

THE DOWRY PROHIBITION ACT, 1961

Summary

The Dowry Prohibition Act, 1961 is a law in India that aims to prohibit the practice of giving or taking dowry. The Act defines dowry as any property or valuable security given or agreed to be given either directly or indirectly, by one party to a marriage to the other party or any other person. The Act makes the giving or taking of dowry an offense punishable by imprisonment and/or fine. The Act also makes it an offense to demand dowry, either directly or indirectly, and to advertise for dowry. The Act applies to all religions and communities in India and has been amended several times to strengthen its provisions.

Section 1: Short Title, Extent And Commencement

- (1) This Act may be called the Dowry Prohibition Act, 1961.
- (2) It extends to the whole of India
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Simplified

- (1) The name of this law is the Dowry Prohibition Act, and it was created in 1961.
- (2) This law is valid and can be applied throughout the entire country of India.
- (3) The law will start to be effective from the date that the Indian central government decides. They will announce this date in an official publication called the Official Gazette.

Explanation using Example

Imagine a situation where a couple in Mumbai is planning to get married. The bride's parents are being pressured by the groom's family to provide a substantial amount of money, a new car, and expensive jewelry as dowry for the marriage to proceed. The bride's family is aware that this is not just a cultural demand, but a legal issue as well. They can refer to the Dowry Prohibition Act, 1961, which is applicable throughout India, including Mumbai. They inform the groom's family that demanding dowry is illegal under the Act, which has been in effect since 1961, and any such demands can lead to legal

consequences. This helps them to take a stand against the illegal practice and seek help from the authorities if the demands persist.

Section 2: Definition Of “Dowry”

In this Act, "dowry" means any property or valuable security given or agreed to be given either directly or indirectly:

by one party to a marriage to the other party to the marriage; or

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 the said parties, but does not include dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.

Explanation II - The expression "valuable security" has the same meaning as in section 30 of the Indian Penal Code (45 of 1860).

Simplified

The term "dowry" in this law refers to any items of value or property that is promised or given:

either by one person getting married to the other person they are marrying; or

by the parents of anyone getting married, or by someone else, to either of the people getting married or to another person. This can happen before, during, or after the wedding and is related to the marriage of the individuals involved. However, this does not apply to the traditional Muslim practice of giving 'dower' or 'mahr' when Muslim Personal Law is followed.

Note: The term "valuable security" means the same as it does in section 30 of the Indian Penal Code.

Explanation using Example

Imagine a scenario where Rita is getting married to Rohan. Rita's parents decide to give Rohan a car, a piece of land, and some gold jewelry as part of the marriage agreement. This transfer of property and valuable items would be considered a dowry under the Dowry Prohibition Act, 1961. The law applies regardless of whether the dowry is given before, during, or after the marriage and irrespective of who provides it – the bride's or groom's side.

However, if Rita were Muslim and the property given was mahr (a mandatory payment in the form of money or possessions paid by the groom to the bride at the time of marriage), this would not be considered dowry under this Act.

Section 3: Penalty For Giving Or Taking Dowry

(1) 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 fine which shall not be less than fifteen thousand rupees or the amount of the value of such dowry, whichever is more: 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 five years.

(2) Nothing in sub-section (1) shall apply to, or in relation to, -

(a) presents which are given at the time of a marriage to the bride (without any demand having been made in that behalf): Provided that such presents are entered in a list maintained in accordance with the rules made under this Act;

(b) presents which are given at the time of a marriage to the bridegroom (without any demand having been made in that behalf): Provided that such presents are entered in a list maintained in accordance with the rules made under this Act: Provided further that where such presents are made by or on behalf of the bride or any person related to the bride, such presents are of a customary nature and the value thereof is not excessive having regard to the financial status of the person by whom, or on whose behalf, such presents are given.

Simplified

(1) If anyone gives, receives, or helps someone else give or receive a dowry after this law started, they can be sent to jail for at least five years. They can also be fined at least fifteen thousand rupees or the dowry's value, whichever is higher. However, if there are special reasons, the judge can explain in the ruling why they are giving a jail sentence that is shorter than five years.

