



THE PROBLEM OF DOWRY DEATH IN KARNATAKA

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ABSTRACT:

The idea of endowment has been around since numerous hundreds of years and prompted many told and untold accounts of wrongdoing, savagery and provocation of ladies during or after marriage. This article examines the advancement of the idea of settlement in India and furthermore hardly any different nations and the laws denying something very similar in India. Share implies giving of abundance or property to the Groom or his family by the Bride's family at the hour of their marriage. The Dowry Prohibition Act, 1961 makes the compromising of share void and unlawful. Segment 498A IPC punishes the spouse and his relatives on the off chance that there is a demonstration of savagery on the lady of the hour inside seven years of marriage. The part makes the wrongdoing non bailable and non-compoundable. These laws are totally pro women and requires very little earlier confirmation on the off chance that there is any grievances under these arrangements of law and this has given certain part of ladies the opportunity to abuse these areas to satisfy their mala-fide intentions. Key Words: Dowry, Misuse, Anti-Dowry Laws. It is extremely astounding how the situation of ladies as Goddess diminished itself to a simple article. Be that as it may, similar to consistently has its own philosophy so does the current one. The idea of woman's rights which is broadly wrongly perceived by both sexual orientation has turned into a significant apparatus utilized against spouses by their wives and family. Till now we just knew about the idea where ladies were tormented in the mane of endowment and at times even killed, however for quite a while we are getting to here where spouses have documented bogus share arguments against their husbands to satisfy their underhanded quarrel. For seemingly forever the situation with ladies was massively incredible and thought about divine. It was viewed as the she had the ability to make what is acceptable and obliterate what is bad.² Women had the freedom to take her own choices and furthermore engaged in strategy making of the state. She reserved the privilege to pick her

KEYWORDS : savagery and provocation of ladies.

INTRODUCTION

In a socially and mutually charged India, ladies, regardless of being venerated as goddesses, have been at the brunt of the man centric and customary cultural standards since

ages. In any case, what is being found in cutting edge India isn't extremely not the same as that training for the cancelation of which pioneers like Raja Ram Mohan Roy worked widely; rather it is the polar opposite of it. While sati basically implied self-immolation of a widow after the passing of her significant other on his memorial service fire, taking care of fat the conviction that a lady's presence is tied in with spinning around a man's life, endowment burnings are the barbarous and the contemporary direct opposite of sati. While sati was viewed as a penance of strict honor, endowment burnings reflect and affirm the conviction of regarding a lady as a simple item, bound to be forfeited out of shopper disappointment. India is a tremendous and multi-social country. The Civilization of India is the old most on the planet and with every period another social construction is brought into the world since the introduction of our general public. With the second most noteworthy populace on the planet after China, India has progressed significantly in ideas of advancement in all circles of society. Indian Culture holds a plenty of ideas where ladies in the public arena are displayed as a heavenly power of nature. Ladies all through have been adored as goddesses like Durga, Kali, Sarawati and Lakshmi. Through changing hundreds of years so did the adjustment of the view towards ladies advanced in rather adverse manner. The situation with ladies in the Vedic Civilization and the Indus Valley ladies stood firm on a status or footing that of a Goddess.

FACTS OF THE CASE

- The charged, Mahadevappa, got hitched to the expired named Rukmini Bai in the year 1994. Around the same time, the sibling of the charged, Bhimanand, got hitched to Rukmini Bai's more youthful sister named Sona Bai. The relationships were solemnized in the Lokeshwar Temple of a spot in Karnataka called Lokapur. The denounced was then filling in as a constable in the Kaladagi District, where he went with Rukmini Bai after the summit of their wedding, while his sibling went with Sona Bai to Nagaland where he functioned as a constable in the CRPF.
- In October 1995, nearly 12 months after their marriage, Rukmini Bai's dad, Ekanath, got a remote message in regards to the induction of his little girl at an administration clinic in Bagalkot, Karnataka due to supporting of consume wounds.
- On visiting her in the medical clinic, Ekanath found her wounds to be basic. On getting some information about how she wound up consuming herself, the perished began crying and told her experience to her dad; that how her significant other had poured lamp oil over her whole body and set her on fire.
- Rukmini Bai surrendered to her wounds later towards the finish of that very day on which her dad visited her.

