition Act of 1961.<sup>54</sup> The clause does not define 'property' or 'valuable security' precisely and allows a lot of area for interpretation. This ambiguity has resulted in confusion in the courts and made prosecuting perpetrators difficult.
2. Gendered neutrality: - Section 2 of the Dowry Prohibition Act of 1961 is gender-neutral and applies equally to men and women. While this may appear to be fair on the surface, women are disproportionately harmed by dowry-related violence and harassment.<sup>55</sup> As a result, some opponents say that the provision should be altered to better reflect the problem's gendered character.

<sup>50</sup> Lodhia, Sharmila. "Dowry Prohibition Act". Encyclopedia Britannica, 24 Apr. 2023, <https://www.britannica.com/event/Dowry-Prohibition-Act>. Accessed 29 April 2023.

<sup>51</sup> Sajid, N. (2016) "Dowry prohibition act," *The Wiley Blackwell Encyclopedia of Gender and Sexuality Studies*, pp. 1-2. Available at: <https://onlinelibrary.wiley.co>

<sup>52</sup> Vanshika Shukla, AN ANALYSIS OF THE 'DOWRY PROHIBITION ACT 1961' CONCEPT & EVOLUTION, 7 EPRA International Journal of Multidisciplinary Research (IJMR) 10, XXXX (2021).

<sup>53</sup> The Dowry Prohibition Act, No. 28, May 20, 1961, XXXX (India).

<sup>54</sup> The Dowry Prohibition Act, No. 28, May 20, 1961, XXXX (India).

<sup>55</sup> Arya-Bhattacharya, A. (2023) "Anti-dowry law," *Dowry and Daughters*, pp. 183-199. Available at: <https://www.buchhaus.ch/>

3. Lack of Enforcement: – Despite the presence of Section 2 of the Dowry Prohibition Act, 1961, dowry remains prevalent in many regions of India. The provision's lack of enforcement is a grave concern, as offenders are seldom punished and the penalties for the offence are comparatively small.
4. Limited in scope: – Section 2 of the Dowry Prohibition Act of 1961 only applies to dowry provided in conjunction with marriage. Due to the statute's restricted reach, new types of dowries have emerged, such as 'pre-wedding presents' or 'post-wedding demands,' which are not covered by the act. This constraint has made it impossible to effectively control the practice of dowry.

#### *Appa Saheb and Anr vs State of Maharashtra*

The evidence presented by the prosecution does not, therefore, indicate that the appellants made any demand for "dowry" as defined in Section 2 of the Dowry Prohibition Act, as what was purportedly requested was money for meeting domestic expenses and purchasing manure.<sup>56</sup> The conviction of the appellants cannot be upheld since an essential component of Section 304-B IPC, dowry demand, was not demonstrated.

### C. CRITICAL ANALYSIS OF SECTION 3

Section 3 is the most essential provision of the legislation since it details the penalties for receiving or providing dowry; yet this provision has inadequacies that have resulted in the act not being successfully implemented, which means the dowry system still exists in many parts of the country.<sup>57</sup> The first drawback is that compared to the gravity of the offence, the penalties in Section 3 of the Dowry Prohibition Act of 1961<sup>58</sup> are comparatively low. The maximum penalty for giving or receiving dowry is five years in prison or a fine of fifteen

thousand rupees, which many reckon insufficient. Similarly, the highest punishment for seeking dowry is six months in prison or a fine of five thousand rupees, both of which are deemed insufficient.

The second drawback is a lack of general awareness of the law and its contents. Many individuals, particularly in rural regions, are unaware of the penalty for the offence and, as a result, continue to pay or accept dowry.

#### *Dev Chandra Jha vs The State of Jharkhand*

The court held that payment of Rs. 4,60,000/- by cheque on request was dowry within the meaning of the Dowry Prohibition Act and liable under Section 3 of the Dowry Prohibition Act simply because the witnesses stated that there was a transaction of money in the nature of gift that would not alter the fundamental character as it was offered in connection with wedding on an affirmative request of the father of the bridegroom.<sup>59</sup>

### D. CRITICAL ANALYSIS OF SECTION 4

Section 4 of the Dowry Prohibition Act of 1961<sup>60</sup> outlines the penalty for requesting dowry through an agreement. The law specifies that anybody who demands dowry through an agreement faces imprisonment for up to six months or a fine of up to ten thousand rupees, or both but there are some criticisms and challenges associated with the provision such as Section 4 of the legislation, like Section 3, is difficult to enforce. The offence of dowry demand by agreement is frequently done in private, making it difficult to establish the offence in court. Furthermore, the sanctions imposed by the statute are insufficient to serve as a deterrence and along with this Many individuals are unaware that requesting dowry through an agreement is illegal, therefore they continue to engage in the practice.<sup>61</sup>

