

# THE DOWRY PROHIBITION ACT, 1961

An Act to prohibit the giving or taking of dowry



## DEFINITION OF 'DOWRY'

In this act, 'dowry' means any property or valuable security given or agreed to be given either directly or indirectly-

- (a) By one party to a marriage to the other party to the marriage; or
- (b) By the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person; at or before or any time after the marriage in connection with the marriage of said parties but does not include dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.

## PENALTY FOR GIVING OR TAKING DOWRY.-

If any person, after the commencement of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment for a term which shall not be less than five years, and with the fine which shall not be less than fifteen thousand rupees or the amount of the value of such dowry, whichever is more:

## PENALTY FOR DEMANDING DOWRY

If any person demands directly or indirectly, from the parents or other relatives or guardian of a bride or bridegroom as the case may be, any dowry, he shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine which may extend to ten thousand rupees.

Provided that the Court may, for adequate and special reasons to be recorded in the judgment, impose a sentence of imprisonment for a term of less than six months.

## COGNIZANCE OF OFFENCES.-

- (a) Notwithstanding anything contained in the Code of Criminal Procedure, no Court inferior to that of a Metropolitan magistrate or a Judicial Magistrate of the first class shall try any offence under this Act;

- (b) No court shall take in cognizance the offence under this act except upon
  - (i) On its own knowledge or a police report of the facts which constitute such offence, or
  - (ii) On a complaint by the person aggrieved by offence or a parent or other relative of such person, or by any recognized welfare institution or organization:
- (c) It shall be lawful for a Metropolitan Magistrate or a Judicial Magistrate of the first class to pass any sentence authorized by this Act on any person convicted of any offence under this Act.

## Dowry Prohibition Officers.-

The State Government may appoint as many Dowry Prohibition Officers as it thinks fit and specify the areas in respect of which they shall exercise their jurisdiction and powers this Act. The District Prohibition officers have been appointed by the State government for doing the Work as district Dowry Prohibition Officers under this act.

## Important Provisions of the Act

1. By the one party or any person to given to other party any property valuable or precious thing which has been given prior to marriage or after marriage in the marriage in shape of one term direct or indirect, It shall be called dowry.
2. On the occasion of marriage gifted thing or gift it shall not be deemed as gift.
3. That under this act any offence/each offence shall be non bailable or uncopunable.
4. Any compromise in connection with giving and taking dowry shall be unlawful.
5. In the marriage provided or given things the wife shall be fully entitled for same.



**Uttar Pradesh State Commission For Women**

Third Floor, Manav Adhikar Bhavan, Vibhuti Khand, Gomti Nagar, Lucknow 226010

Phone: 0522-2306403, Fax: 2728671

Website: mahilaayog.up.nic.in E-mail: up.mahilaayog@yahoo.com

**Toll Free No. 1800-180-5220**