(2) The rule in (1) does not apply to:

(a) Gifts given to the bride at the time of marriage if no one has asked for them: But these gifts must be listed as per the rules of this Act.

(b) Gifts given to the groom at the time of marriage if no one has asked for them: These gifts must also be listed according to the Act's rules. Also, if the gifts are from the bride or someone related to her, they should be traditional and not too expensive, considering what the giver can afford.

Explanation using Example

Imagine a scenario where a couple, Aman and Priya, are getting married. After the wedding ceremony, it is discovered that Aman's family had demanded a car and jewelry worth ₹20 lakhs as dowry from Priya's family. Priya's family, under societal pressure, complied with the demand. However, a relative of Priya, aware of the implications of The Dowry Prohibition Act, 1961, reports this to the authorities.

As per Section 3 of the Act, Aman's family could face legal action. Aman, who took the dowry, and any family member who abetted the demand and acceptance of dowry could be subjected to a minimum of five years of imprisonment and a fine of at least ₹15 lakhs or the amount of dowry taken, whichever is higher. The court, however, has the discretion to impose a lesser sentence if it finds any special reason to do so, which must be clearly recorded in the judgment.

In contrast, if Aman's family had not demanded dowry but had received wedding gifts such as a watch or a painting for Aman, and these gifts were entered in a list as per the rules of the Act, this would not fall under the purview of dowry and would not be punishable, provided the gifts were customary and not excessive in value relative to the financial status of the giver.

Section 4: Penalty For Demanding Dowry

4 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 mentioned in the judgment, impose a sentence of imprisonment for a term of less than six months.

Simplified

Simplified Explanation of Penalty for Demanding Dowry:

If a person asks for a dowry, which means any gifts, money, or property given because of marriage, from the bride or groom's family or guardian, they can be sent to jail. The jail time must be at least six months but can go up to two years. They can also be fined up to ten thousand rupees.

However, if there are special reasons, the judge can decide to give a jail sentence of less than six months. These reasons must be clearly explained in the judge's decision.

Explanation using Example

Imagine a scenario where Raj is getting married to Priya. A week before the wedding, Priya's parents receive a call from Raj's uncle, who indirectly hints that Raj's family would appreciate it if Priya's parents gifted them a new car as part of the wedding celebrations. Priya's parents feel pressured and decide to inform the authorities. Raj's uncle is then charged under Section 4 of The Dowry Prohibition Act, 1961, for indirectly demanding dowry. The court finds him guilty and sentences him to six months of imprisonment and imposes a fine of ten thousand rupees, as the demand for a car constitutes a demand for dowry under the Act.

Section 4A: Ban On Advertisement

4A Ban on advertisement - If any person:

(a) offers, through any advertisement in any newspaper, periodical, journal or through any other media, any share in his property or of any money or both as a share in any business or other interest as consideration for the marriage of his son or daughter or any other relative,

(b) prints or publishes or circulates any advertisement referred to in clause (a),

he shall be punishable with imprisonment for a term which shall not be less than six months, but which may extend to five years, or with fine which may extend to fifteen 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.

Simplified

Simple Explanation of Ban on Advertisement Related to Dowry:

If a person does any of the following:

(a) Uses any type of advertisement, like in newspapers or other media, to offer part of his property, money, or a stake in a business as a way to get someone to marry his son, daughter, or another relative,

(b) Is involved in printing, publishing, or spreading around such advertisements,

then that person can be sent to jail for at least six months and up to five years, or can be fined up to fifteen thousand rupees. However, if there are special reasons, the court can decide to give a jail sentence of less than six months, but these reasons must be clearly stated in the court's decision.

Explanation using Example

Imagine a businessman named Raj, who is looking for a suitable match for his daughter. He decides to place an advertisement in a popular magazine, stating that he will offer a part of his property and a significant sum of money as dowry to anyone who marries his daughter. The advertisement clearly mentions the value of the property and the amount of money he is willing to give.

Upon seeing this advertisement, a reader named Sunita, who is aware of the Dowry Prohibition Act, reports it to the authorities. The police investigate and confirm that Raj has indeed violated Section 4A of the Dowry Prohibition Act, 1961, by publicly offering dowry through an advertisement.

