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Appendix Part 4, Section (b) (Order as amended)
Allahabad, Friday, October 29, 1999
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Uttar Pradesh Extraordinary Gazette, 29, October 1999

Procedure, 1973 (Act no. 8 of 1974)¹

In pursuance of the provisions of else (3) Article 343 of the Constitution the Governor is pleased to make the following English translation of notification an 1895/50-399—3 (8)97, dated October 19,

(f)"Form" means a form appended to these rules :

(g)"Police Officer" means an officer of the State Police Department

(h)"Probation Officer" means an officer

1999

appointed such under the Probation of

No. 1895/60-3-99-3 (68)-97 October 29, 1999

Offenders Act, 1958 (Act no. 20 of 1958).

(i) The word send expressions used in

In exercise of the powers under

these

section 10 of the Dowry Prohibition Act, 1961 (Act, no. 18 of 1961) the Governor is pleased to make the following rules:

rules but not defined shall have the meanings to them in the Act

3. Function of Director Women Welfare.

THE UTTAR PRADESH DOWRY

(1) The Director. Women Welfare Uttar

PROHIBITION RULES 1999

1. Short title and commencement (1) these rules may be called the Uttar Pradesh Dowry Prohibition Rules, 1999. (2) They shall come into force with effect

Pradesh shall exercise administrative control over the Dowry Prohibition Officers.

4. Function of District Magistrate.-(1)

The District Magistrate may inspect the work and any record in the office of Dowry from the date of their publication in the Prohibition officer working within his

2.Definitions- (1) In those rules unless the context otherwise requires

(a)"Act" means the Dowry Prohibition

jurisdiction end send his observations or report to the Director Women Welfare, Uttar Pradesh

***[5. The Chief Dowry Prohibition Officer**

Act, 1901 (Act no. 28 of 1961).

(1) The State Government may designate

(b)"Advisory Board" means an advisory board appointed under sub-section (4) of

the Chief Probation Officer of any other suitable officer posted in Women Welfare

sea-tier S-B

Department, as the Chief Dowry Prohibition

(c)of the Act. "Dowry Prohibition Officer" means s Dowry

Prohibition Officer appointed under sub- section (1) of Section 8-B of the Act.

(d)"Director Women Welfare Uttar Pradesh" means a person appointed as such by the State Government.

(e)"District", "Police Station" and "Com- plaints" shall have the meanings assigned to them under the Code of Criminal

Officer to administer and co-ordinate the work among the Dowry Prohibition Officers relating to Dowry Prohibition throughout the State.

(2) The Chief Dowry Prohibition Officer shall co-ordinate the work of Dowry Prohibition Officers and shall be responsible for creating consciousness and awareness to

*Substituted by Clause 2 of THE UTTAR PRADESH DOWRY PROHIBITION (FIRST AMENDMENT) RULES, 2004 (No. 2457/60-3-3 (65)-97 Dated, March 31, 2004).

prevent dowry system among the public and to set out with a view to uproot the evil of dowry system.

State Government to the following effects: (3) The Chief Dowry Prohibition Officer shall be responsible for the preparation and submission of an Annual Report on the progress of implementation of the provisions of the Act and related matters and of statistics as may from time to time be required by the

make inquiry into such complaint without delay programmes He shall act as the convenor of the Advisory Board for his part. He shall maintain regular contact with the members of the Dowry and collect evidence for prosecution, If he is satisfied that the offence is made out he shall report the matter to the metropolitan magistrate or a

Government Judicial Magistrate of the first class to bring
(4) The Chief Dowry Prohibition Officer the offender to justice.

shall also perform such other functions as may from time to time be assigned to him by the

(3) He shall discharge duties with due care, decorum, privacy and in a manner to
State Government. uphold the marital tie and family

(5) The Chief Dowry Prohibition Officer relationship.

shall issue instructions to all the departments (4) The Dowry Prohibition Officer's
of the within a week from the due date, in Form-II appended to these rules. He shall also submit any
other details or reports in relation to the Act may be required by the orders of the State Government
issued from time to time in that behalf.

