

Dowry Prohibition Act, 2018

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Dowry Prohibition Act, 2018

(Act No. XXXIX of 2018)

[1 October, 2018]

An Act to make afresh a law in light of demand of time considering its provisions repealing the Dowry Prohibition Act, 1980 relating to prohibit the taking or giving of dowry at the time of marriage or before it or during existence of marital relations

WHEREAS it is expedient and necessary to make afresh a law in light of demand of time considering its provisions repealing the Dowry Prohibition Act, 1980 relating to prohibit the taking or giving dowry at the time of marriage or before it or during existence of marital relations;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Dowry Prohibition Act, 2018.

(2) It shall come into force at once.

2. Definitions.- Unless there is anything repugnant in the subject or context, in this Act,-

- (a) “party” means for the purpose of this Act, bride or bridegroom or parents of the bride or bridegroom or legal guardian in the absence of parents of the bride or bridegroom or any person involve in the marriage on behalf of the bride or bridegroom; and
- (b) “dowry” means monetary-articles or any other property as a consideration of marriage given or agreed to be given either directly or indirectly by one party to a marriage to the other party to the marriage at the time of marriage or before it or during existence marital relations as condition precedent for the continuance of the marriage, but does not include dower or mehr in the case of persons to whom the Muslim Personal Law (Shariat) applies or presents made at the time of a marriage by relatives, friends or well-wishers of any party to the marriage.

3. Penalty for demanding dowry.- If any party to a marriage demands dowry, directly or indirectly, to the other party to a marriage, it shall be an offence under this Act and for that he shall be punishable with imprisonment which may extend to 5 (five) years but not be less than 1 (one) year or with fine not exceeding 50,000 (fifty thousand) taka or with both.

4. Penalty for giving or taking dowry, etc.- If any party to a marriage gives or takes or abets giving or taking dowry or makes an agreement for giving or taking of dowry, this action of him shall be an offence and for that he shall be punishable with imprisonment which may extend to 5 (five) years but not be less than one year, or with fine not exceeding 50,000 (fifty thousand) taka or with both.

5. Agreement regarding dowry to be void.- For the purpose of this Act, an agreement for the giving or taking dowry shall be void.

6. Penalty for false case, etc.- If any person with the intention of causing harm to any other person file any suit or makes any complaint against such person having knowledge that there is no justifiable or legal cause under this Act, he shall be punishable with imprisonment which may extend to 5 (five) years or with fine not exceeding 50,000 (fifty thousand) taka or with both.

7. Offence to be cognizable, non-bailable, etc.- Every offence under this Act shall be cognizable, non-bailable and compoundable.

8. Trial of offences, etc.- The provisions of the Code of Criminal Procedure, 1898 (Act No. V of 1898) shall be applicable for the investigation, trial, appeal and other matters related to offence under this Act.

9. Power to make rules.- For the purposes of this Act, the Government may, by notification in the official Gazette, make rules.

10. Repeal and savings.- With the commencement of this Act, the Dowry Prohibition Act, 1980 (Act No. XXXV of 1980), hereinafter referred to as the said Act, is hereby repealed.

(2) Notwithstanding such repeal under sub-section (1), if any suit filed under the said Act is under trial or under investigation or pending shall be continued as if the said Act has not been repealed.

11. Publication of authentic English text.- (1) The Government may, after commencement of this Act, by notification in the official Gazette, publish an authentic English text of this Act.

(2) In the case of conflict between this Act and the English text of this Act shall prevail.