Raj is then prosecuted for his actions. The court finds him guilty and sentences him to a term of imprisonment for six months and imposes a fine of fifteen thousand rupees, emphasizing the seriousness of the offense and the need to deter others from such practices.

Section 5: Agreement For Giving Or Taking Dowry To Be Void

5. Any agreement for the giving or taking of dowry shall be void.

Simplified

Explanation: Any deal or promise where someone agrees to give or receive a dowry (money, property, or gifts given to a bride or groom at the time of marriage) is not legally valid.

Section 6: Dowry To Be For The Benefit Of The Wife Or Her Heirs

(1) Where any dowry is received by any person other than the woman in connection with whose marriage it is given, that person shall transfer it to the woman:

(a) if the dowry was received before marriage, within three months after the date of marriage;

(b) if the dowry was received at the time of or after the marriage, within three months after the date of its receipt;

(c) if the dowry was received when the woman was a minor, within three months after she has attained the age of eighteen years;

and pending such transfer, shall hold it in trust for the benefit of the woman.

(2) If any person fails to transfer any property as required by sub-section (1) within the time limit specified therefor or as required by sub-section (3), he shall be punishable with imprisonment for a term which shall not be less than six months, but which may extend to two years or with fine which shall not be less than five thousand rupees, but which may extend to ten thousand rupees or with both.

(3) Where the woman entitled to any property under sub-section (1) dies before receiving it, the heirs of the woman shall be entitled to claim it from the person holding it for the time being:

Provided that where such woman dies within seven years of her marriage, otherwise than due to natural causes, such property shall,

(a) if she has no children, be transferred to her parents, or

(b) if she has children, be transferred to such children and pending such transfer, be held in trust for such children.

(3A) Where a person convicted under sub-section (2) for failure to transfer any property as required by sub-section (1) or sub-section (3) has not, before his conviction under that sub-section, transferred such property to the woman entitled thereto or, as the case may be, her heirs, parents or children the Court shall, in addition to awarding punishment under that sub-section, direct, by order in writing, that such person shall transfer the property to such woman or, as the case may be, her heirs, parents or children within such period as

may be specified in the order, and if such person fails to comply with the direction within the period so specified, an amount equal to the value of the property may be recovered from him as if it were a fine imposed by such Court and paid to such woman or, as the case may be, her heirs, parents or children.

(4) Nothing contained in this section shall affect the provisions of section 3 or section 4.

Simplified

Explanation:

(1) If someone other than the bride receives a dowry for her marriage, they must give it to the bride:

(a) If received before the wedding, it should be given within three months of getting married;

(b) If received during or after the wedding, it should be given within three months of receiving it;

(c) If the bride was underage when the dowry was received, it should be given within three months of her turning 18;

Until the dowry is transferred, it should be kept safe for the bride's benefit.

(2) If someone doesn't transfer the dowry within the specified time or as required, they could be jailed for six months to two years, fined between 5,000 to 10,000 rupees, or both.

(3) If the bride dies before getting her dowry, her heirs can claim it. However, if she dies within seven years of marriage not due to natural causes:

(a) If she has no children, her parents get the dowry;

(b) If she has children, the dowry goes to them and should be looked after for them until it's transferred.

(3A) If a person is punished for not transferring the dowry and hasn't done so before being convicted, the court will order them to transfer it within a certain time. If they don't, they could be fined an amount equal to the value of the dowry, which will go to the entitled woman or her heirs, parents, or children.

(4) This rule does not change other sections of the law that deal with dowry.

Explanation using Example

Imagine a scenario where Priya gets married and her parents give her a car as dowry. According to Section 6 of The Dowry Prohibition Act, 1961, the car is technically given to Priya's husband, Arjun, at the time of the marriage. However, as per the law, Arjun must legally transfer the car to Priya's name within three months after the marriage.

If Arjun does not transfer the car to Priya within the specified three months, he could face legal consequences. For example, if after four months the car is still in Arjun's name, Priya can take legal action. Under the Act, Arjun would then be subject to a minimum of six months of imprisonment, a fine between five to ten thousand rupees, or both.