(a) every government servant shall under his signature furnish a declaration.

regarding his marriage to his Head of Department/ appointing authority stating that he has not taken
any dowry

(b) one specified day in a year shall be observed as Dowry Prohibition Day.

(c) pledge to be administered to the students in schools and Colleges and other institutions
not to give or take dowry.]

6. Additional functions to be performed by the Dowry prohibition Officers -The additional
functions of every Dowry Prohibition Officer under clause (d) of sub-section (2) of section 8-B of
the Act shall be as follows:-

(1) He shall endeavour, to create an awareness among the people about the evils of dowry give wide
publicity through information and Public Relations Department and other media channels
Becho.

Television, NGO's against dowry and to involve local people for prevention of dowry (2) He shall
entertain complaint of any offence under the Act from the party or person against any other person
and

proceedings shall primarily be preventive and remedial and prosecution shall be
recommended or resorted to only if all other measures and directions are found not effective or
parties will fully fail or defy the orders or directions within the stipulated time. For this purpose, he
shall take assistance from the Advisory Board.

(5) He shall maintain diary for the purpose of the Act to record all complaints, inquire and
result thereof and other relevant information connected therewith in Form No. 1 appended to these
rules. He shall also maintain separate files with relevant records for each individual case of
complaints.

(6) He shall send the monthly, quarterly, six-monthly and annual progress reports to the Chief Dowry
Prohibition Officer regularly

(7) Prohibition Advisory Board constituted for the purpose of the Act for necessary advice
and assistance from them. He shall inform Chief Dowry Prohibition Officer Uttar Pradesh or any other
person authorized by the State Government for the purpose, about all the affairs relating to operation of
the Act, when and when necessary.

(8) He shall keep in his custody the list

**Substituted by Clause 2 of THE UTTAR PRADESH DOWRY PROHIBITION (FIRST AMENDMENT) RULES, 2004 (No. 2457/60-3-3 (65)-97 Dated, March 31, 2004).*

of all presents submitted to the parties to any marriage under rule 10 of these rules and make entries relating thereto in a register to be maintained for the purpose. He shall also examine these lists and ensure the strict compliance of the provisions of the Dowry Prohibition (Maintenance of Lists of Presents

Institution or Organization, in writing before Dowry Prohibition Officer, either in person or through messenger or by post.

(2) Every such complaint received by the Dowry Prohibition officer shall be immediately entered and duly registered in register in Form No. II annexed to these rules.

to the Bride and Bridegroom) Rules, 1955

(3) The Dowry Prohibition

(9) He shall also perform such other

Officer shall scrutinize the complaint and

duties, for carrying out the purposes of the Act of Rules, as may be required in this regard by the State Government.

****[(10)]** Where on the date fixed for hearing of the complaint or petition or on any other date to which such hearing may be adjourned, the complainant or Petitioner does not appear the Dowry Prohibition Officer, may in its discretion, either dismiss the complaint or petition for default or hear and come to a finding as to its merit, which shall be recorded in the case file.]

if it is prima facie found that the nature and the contents of the complaint are apparently coming within the

purview of section 3 or 4 or 4A or 6 of the Act, he shall immediately conduct an enquiry to collect such evidence from the parties complaint or their relatives as to the genuineness of the

(4) The Dowry Prohibition Officer shall conduct an on the spot investigation and collect such evidence either oral or in writing from the parties or witnesses or

(11) The Dowry Prohibition Officer while making enquiries under the Act or when he attends any marriage for the purpose of

he can fix a date for the purpose, in his office or a place convenient to the parties under intimation to Chief Dowry

making enquiries, take the assistance of any Police Officer or other Officers to assist him in the performance of his functions and it shall be the duty of the Police Officer to render all assistance required by the Dowry Prohibition Prohibition Officer.

(5) The Dowry Prohibition Officer shall intimate in writing or serve notice in advance to the parties and witnesses of the date, time and place of the

Officer.

investigation into the complaint. He will

(12) He shall render assistance to the police in investigating the complaint filed under the Act and to the Court in the trial of the case.

regulation procedure in a manner that parties or witness are put to minimum inconvenience.

