

Dowry Deaths in India

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Dowry Deaths in India: A Persistent Social Evil

Context

Recent incidents of **dowry-related deaths** have once again highlighted the persistence of this illegal and discriminatory practice in India. Despite laws in place for over six decades, **dowry continues to be a cause of violence and death among women**, pointing to the need for stronger implementation and societal reform.

Introduction

Dowry is not only a **social evil** but also a **criminal offence** under Indian law. The problem lies not just in its practice, but in the **systemic failure to report, investigate, and prosecute** dowry-related crimes. Newer legal provisions under the **Bharatiya Nyaya Sanhita (BNS)** and **Bharatiya Nagarik Suraksha Adhiniyam** attempt to address these challenges more effectively. However, **cultural acceptance, patriarchal norms, and institutional delays** continue to hinder progress.

Understanding Dowry and Dowry Death

1. Definition of Dowry

- Defined under the **Dowry Prohibition Act, 1961** as any **property or valuable security** given or agreed to be given, directly or indirectly, from one party to another at or before marriage.
- In practice, this includes **cash, goods, jewellery, vehicles, or property** given by the bride's family to the groom's family.

2. Definition of Dowry Death

- As per **Section 80 of the Bharatiya Nyaya Sanhita (BNS)**, a dowry death involves:

- **Death of a woman within seven years of marriage,**
- Caused by **burns, bodily injury, or unnatural circumstances,**
- Where she was subjected to **cruelty or harassment related to dowry demands** by her husband or his relatives.

3. Timing and Pattern

- A majority of dowry deaths occur **within the first seven years of marriage.**
- These deaths are often due to **suicide (hanging, poisoning, burning)** or **murder,** following sustained harassment or unmet dowry demands.

Societal and Gender Implications

1. **Human Rights Violation** - Dowry deaths strip women of their **right to life, dignity, and safety.**
2. **Gender Discrimination** - Reflects **deep-rooted inequality** and **subjugation of women** within households.
3. **Patriarchal Structure** - Reinforces **male dominance** and treats women as **economic liabilities** in marriage arrangements.

Regional Patterns of Dowry Deaths (2017-2022)

1. **Total Murders Linked to Dowry** - Over **6,100** cases across India.
2. **High-Burden States** -
 - More than **60%** of dowry murders occurred in **West Bengal, Odisha, and Bihar.**
 - Adding **Jharkhand, Uttar Pradesh, Madhya Pradesh, Rajasthan, and Haryana,** the share increases to **80%.**

3. Vulnerable Cities -

- **Delhi alone accounted for 30%** of dowry deaths among 19 major cities.
 - Other cities with high incidence include **Kanpur, Bengaluru, Lucknow, and Patna.**
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Legal Framework Governing Dowry-related Crimes

1. Dowry Prohibition Act, 1961

- **Section 3** criminalizes **giving and taking dowry.**
- Mandates the return of dowry **to the bride** if received at marriage.

2. Bharatiya Nyaya Sanhita (BNS)

- **Sections 85 and 86** penalize **cruelty or harassment** that drives a woman to suicide or causes serious harm due to dowry demands.
- Prescribes a **minimum punishment of seven years**, extendable to **life imprisonment.**

3. Bharatiya Nagarik Suraksha Adhiniyam

- Governs **procedural aspects** such as registration, investigation, arrest, bail, and trial.
 - Replaces the older **Code of Criminal Procedure** for handling offences under the **Dowry Prohibition Act** and related BNS provisions.
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Challenges in Reducing Dowry Deaths

1. Underreporting

- An average of **7,000 cases** of dowry deaths were reported annually (2017-2022), while many more go **unreported** due to **fear, stigma, or family pressure.**

2. Low Charge-sheeting Rate

- Of the reported cases, only around **4,500 were charge-sheeted** each year.
- Remaining cases were **delayed or disposed of** for reasons such as **insufficient evidence, false reports, or misunderstandings**.

3. Delays in Investigation

- By the end of 2022, nearly **3,000 cases** were still under investigation.
- **67% of these cases** had been pending for **over six months**.

4. Judicial Delays and Low Convictions

- Out of **6,500 cases sent to trial annually**, only **about 100 resulted in convictions**.
- Over **90% remained pending** due to **procedural delays, plea bargains, or acquittals**.

Measures to Address the Issue

1. Gender Sensitisation

- Encourage **dowry-free marriages** and create awareness through **educational and community programs**.

2. Awareness Campaigns

- Promote legal literacy and inform women about their **rights and available legal remedies**.
- Empower victims to **report harassment and seek support**.

3. Judicial and Police Reforms

- Establish **fast-track courts** for dowry-related crimes.

- Ensure **timely filing of FIRs and charge sheets**.
- Monitor investigation timelines and enhance **police accountability**.

4. Community Involvement

- Encourage **local vigilance groups, women's collectives, and civil society organisations** to support victims and report violations.

Conclusion

Dowry deaths are a stark reminder of the **failure to translate legal protections into real-world safety for women**. While legislative frameworks such as the **Dowry Prohibition Act** and the **Bharatiya Nyaya Sanhita** provide the necessary legal tools, **inefficient enforcement, judicial delays, and cultural acceptance** of dowry continue to hinder progress. A multi-pronged approach involving **legal reform, public awareness, prompt justice, and societal transformation** is essential to eliminate dowry and safeguard the **dignity and rights of women**.



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