In another instance, if Priya unfortunately passes away within seven years of her marriage under suspicious circumstances, and she had not received the car yet, the car should be transferred to her parents if she has no children. If she has children, the car should be transferred to them.

If Arjun had already been convicted for not transferring the dowry but still hadn't complied, the court would not only punish him but also order him to transfer the car within a specified period or face additional fines equivalent to the car's value, payable to Priya's heirs.

Section 7: Cognizance Of Offences

7 Cognizance of offences -

Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), -

no Court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence under this Act;

no court shall take cognizance of an offence under this Act except upon -

its own knowledge or a police report of the facts which constitute such offence,
or

a complaint by the person aggrieved by the offence or a parent or other relative of such person, or by any recognised welfare institution or organisation;

it shall be lawful for a Metropolitan Magistrate or a Judicial Magistrate of the first class to pass any sentence authorised by this Act on any person convicted of an offence under this Act.

Explanation - For the purposes of this sub-section, "recognised welfare institution or organisation" means a social welfare institution or organisation recognised in this behalf by the Central or State Government.

Nothing in Chapter XXXVI of the Code of Criminal Procedure, 1973 (2 of 1974), shall apply to any offence punishable under this Act.

Notwithstanding anything contained in any law for the time being in force a statement made by the person aggrieved by the offence shall not subject such person to a prosecution under this Act.

Simplified

Simplified Explanation of Section 7 - Cognizance of Offences:

Only specific courts can handle dowry cases:

Only a Metropolitan Magistrate or a Judicial Magistrate of the first class is allowed to try dowry offences, not any lower courts.

A court can only take notice of a dowry offence if:

The court finds out about the offence on its own or through a police report, or

The person who suffered from the offence, or their parent or relative, or a recognized welfare institution or organization, files a complaint.

Note: A "recognized welfare institution or organization" is one that the government has approved to work on social welfare issues.

The Magistrates mentioned above can give any legal punishment to someone found guilty of a dowry offence.

Certain legal procedures in the Code of Criminal Procedure don't apply to dowry offences.

If the victim of a dowry offence makes a statement about it, they cannot be prosecuted for that statement under this Act.

Explanation using Example

Imagine a scenario where a woman named Priya has been harassed by her in-laws for additional dowry after her marriage. They demand an expensive car and threaten to evict her from their home if their demands are not met. Priya decides to take legal action against her in-laws.

Under Section 7 of The Dowry Prohibition Act, 1961, Priya can file a complaint directly with a Judicial Magistrate of the first class or a Metropolitan Magistrate, as no court inferior to these can try offences under this Act. Priya's complaint, as she is the person aggrieved by the offence, allows the court to take cognizance of the dowry harassment without needing a police report.

Furthermore, any statements made by Priya about her in-laws demanding dowry will not lead to her prosecution under this Act, protecting her from any legal consequences for coming forward with her grievances.

Section 8: Offences To Be Cognizable For Certain Purposes And To Be Bailable And Non-Compoundable

8 Offences to be cognizable for certain purposes and to be bailable and non-compoundable

(1) The Code of Criminal Procedure, 1973 (2 of 1974) shall apply to offences under this Act as if they were cognizable offences:

(a) for the purposes of investigation of such offences; and

(b) for the purposes of matters other than:

(i) matters referred to in section 42 of that Code; and

(ii) the arrest of a person without a warrant or without an order of a Magistrate.

(2) Every offence under this Act shall be non-bailable and non-compoundable.

Simplified

8 Offences to be easily reported, eligible for bail, but not settleable out of court

(1) The rules for handling crimes in the Code of Criminal Procedure, 1973 will be used for cases under this law, which means:

(a) these cases can be investigated by the police without needing special permission; and

(b) this applies to all aspects except:

(i) the specific procedures listed in section 42 of that Code; and

(ii) arresting someone without a warrant or a judge's order.

(2) If you're charged with an offense under this law, you cannot settle the case outside of court, and while you may be allowed to post bail, it is not guaranteed.