(6) Every petition shall be investigated

(13) The Dowry Prohibition Officer

(Member-Secretary/Convener of the Advisory Board) shall send a copy of the proceedings of each meeting of the Advisory Board, within a fortnight from the date of meeting to the District Magistrate with a copy to the State Government for information and necessary expeditiously and Dowry Prohibition Officer shall conclude the investigation within a month from the date of receipt of complaint unless not possible for reasons to be recorded in writing.

(7) The Dowry Prohibition Officer may utilise the service of probation officers of the area for collecting information or

action.]

conducting investigation or assisting in

7-Procedure for filing complaints.

(1) A complaint may be filed by any aggrieved person or a parent or any other relative of such person or any recognised welfare

**** Inserted by Clause 3 of THE UTTAR PRADESH DOWRY PROHIBITION (FIRST AMENDMENT) RULES, 2004 (No. 2457/60-3-3 (65)-97 Dated, March 31, 2004).**

stage of inquiry or proceedings relating to complaint or application under the Dowry Prohibition Act.

(8) On receipt of requisition from the Dowry Prohibition Officer, the probation officer shall conduct necessary inquiry, collect information and furnish such details or report promptly as requested by him. attend and witness the search and may issue an order in writing to them or any of them to

(9) The Dowry Prohibition Officer is do so.

competent to issue proper direction to the parties to commission of any offence under the Act if he thinks such preventive measures would be effective and useful to maintain harmonious relationship between the spouses and their families.

8. Procedure for prosecution of Offences

In all cases of complaint investigated by Dowry Prohibition Officers when there is a prima facie finding as to the commission of an offence, the report shall be submitted to the competent Magistrate for prosecuting the offenders along with the statement recorded, all other connected documents of the proceedings and a brief account of his findings. This report shall be deemed to be report under section 173 of Code of Criminal Procedure, 1973 (Act 2 of 1974).

#19. Limitation and conditions subject to which a Dowry Prohibition Officer may exercise Powers of Police Officer -9. Limitation and Conditions subject to which a Dowry Prohibition Officer may exercise Powers of Police Officer.

(4) Any person who without reasonable cause, refuses or neglects to attend and witness a search under this rule, when called upon to do so by an order in writing delivered or rendered to him shall be deemed to have committed an offence under section 187 of the Indian Penal Code (45 of 1850).]

10. Submission of a list of presents by parties to the marriage. -The parties to any marriage or any of the parents or either of them shall furnish to the concerned Dowry Prohibition Officer within one month from the date of marriage, a copy of the list of presents prepared in accordance with the Dowry Prohibition (Maintenance of List of Presents to the Bride and Bridegroom) Rules, 1985.

11. Constitution and functions of Advisory Board (1) The State Government shall by notification in the official Gazette constitute Advisory Boards consisting of five respectable educated and active Social Workers out of whom at least two shall be women for the area in respect of which Dowry Prohibition Officer exercises jurisdiction.

(1) Save and except the provisions of Chapter V of the Code of Criminal Procedure, namely the power of arrest of a person without warrant the Dowry Prohibition Officer shall have the powers of a Police Officer under the said Code for the purpose of investigation and submission of report before the competent magistrate.

(2) The members of an Advisory Board shall be appointed by State Government from the area in respect of which the Advisory Board shall be formed. The tenure of an Advisory Board shall normally be five years and members thereof shall be co-terminous. A member of the Advisory Board may be considered for re-appointment. The State Government shall have power to supersede an Advisory Board

(2) Whenever Dowry Prohibition Officer has reasonable grounds for believing that stony time without assigning any reason therefor.

an offence punishable under the Act has been or is being or is about to be committed within his jurisdiction and that the search of any premises with warrant can not be made without undue delay, he may after stating the grounds of his belief and having prior written permission of the District Magistrate, search such premises without a

(3) There shall be a Chairperson for each Advisory Board who shall be elected by the members of the Advisory Board and the Dowry Prohibition Officer having jurisdiction over that area shall not be its convener.