<sup>56</sup> Appasaheb And Anr vs State Of Maharashtra, Supreme Court, Jan. 5, 2023, Appeal (crl.) 1613 of 2005, at XXXX (India), at <https://indiankanoon.org/d>

<sup>57</sup> Mondal, D. (2020) Critical analysis of the Dowry Prohibition Act, 1961, LawLex.Org. Available at: <https://lawlex.org/lex-pedia/critical-analysis-of-the-dowry-prohibition-act-1961/23162> (Accessed: April 20, 2023).

<sup>58</sup> the dowry prohibition act, No. 28, May 20, 1961, XXXX (india).

<sup>59</sup> Dev Chandra Jha Son of Late Sukhdev ... vs The State Of Jharkhand (2022).

<sup>60</sup> The Dowry Prohibition Act, No. 28, May 20, 1961, XXXX (India).

<sup>61</sup> Mondal, D. (2020) Critical analysis of the Dowry Prohibition Act, 1961, LawLex.Org. Available at: <https://lawlex.org/lex-pedia/critical-analysis-of-the-dowry-prohibition-act-1961/23162> (Accessed: April 20, 2023).

### 1) Difference between section 3 and section 4

Section 3 and Section 4 of the Dowry Prohibition Act, 1961, both deal with distinct aspects of the offence of dowry. Section 3 of the statute addresses the offence of giving or receiving dowry. It forbids the offering or receiving of dowry before or after marriage. The law makes it a serious offence to give or accept dowry, either directly or indirectly, and imposes imprisonment for up to 5 years and a fine of up to Rs. 15,000 or the amount of dowry, whichever is greater. Section 4 of the statute, on the other hand, deals with the offence of requesting dowry through an agreement. It forbids the demand for dowry by an agreement made before or after the marriage. The legislation makes it a criminal offence for anybody who agrees to demand dowry and prescribes imprisonment for up to 6 months or a fine of up to Rs. 10,000, or both.

Section 3 deals with the act of giving or receiving dowry, and Section 4 deals with the act of requesting dowry through an agreement. Both sections strive to reduce the practice of dowry, which is a societal evil that exists in many regions of the world.

#### *In L.V. Jadhav's case (supra)*

The Bench noted that any "demand of dowry" made before, during, or after the marriage, where such demand is made as a consideration for marriage, would attract the provisions of Section 4<sup>62</sup> of the Act while interpreting the meaning of "dowry" under Section 2 of the Act and correlating it to the requirements of Section 4 of the Act.

### E. CRITICAL ANALYSIS OF SECTION 4A

Section 4A is a vital addition to the Dowry Prohibition Act, according to a critical examination since it addresses the socioeconomic and cultural elements that support the practice of dowry. The clause prohibits the marketing of dowry to combat the

commercialization of women and the idea of marriage as a transactional relationship.

The advertising of dowry in any form is prohibited under Section 4A of the Dowry Prohibition Act of 1961.<sup>63</sup> This clause was adopted in 1986 as part of an amendment to combat dowry by forbidding the public exhibition or marketing of dowry-related information, such as the amount of payment asked or received.<sup>64</sup> However, there are significant obstacles to successfully adopting and enforcing this clause. One of the most significant difficulties is a lack of clarity in the definition of what constitutes dowry-related material. It is unclear whether this includes indirect allusions or innuendos implying dowry exchange.

Another difficulty is enforcing this clause, particularly when the advertising is published in print or online media. It might be difficult to track down the source of an advertisement or hold the marketer responsible for their conduct.

### F. CRITICAL ANALYSIS OF SECTION 6

Section 6 of the Dowry Prohibition Act, 1961, is a critical provision that intends to safeguard women's rights and interests in marriage but the flaw with this section is that it does not indicate who is accountable for ensuring that the dowry goes to the woman or her heirs. In many circumstances, the dowry is received by the husband and his family members, who may or may not ensure that it benefits the woman or her heirs. The provision's lack of clarity makes it difficult to implement and allows for abuse.

Furthermore, this rule exclusively covers the subject of dowry provided to the groom's family by the bride's family. It makes no mention of dowry paid by the groom's family to the bride's family or other types of financial exploitation at weddings.

#### *Gursharan Singh vs Smt. Gursharan Kaur*

<sup>63</sup> The Dowry Prohibition Act, No. 28, May 20, 1961, XXXX (India).

