

THE DOWRY PROHIBITION (KERALA AMENDMENT) BILL

A bill to amend the Dowry Prohibition Act, 1961, in its application to the State of Kerala.

Preamble.—Whereas it is expedient to amend the Dowry Prohibition Act, 1961, in its application to the State of Kerala for the purposes hereinafter appearing;

BE it enacted in the Fifty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Dowry Prohibition (Kerala Amendment) Act,—

(2) It shall come into force on such date as the Government may notify in the Gazette.

2. *Insertion of Section 2A.*—After Section 2 of the Dowry Prohibition Act, 1961 (Central Act 28 of 1961) (hereinafter referred to as the Principal Act) the following section shall be inserted namely:—

“2A. *The parents of bride and bride groom to file affidavits before the Marriage Registrar.*—The parents of bride and bride groom shall swear an affidavit to the effect that directly or indirectly overtly or covertly no dowry in cash or kind or other material consideration has been given for or in connection with the marriage between the bride and bride groom. Such affidavit separately sworn by the parents above said shall be exchanged between them and the originals thereof shall be filed before the Registrar of Marriages having jurisdiction to register the marriage. The Registrar shall on application by the parties to the marriage or their close relatives or any other person or institution interested in the abolition of dowry supply the applicant a copy of such affidavits. Any violation of this provision shall be deemed to be an offence under Section 2.”

3. *Substitution of Section 3.*—Section 3 of the Principal Act shall be substituted as follows:—

“3. *Punishment for giving or taking dowry.*—Any person or institution, religious or otherwise abetting the grant of dowry shall be guilty of an offence under Section 2 and 2A. But the punishment shall be confined to a fine of not exceeding Rs. 50,000.”

Statement of Objects and Reasons

The Constitution promises social and economic justice to women, but the law, however, has not cared to redeem these promises. Anti-dowry law, like many other welfare laws, is only a preference. No attempt is ever made to enforce it. In the marriage market, Indian woman is bought and sold for a price. The Commission felt that it is necessary to bring in an amendment to the Dowry Prohibition Act, 1961 to discourage the practice of payment and acceptance of dowry and to make giving and taking dowry in any form an offence. Hence this Amendment Bill.