Explanation using Example

Imagine a scenario where a woman files a complaint against her husband and in-laws for demanding dowry after their marriage. Under Section 8 of The Dowry Prohibition Act, 1961, the police can immediately initiate an investigation into the matter without needing a warrant, treating it as a cognizable offence. This means they can go ahead and collect evidence, question witnesses, and perform searches as part of the investigation process. However, the police cannot arrest the accused without a warrant or without an order from a Magistrate in this particular case.

Furthermore, if the husband and in-laws are found guilty of demanding dowry, they cannot settle the case out of court (non-compoundable) nor can they expect to be released on bail easily, as the offence is non-bailable. This ensures that the gravity of the dowry offence is taken seriously and that the accused remain subject to the legal process until the court reaches a decision.

Section 8A: Burden Of Proof In Certain Cases

8A Burden of proof in certain cases - Where any person is prosecuted for taking or abetting the taking of any dowry under section 3, or the demanding of dowry under section 4, the burden of proving that he had not committed an offence under those sections shall be on him.

Simplified

Explaining Section 8A - Who has to prove innocence - When someone is accused of either accepting a dowry, helping someone else accept a dowry, or asking for a dowry, it's up to that person to show they didn't do anything wrong according to the law.

Explanation using Example

Imagine a scenario where Raj is accused of demanding a dowry from Priya's family before their wedding. Priya's family files a complaint against Raj under The Dowry Prohibition Act, 1961. In court, according to Section 8A, it is now Raj's responsibility to prove that he did not demand any dowry, as opposed to Priya's family having to prove that he did. This means Raj must provide evidence or witnesses that substantiate his claim of not engaging in the illegal act of demanding dowry.

Section 8B: Dowry Prohibition Officers

(1) 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 under this Act.

(2) Every Dowry Prohibition Officer shall exercise and perform the following powers and functions, namely:

(a) to see that the provisions of this Act are complied with;

(b) to prevent, as far as possible, the taking or abetting the taking of, or the demanding of, dowry;

(c) to collect such evidence as may be necessary for the prosecution of persons committing offences under the Act; and

(d) to perform such additional functions as may be assigned to him by the State Government, or as may be specified in the rules made under this Act.

(3) The State Government may, by notification in the Official Gazette, confer such powers of a police officer as may be specified in the notification on the Dowry Prohibition Officer who shall exercise such powers subject to such limitations and conditions as may be specified by rules made under this Act.

(4) The State Government may, for the purpose of advising and assisting Dowry Prohibition Officers in the efficient performance of their functions under this Act, appoint an advisory board consisting of not more than five social welfare workers (out of whom at least two shall be women) from the area in respect of which such Dowry Prohibition Officer exercises jurisdiction under sub-section (1).

Simplified

Simplified Explanation:

(1) The government of each state can hire as many Dowry Prohibition Officers as it needs. The government will also decide the specific areas where these officers will work.

(2) These officers have certain duties:

(a) Make sure everyone is following the dowry laws;

(b) Try to stop people from giving, taking, or asking for dowry;

(c) Gather evidence to help prosecute those who break the dowry laws; and

(d) Carry out any other tasks given by the state government or mentioned in dowry law rules.

(3) The state government can give Dowry Prohibition Officers some powers that police officers have. This will be announced in an official government publication, and the officers must use these powers within certain rules.

(4) To help Dowry Prohibition Officers do their job well, the state government can create an advisory group. This group can have up to five members who are experienced in social work, and at least two of them must be women. They will work in the same area as the Dowry Prohibition Officer.

Explanation using Example

Imagine a situation where a woman named Priya is getting married in the state of Rajasthan, India. A few days before the wedding, Priya's family learns that the groom's family is demanding a dowry for the marriage to proceed. Priya's family is against this practice and decides to report the issue to the authorities.

The State Government of Rajasthan has appointed a Dowry Prohibition Officer (DPO) for the area where Priya lives. Upon receiving the complaint, the DPO, using the powers granted under Section 8B of The Dowry Prohibition Act, 1961, takes the following actions:

Ensures that Priya's family understands the provisions of the Act and informs them about their rights.

Takes proactive measures to prevent the groom's family from taking or demanding any dowry.