<sup>64</sup> Mondal, D. (2020) Critical analysis of the Dowry Prohibition Act, 1961, LawLex.Org. Available at: <https://lawlex.org/lex-pedia/critical-analysis-of-the-dowry-prohibition-act-1961/23162> (Accessed: April 20, 2023).

The court determined that an offence under Section 6 of the Act is not a continuing offence, and thus the complaint in which the charges were made for summoning the accused to face the trial for an offence under Section 6 was barred by limitation<sup>65</sup> because the wedding occurred on July 12, 1981, and the complaint was filed on July 12, 1984.

***Bobbili Ramakrishna Raju Yadav & Ors vs State Of A P Rep. By Its*** Public Giving dowry and customary presents at or near the time of a wedding creates no presumption that a property was thus handed to or placed under the control of the bride's in-laws or other close relatives in order to meet the criteria of Section 6 of the Dowry Prohibition Act.

#### G. CRITICAL ANALYSIS OF SECTION 7

Section 7 deals with the 4 categories of the persons having a locus standi for moving to the court to take cognizance of the offence under this act:

1. The competent court itself
2. Police officers
3. A complaint by an individual who has been offended or by a parent or other relative of that person.
4. Alternatively, by any Recognized Welfare Institution or Organization<sup>66</sup>

The Act's provisions have created certain practical difficulties in the Act's implementation. For example, if the injured person's parents have given dowry from the start, they will be unwilling to report the incident to the authorities later. Because they provided the dowry, they are also liable for the penalties imposed by this Act.

The Court stated in the case of ***Peyare mahto v. State of Bihar 1979*** that being charged with an offence is the first step towards trial. And cognizance refers to knowing or being aware of an offence. And, before beginning the trial, the judicial officer must take cognizance. Cognizance of offence is not taken until the investigation report is submitted, which occurs

when the magistrate has doubts regarding the complaint that has been lodged.<sup>67</sup>

The Court held in ***A.S. Sanyal v. Khen Chand 1983*** That Section 2 (d) of CrPC defines complaint as any allegation made orally or in writing to a magistrate, with a view to his taking action under this code, that some person, whether known or unknown, has committed an offence, but does not include a police report. If there is insufficient evidence, the complaint may be dropped.<sup>68</sup>

#### H. CRITICAL ANALYSIS OF SECTION 8A

Section 8A of the Dowry Prohibition Act of 1961<sup>69</sup> addresses the burden of proof in dowry-related prosecutions. The clause states that if a person is accused of accepting or consenting to receive dowry, it is their burden to prove that they did not conduct such an act. One of this provision's primary merits is that it assists in shifting the burden of proof from the prosecution to the accused. In dowry trials, the prosecution may struggle to present specific evidence of the offence, while the accused may deny any culpability. Section 8 ensures that the accused bears the burden of establishing their innocence, making it simpler to prosecute and punish individuals who commit dowry-related offences.

However, there are several flaws in this clause. To begin with, proving that an accused individual got or consented to accept dowry can be difficult, especially when the transactions are not recorded. Even if the accused did not commit the crime, this might make proving their innocence difficult.

Second, certain parties may abuse the provision to level false charges against the accused. In such circumstances, even if the accused has not committed any crime, they may have to shoulder the responsibility of demonstrating their innocence. This can result in the accused

<sup>65</sup> Gursharan Singh vs Smt. Gursharan Kaur (1989).

<sup>66</sup> The Dowry Prohibition Act, No. 28, May 20, 1961, XXXX (India).

<sup>67</sup> Peyare mahto v. State of Bihar, High Court of Patna, July 28, 2015, P.S. Case No.126 of 2014, at XXXX (India).

<sup>68</sup> A.S. Sanyal v. Khen Chand, Sept. 14, 1967, Civil Appeal No. 853 of 1966, at XXXX (India).

<sup>69</sup> The Dowry Prohibition Act, No. 28, May 20, 1961, XXXX (India).

being treated unfairly and harassed, especially if the accuser is motivated by other causes such as personal vendettas or property conflicts.

Finally, the rule fails to define the degree of proof the accused must present to prove their innocence. In circumstances where the accused is asked to establish their innocence, this can create uncertainty and confusion, making it difficult to evaluate whether the accused has fulfilled the necessary burden of proof.