VERDICT OF THE SESSIONS COURT

The Sessions Judge held that Mahadevappa isn't blameworthy under Section 498A and Section 302 of the Indian Penal Code and cleared him. The took in judge's reasoning was that the side arraignment couldn't present adequate proof to demonstrate that the perished was tormented or tortured tediously with requests of acquiring settlement from her relatives. The adjudicator additionally held that it was not demonstrated in the courtroom if the demise caused was murderous. Notwithstanding, the State of Karnataka was not happy with the judgment of the Sessions Court which vindicated Mahadevappa. Oppressed, the State

documented an allure in the High Court of Karnataka whereby they looked for a pass on to pursue scrutinizing the exactness and lawfulness of the hon'ble judge's choice of soothing the blamed for every one of the charges.

HIGH COURT'S VERDICT IN THE CASE

The High Court therefore conceded the authorization to document an allure and later permitted the State's enticement for seek after the case. In a judgment upsetting the meeting court's choice, the High Court of Karnataka held Mahadevappa to be liable under area 498A and segment 302 of the Indian Penal Code. It was held by the Karnataka High Court that the proof enhanced by the side indictment was adequately adequate to demonstrate that Mahadevappa had, without question, oppressed his significant other, the perished, Rukmini Bai to mercilessness, requesting settlement and killing her by fuel her body.

HEARINGS IN THE SUPREME COURT

The Supreme Court of India was persuaded with the judgment of the Karnataka High Court and maintained the conviction of the denounced, Mahadevappa for the situation, completely agreeing with their discoveries and end. The charges against the denounced under Section 498-An and Section 302 of the Indian Penal Code were observed to be all around contemplated out by the pinnacle court, inferable from all the proof presented by the side arraignment in this matter. The court completely recognized the passing of Rukmini Bai following seventeen months of her marriage with the appealing party for this situation (Mahadevappa). It was additionally concurred by the court that she was a sound lady without any sicknesses and that the demise happened because of the extreme consume wounds caused for her.

EVOLUTION OF THE DOWRY

India Dowry was not polished in old India and it is for all intents and purposes not realized that precisely when the idea of share came to India however the idea is known to have its underlying foundations in the antiquated past. As indicated by Megasthenes and Arrian, third Century B.C, they agreed that old Indian individuals during the time spent choosing their lady they couldn't care less with regards to whether the lady of the hour has settlement or she has any attractive fortune yet just glance at her inward and external beauty.⁵The Code of Manu additionally referenced Dowry and ladies riches. Manu clarified the contrast among Dowry and Brides abundance. Share was all the more something renowned and it was related with the Brahmanic Caste while the Brides abundance was regularly limited to the lower stations. This predominantly won in the prior portion of twentieth Century.⁶ Ancient texts, Dowry has been alluded as 'Yautraka' which implies a sort of material gift which affirms that two individuals have participated in a marriage. The young lady in marriage was parted with after getting a value that was called 'Sulka'. It implies that the guardians were made up for their deficiency of their little girl after her marriage.⁷Dowry framework was pervasive since the Vedic time frame where gifts from guardians, family members were perceived as ladies' property called 'Stridhan'. In Indian relationships alongside cash, adornments and different things to be given to the lucky man as endowment the parting with of the lady 'Kanyadana' was additionally a piece of it.Kanya implies Daughter and Dana implies Gift. It was otherwise called 'Hunda', it

comes from the word 'Handa' meaning pot. It was called so on the grounds that in old occasions the share was given in a pot.⁸ Dowry was given as a help to the lady that she could use for her free use. As indicated by Kautilya, —Means of Subsistence or gems establishes what is known as the utilization of property of a ladies. It is no culpability for a spouse to utilize this property in keeping up with her child, her girl in law or herself, if her missing husband has made no arrangement for her upkeep When the French came to India, they adulated India individuals for having something to do with the situation, they additionally created incredible affection for Ahalya Bai as she was an extraordinary head of the general public.

It is just when the British came to settle forever under Lord Cornwallis in 1793, empowered an arrangement of private responsibility for which was an obscure idea in India. It is then that the Feudal framework or the Zamindari System arose, before this zamindars were simply charge authorities of the general public. It was uniquely during this time when the British totally denied ladies from claiming any land or any sort of property. This was when guardians used to offer cash to the lady of the hour during her marriage and as the British precluded ladies from having any sort of abundance the cash that she got during her wedding will currently have a place with her husband.¹⁰ The spouse for this situation abused the option to have the wife's riches and the idea of settlement by and by proceeded and presently it turned into a thought for marriage that implied in a marriage the lady needed to bring the abundance as wanted by the group of the parents in law as thought of her marriage. On the off chance that such wanted abundance was not brought, different methods of torment be incurred upon the lady of the hour to compress her to bring such riches thus in the process there have been different instances of violations like Murder, Suicide, substantial wounds, Mental maltreatment etc. In the 1980s, we originally got the brief look at ruckus on challenge Dowry. Ladies through their extreme development set up that foundation of subjection lies in the organic family and fuse of laws were not sufficient until the mentality of society is changed by means of instruction and interest in legislative issues.