Collects evidence such as recorded conversations, witness statements, and other relevant documentation that could be used for prosecuting the groom's family if they are found to be committing the offence.

Coordinates with the local police, if necessary, to exercise powers similar to a police officer for investigating the case effectively.

The DPO also consults with the advisory board, which includes experienced social welfare workers, to strategize on how to handle the situation sensitively and efficiently.

Thanks to the prompt action of the DPO, Priya's family feels supported, and the situation is resolved without the exchange of dowry, upholding the law and Priya's dignity.

Section 9: Power To Make Rules

(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for -

(a) the form and manner in which, and the persons by whom, any list of presents referred to in sub-section (2) of section 3 shall be maintained and all other matters connected therewith; and

(b) the better co-ordination of policy and action with respect to the administration of this Act.

(3) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Simplified

(1) The Central Government can create rules to make this law work. They will announce these rules in an official publication called the Official Gazette.

(2) Specifically, the rules can include:

(a) How to create and keep a list of wedding gifts, who should do it, and other related details, as mentioned in section 3, sub-section (2) of this law.

(b) How to improve the management and implementation of this law.

(3) Any new rule must be shown to both houses of Parliament as soon as possible. They have to look at it for 30 days, which can be during one session or across multiple sessions. If both houses decide within the next session after these 30 days that they want to change the rule or not use it at all, then the rule will only work in the new way they decide or won't work at all. However, this will not affect anything that was already done based on the rule before they changed or canceled it.

Explanation using Example

Imagine a scenario where the Central Government decides to streamline the process of reporting dowry transactions. To address this, the government drafts a new rule that specifies a standard form that must be filled out by newlyweds to list all gifts and presents exchanged during their wedding. This form must be maintained by designated persons, such as marriage officers or registrars, to ensure compliance with Section 3(2) of the Dowry Prohibition Act, 1961.

Once the rule is drafted, it is published in the Official Gazette for public knowledge. Then, it is presented before both houses of Parliament. Suppose during the session, a member of Parliament suggests that the form should also include a declaration by the gift-giver regarding the voluntary nature of the gift to prevent any coercive implications. Both houses agree to this modification, and consequently, the rule is updated to include this additional declaration requirement.

This process is a practical application of Section 9 of the Dowry Prohibition Act, 1961, where the Central Government exercises its power to make rules to effectively implement the Act and ensure better compliance and coordination in its administration.

Section 10: Power Of The State Government To Make Rules

The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

the additional functions to be performed by the Dowry Prohibition Officers under sub-section (2) of section 8B;

limitations and conditions subject to which a Dowry Prohibition Officer may exercise his functions under sub-section (3) of section 8B.

Every rule made by the State Government under this section shall be laid as soon as may be after it is made before the State Legislature.

Simplified

Simplified Explanation of Section 10 - Power of the State Government to Make Rules:

The State Government has the authority to create specific rules to support the enforcement of the Dowry Prohibition Act. These rules are announced publicly in the Official Gazette.

The State Government has broad powers to make these rules, and they can cover various aspects, including:

Defining additional duties for Dowry Prohibition Officers as mentioned in section 8B(2) of the Act.

Setting limits and conditions for how Dowry Prohibition Officers can carry out their responsibilities as given in section 8B(3).

After the State Government makes these rules, they must present them to the state's legislative body as soon as possible for review.

Explanation using Example

Imagine a situation where the government of a particular state in India observes an increase in dowry-related issues and decides to strengthen the enforcement of The Dowry Prohibition Act, 1961. To address this, the state government uses its power under Section 10 of the Act to create new rules.

For example, the state government publishes a notification in the Official Gazette announcing that Dowry Prohibition Officers will now also be responsible for conducting educational workshops in high schools and colleges to raise awareness about the legal implications of giving or taking dowry.

This new rule, made under the authority granted by Section 10, specifically addresses clause (a) under sub-point 2, enhancing the functions of Dowry Prohibition Officers. Additionally, the state government may impose conditions

such as requiring officers to coordinate with educational institutions and report on their activities quarterly, which corresponds to clause (b).

Once these rules are formulated, they are presented before the state legislature, as per clause 3, to ensure they are in accordance with legislative procedures and oversight.