(4) The convener shall with the consent of the Chairperson, no call for meeting of the Advisory Board so frequently as may be necessary but at least once in every two months.

warrant.

(8) The membership of any member of the

(3) Before making a search under sub-section

Advisory Board shall consist of such member remaining not less than three

(2) the Dowry Prohibition Officer shall call

upon two or more residents of the locality in which the place to be searched is situated to

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consecutive meetings of the Advisory Board without sufficient reasons or in the opinion of Government must be resorted to in contravention of the Act or Rules made thereunder. To fill up the resultant vacancy a new member may be appointed by the State Government for the

term shall be submitted in the manner prescribed in sub-rule (2) of rule 12 which shall be processed as per the procedure laid down in sub-rule (3) and recognition shall be granted or renewed in cases where the working of the institution or the organization is reported to be

remaining period of the term. Chairmen or assistants.

any member may resign from the Advisory

(5) The State Government may withdraw

Board, but shall continue in office until resignation is accepted by the Government (6) Three members including the Chairperson

the recognition granted to an institution or organization if the working of the institution or organization is found or reported to be

shall constitute the quorum to transact the business of the meeting of the Board.

unassisted, by the Chief Dowry

The convener shall send a copy of the proceedings of each meeting of the Advisory Board, within fortnight from the date of the meeting to the Chief Dowry Prohibition Officer, with a copy to the State Government for information and necessary action.

12. Recognition of Welfare Institution or Organisation

(1) A Welfare Institution or Organization primarily devoted to any of the following kinds of work and has rendered re-

markable service in the following fields for

period of not less than three years will be

eligible for seeking recognition under sub-

clause (ii) of clause (6) of sub-section (1) of section

Prohibition Officer or Director of Women Welfare or otherwise.

13. Declaration of the Dowry Prohibition Officer as Public Servant. Every Dowry Prohibition Officer shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

14. Protection of action taken in good faith-Nosuit or other legal proceeding shall lie against the Government, Director Women Welfare, Chief Dowry Prohibition Officer, Dowry Prohibition Officer, Probation Officer in respect of anything which is in good faith done or intended to be done in pursuance of the Act or the Rules.

(a) Social Welfare including education, protection and training of women.

(6) Organisation of women of State or of All India Character or prominent Mahila Samaj or Women's Organizations.

By order,

P. UMA SHANKAR, Sachiv

(c) Social Welfare including care and protection of Destitute Rescued Women and Children.

(1) Any Welfare Institution or Organisation eligible under sub-rule (1) and desiring recognition, shall make an application to the State Government together with a copy of its Rules or Bye-laws, and Articles of Association list of its members and office bearers and report regarding its activities and record of Social or Community Services.

(3) The State Government may after considering the report of the Director Women Welfare in Chief Dowry Prohibition Officer as to the nature and past record of service of the Organisation or Institution which has presented the application in this regard grant recognition for period of five years renewable on application.

(4) An application for renewal or recognition

[See sub-rule (5) of rule 6]

Serial no. /Year

1 Name of the complaint

2 Address of the Complaint

3 Nature and Particulars of the Complaint

4 Date and time of the Complaint

5 Date and time of Occurrence Complained of

6 Name(s) of the accused and their age

7 Address of the accused

8 Relationship between the Complainants

9 Date of enquiry by the Dowry Prohibition Officer

10 Finding of the Dowry Prohibition Officer on enquiry

11 Views of the Dowry Prohibition Officer.

12 Whether the case was placed before the Dowry Prohibition Advisory Board.

(a) If yes, the date of such placement and

(b) Views of the Board

13 Date of report to the Court

14 A brief note on the Judgment of the Court and the date of Judgment there of

**Signature of Dowry
Prohibition Officer Seal**

Form-III
[See sub rule (2) of rule 7]
Register of
Complaints/Petitions

Sl. No.	List of Complaint	Name and Address of Petitioner	Relationship with the married couple	Date of marriage fixed or held	Date of receipt of petition/ Complaint	Date of hearing	Nature of disposal	Initial of Officer	Remarks
1	2	3	4	5	6	7	8	9	10

