

Haryana Dowry Prohibition Rules, 2000

HARYANA

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Rule HARYANA-DOWRY-PROHIBITION-RULES-2000 of 2000

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Haryana Dowry Prohibition Rules, 2000Published vide Notification Haryana Gazette, (Extra.), Legislative Supplement, Part 3, dated August 25, 2000/Bhadra 3, 1922No. G.S.R.58/C.A.28/1961/S.10/2000. - In exercise of the powers conferred by sub-section (1) read with sub-section (2) of Section 10 of the Dowry Prohibition Act, 1961 (28 of 1961), the Governor of Haryana hereby makes the following rules regulating the procedure to prohibit the giving or taking of dowry, namely :-

1. Short title and commencement.

(1)The rules may be called the Haryana Dowry Prohibition Rules, 2000.(2)They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires, -(i)"Act" means the Dowry Prohibition Act, 1961 (28 of 1961);(ii)"State Government" means the Government of the State of Haryana in the Departmental of Social Welfare (Women and Child Development);(iii)"Principal meals" means lunch or dinner but does not include any presents or gifts given at the time of marriage in the form of cash, ornaments, clothes or other articles;(iv)Words used but not defined in these rules shall have the same meaning as respectively assigned in the Act.

3. Procedure for making complaint. Section 3 and 10(1)(2).

- A person aggrieved by any of the offences mentioned in section 3 of the Act may make complaint within a period of one year from the date of commission of the offence to the Judicial Magistrate of the first class within whose jurisdiction the offence has been committed.

4. Maintenance of lists of presents. Section 10.

(1)The list of presents, which are given at the time of marriage to the bride, shall be maintained by the bride.(2)The list of presents, which are given at the time of marriage to the bridegroom, shall be maintained by the bridegroom.(3)Every list of presents referred to in sub-rule (1) or sub-rule (2), as the case may be, shall :-(a)be prepared at the time of the marriage or as soon as possible, after the marriage;(b)be in writing;(c)contain :-(i)a brief description of each present;(ii)the approximate value of the present;(iii)the name of the person, who has given the present;(iv)where the person giving the present, is related to the bride or bridegroom as the case may be, a description of such relationship; and(d)be signed by both the bride and the bridegroom as well as their parents/guardians.Explanation-1. Where the bride is unable to sign, she may affix her thumb impression in lieu of her signature after having the list read out to her, and obtaining the signature, on the list of the person, who has so read out the particulars contained in the list.Explanation-2. - Where the bridegroom is unable to sign, he may affix house thumb impression in lieu of his signature after having the list read out to him and obtaining the signature, on the list, of the person who has so read out the particulars contained in the list.

5. Procedure for transferring dowry. Section 6.

- Where any dowry is received by any person other than the woman in connection with whose marriage it is given on occasions enumerated in Section 6, that person shall prepare an inventory of the articles received as dowry and transfer the articles of dowry to the woman or her heirs, as the case may be, in the presence of two responsible persons of the locality where the woman ordinarily resides and obtain her signature in token of having received the articles of dowry.

6. Functions of Dowry Prohibition Officers. Section 8B.

- Each Dowry Prohibition Officer shall, exercise functions and powers as laid down in section 8B. Dowry Prohibition Officers will also conduct the preliminary enquiries on receiving complaints regarding dowry and prepare case history of each case and help the public in registering the case with police and render assistance to the police in investigating the complaint filed under the Act and the Court in the trial of the case. Dowry Prohibition Officers shall keep a check on display of any presents at the time of marriage in the shape of cash, ornaments, clothes etc. and that not more than two principal meals shall be served by the marriage party.

7. Limitations and conditions of Dowry Prohibition Officers in performing their functions. Section 8B.

(1)The power of a Police Officer conferred under sub-section (3) of Section 8B of the Act on a Dowry Prohibition Officer, shall be exercisable by him subject to the limitations and conditions, specified in sub-rule (2).(2)The Dowry Prohibition Officer while exercising his powers shall not, -(i)violate the provisions of the Act and Rules made thereunder;(ii)interfere in the day to day functioning of the police in discharging his duties;(iii)violate any other conditions and limitations, as may be imposed

by the State Government from time to time; and(iv)investigate the matter of such persons who do not happen to be direct beneficiary of dowry.