***Mr. Sanjay Dalmia vs Stare rep. by Deputy Superintendent of Police*** According to the court's ruling, the onus is on the accused to prove his innocence in order to fight the prosecution under Section 4 of the Dowry Prohibition Act under Section 8-A of that law.<sup>70</sup>

#### I. CRITICAL ANALYSIS OF SECTION 8B

Section 8B authorizes the state government to appoint Dowry Prohibition Officers to monitor compliance with the Act's requirements.<sup>71</sup> These officials are in charge of executing the Act's requirements and investigating dowry-related offences. One of this provision's primary features is that it allows specialized officials who are trained to handle dowry-related matters. This can lead to more effective enforcement of the Act's requirements and dissuade potential violators. The provision also calls for the formation of Dowry Prohibition Cells to coordinate the actions of Dowry Prohibition Officers and guarantee that the Act's requirements are accurately executed.

This provision, however, has certain flaws. For starters, the efficacy of the Dowry Prohibition Officers may be restricted by a lack of government resources and support. Without proper resources, such as cash and people, these officers may struggle to successfully execute the Act's requirements.

Second, there may be concerns about the impartiality and integrity of the Dowry Prohibition Officers. These policemen have been accused of abusing their authority and taking payments to disregard dowry-related crimes in the past. This can lead to a loss of public trust and confidence in the Act's efficacy.

Finally, the legislation makes no provisions for the accountability of Dowry Prohibition Officers. This can lead to incidents of power abuse, with victims having little redress.

#### ***Ashok Kumar Shukla vs State of U.P. And Ors.***

Section 8B (4) of the Act authorizes the State Government to constitute an advisory board to advise and assist Dowry Prohibition Officers in carrying out their duties effectively. Neither the Act nor the Rules enacted thereunder authorize the Chief Dowry Prohibition Officer to form such a committee to investigate a complaint filed by a person who has been wronged. On this point, the Chief Dowry Prohibition Officer's order cannot be deemed to follow the Act and the Rules.<sup>72</sup>

#### IV. CONCLUSION

Finally, the Dowry Prohibition Act of 1961<sup>73</sup> was enacted in India to address the issue of dowry-related violence and exploitation of women. However, a close examination of the Act's numerous sections reveals significant inadequacies, and its execution has been mostly inefficient in eliminating the practice of dowry. Sections 2, 3, 4, 6, 7, 8, and 8B are examined in detail to determine their benefits and drawbacks.<sup>74</sup> While these provisions provide a legal framework to deter and punish offenders, their implementation has been hampered by a lack of adequate resources and accountability mechanisms, the prevalence of social and cultural practices that perpetuate

<sup>70</sup> Mr. Sanjay Dalmia vs Stare rep. by Deputy Superintendent of Police, Delhi High Court, Aug. 10, 2006, S.C. No.377 of 2001, at XXXX (India).

<sup>71</sup> The Dowry Prohibition Act, No. 28, May 20, 1961, XXXX (India).

<sup>72</sup> Ashok Kumar Shukla vs State of U.P. And Ors., High Court of Allahabad, Feb. 25, 2020, APPLICATION U/S 482 No. - 7916 of 2020, at XXXX (India).

<sup>73</sup> The Dowry Prohibition Act, No. 28, May 20, 1961, XXXX (India).

<sup>74</sup> B. P. Beri and Gooroodass Banerjee (1988). *Commentaries on the Dowry Prohibition Act, 1961*. Lucknow: Eastern Book Co at <https://lawcat.berkeley.edu/>

dowry, and a lack of public awareness and support for the Act.<sup>75</sup>

It is critical that the government take concrete steps to strengthen the Dowry Prohibition Act's implementation, such as raising public awareness of the Act's provisions and penalties, providing adequate resources to the authorities in charge of enforcing the Act, and addressing the socio-cultural practices that perpetuate dowry.

Furthermore, the Act should be revised to include measures for women who have been victims of dowry-related violence and exploitation. This can involve the construction of dowry-related violence shelters, counselling services, and legal help.

Overall, the critical examination of the Dowry Prohibition Act, 1961 emphasizes the importance of a holistic strategy to addressing the issue of dowry-related violence and exploitation of women in India.<sup>76</sup> The efficient execution of the Act, as well as addressing the social and cultural practices that perpetuate dowry, can help to create a more secure and equal society for all.

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<sup>75</sup> Lucy Carroll (1991), Daughter's Right of Inheritance in India: A Perspective on the Problem of Dowry, *Modern Asian Studies*, Vol. 25, No. 4, pages 684-732 at <https://www.cambridge.org/>

<sup>76</sup> Ghosh, Biswajit. (2013). How Does the Legal Framework Protect Victims of Dowry and Domestic Violence in India? A Critical Review.' *Aggression and Violent Behavior*. 18. 409-416. 10.1016/j.avb.2013.04.002.