THE HISTORICAL JOURNEY OF ANTI- DOWRY LAWS

In the last 50% of the 1900s in India there was a disturbing ascent in Dowry related wrongdoings. Wrongdoings like homicide of the lady by hanging, consuming, harming and so on, convincing the ladies to carry out self destruction, verbal and mental maltreatment, causing of real wounds to give some examples. The general public was totally in the grasp of a dull stage where eagerness and desire were the essential variables where marriage was concerned. It was only sometimes taken as a terrified association. The essential holiness of the organization of marriage was tragically missing. The casualties of Dowry wrongdoings expanded thus the requirement for a change. However the Dowry Prohibition Act, 1961 was predominant yet the pace of Dowry wrongdoings expanded at a disturbing rate. There could have been no appropriate checks and examinations were ill-advised. The most punctual of the dissent against Dowry framework were made by Progressive Organization of ladies in Hyderabad in 1975, there were right around 2000 individuals who came on road to ensure against the increment of Dowry framework in India.¹⁵ In the year 1979, a coordinated dissent arrived in the city of Delhi against Dowry since one Tarvinder Kaur was urned to death by her Mother and sister in law as they were denied their ideal Dowry. Just after the Tarvinder Kaur Murder case, another case .

IMPORTANT STEPS TO ERADICATE DOWRY

1. Educate your girls.
2. Encourage them to have their own profession.
3. Teach them to be free and dependable.
4. Treat them (your girl) similarly with no segregation.
5. Do not support the act of giving or taking share.

Endowment has turned into an extraordinary financial weight to the center and lower class families. ... Subsequently Gandhiji has expressed that one, who makes share a pre-condition for his marriage, shows lack of regard to ladies as well as embarrasses his own country, schooling and womanhood and such youngster's ought to be socially boycotted. Share framework in England was presented in the twelfth century by the Normans. Prior to this there was one more sort of training where the spouse gave some sort of morning gift to his better half When Deccan Chronicle reached the groups of three expired ranchers haphazardly, they were reluctant to reveal that they had given share however conceded that they had acquired credits for the weddings of their little girls and sisters. As per one dispossessed family, the perished had acquired the means to get his two girls wedded. At the point when the costs of sugarcane began to slide, he couldn't make a benefit from his edit and reimburse the advances he had taken for his two little girls' weddings which pushed him to self destruction, they said.

Another sadness stricken family said that after their dad died because of malignancy, the obligation of offering his girls fell on his 35-year-old child who needed to get credits for the reason and at last committed suicide incapable to bear the obligation trouble. One more family uncovered that the falling costs of mulberry pushed the rancher to self destruction as he had taken an advance for his girl's wedding.

CONCLUSION

Dowry in itself is an exceptionally old idea by the insight has been truly evolving. The development of insight from ladies being smothered to being suppressed by ladies has some way or another changed the whole perspective on endowment in the public arena. The overarching laws has demonstrated to concede tremendous alleviation to the affliction yet has likewise made educated beasts who sees such help as an instrument of torment on their own relatives. It is to additional prominent that both the sides of utilization and abuse of settlement laws all the while exists in the public arena, however despite the fact that there have been such immense change in discernments, the way that endowment is a wrongdoing stays steady. Regardless of whether acknowledged by society the actual beginning of share where giving of property to ladies as a security for freedom is lost. 8,233 share passing cases were accounted for across India. This implies a lady was scorched at regular intervals, or endowment issues cause 1.4 passings each year per 100,000 ladies in India. As indicated by a 1996 report by Indian police, each year it gets more than 2,500 reports of lady consuming. The endowment framework can put incredible monetary weight on the lady's family. At times, the endowment framework prompts wrongdoing against ladies, going from psychological mistreatment and injury to even passings. On the off chance that men in provincial Karnataka are committing suicide more than ever, fault it not just on preying moneylenders and dropping harvest costs yet in addition on spiraling endowment requests and marriage costs. These are making the

existences of ranchers excruciating especially in regions like Mandya where, regardless of extraordinary missions, share keeps on destroying the existences of farmers. Hence, it tends to be indisputably held that endowment is a curse for ladies as well as for the general public on the loose. There are now numerous forthcoming cases in the Indian courts and these don't appear to dial back in a matter of seconds. In such manner, the judgment of the Hon'ble Supreme Court of India in Mahadevappa case can be utilized as a point of reference that can help in quicker settling of cases identified with share passings in the country with the declaration of the expired's folks' having got a substantial weightage and significance according to the court.

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