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From Pyre to Price Tag: The Unbroken Chain of Violence Against Women

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Objectives:

1. To analyse the 1987 Sati (Prevention) Act and assess the role of Indian constitution, judiciary etc in eradication of this social evil from the society.
2. To use the Roop Kanwar Case to understand the impact of glorification of Sati and its manifestation in our society .
3. To find out exactly why dowry cases and deaths are increasing in certain states in India.

Significance:

1. It highlights the gap between the law (banning Sati in 1987) and social persistence of its glorification.
2. It is important to reveal the causes of the dowry related cases which has a hike in India in this 21st century.

Methodology:

Mixed approach is adopted for this article

1. The research is centred on an in-depth, socio- legal analysis of the 1987 Roop Kanwar case.
2. Some primary sources (from sources like the NCRB) and Secondary sources – mainly books and e-sources like articles, journals etc. are used.

Findings:

Both Sati and dowry are rooted in patriarchal structure that devalues women's autonomy and fundamentally treats women as economic liabilities or transferable property.

The failure of law enforcement Agencies and administration: eradicating these evils requires more than criminal punishment, it demands fundamental societal shift towards gender equality.

Abstract:

India is a country known for its rich diversity in culture, traditions and beliefs. India is also fondly regarded as 'mother country' by its countrymen. During the ancient period, people regarded women as goddesses and gave them an important position in society. While ancient Indian society provided women relatively equal opportunities, post-Vedic times saw a decline in their status and property rights were denied to them.



Men considered women as objects of lust and childbearing machines. According to the Manu Dharma Shastra, independent status was forbidden to women. This article will explore the impact of major social evils like Sati and Dowry on women and the efforts taken through the Indian Constitution to eradicate these evils.

Keywords: *Sati, Dowry, Kanyadan, Varadaksina*

Introduction:

During earlier times in our country, the birth of a female child was discouraged by society, and female infanticide was prevalent. Girls had limited access to education, child marriage began to dominate society and paved the way for many types of violence against women. Although many social reformers began to oppose this through their writings, activities, and protests, they couldn't achieve the desired impact. Some forms of violence faced by women in our society includes gender-based discrimination, the dowry system, sexual harassment, femicide, eve-teasing, rape, kidnapping, human trafficking, cyberbullying, etc. Between the seventieth and twentieth centuries, various social reformers emphasised the importance of women rights and demanded equal rights. Notable among them were, Rajaram Mohan Roy, Dayananad Saraswathi, Ishwar Chandra Vidyasagar, Saavithiri Phule, Panditha Ramabai etc., all of whom advocated various means to create awareness among public. The efforts made by these reformers didn't go in vain, and various legislations were passed as a result. Some of them were:

- Child Marriage Restraint Act 1929
- Hindu Marriage Act 1955
- Special Marriage Act 1954
- Hindu Women's Right to Property Act 1939
- Hindu Succession Act 1956
- Dowry Prohibition Act 1961
- Domestic Violence Act 2006

These legislations, committees, and commissions established for the protection of women's equality have not had a significant impact on improving the condition of women in our country. Women continue to face both physical and mental exploitation, not only in their homes but also in their workplaces. Coercion and the glass ceiling syndrome remain prevalent in our society against women.

The following table depicts the incidence of crimes against women and the charge-sheeting rate over the past four decades.

Table 1: At a glance - IPC Crimes over the years 1981 - 2022

S. No.	Year	Total IPC Crimes			S. No.	Year	Total IPC Crimes		
		Crime Incidence	Crime Rate	Charge-sheeting Rate			Crime Incidence	Crime Rate	Charge-sheeting Rate
1	1981	1385757	200.8	61.3	22	2002	1780330	169.5	80.0

2	1982	1353904	192.0	65.3	23	2003	1716120	160.7	80.1
3	1983	1349866	187.4	67.3	24	2004	1832015	168.8	79.8
4	1984	1358660	184.7	67.9	25	2005	1822602	165.3	80.7
5	1985	1384731	184.4	70.2	26	2006	1878293	167.7	80.6
6	1986	1405835	183.5	71.1	27	2007	1989673	175.1	80.1
7	1987	1406992	180.1	72.4	28	2008	2093379	181.5	79.8
8	1988	1440356	180.8	70.7	29	2009	2121345	181.4	78.4
9	1989	1529844	188.5	72.3	30	2010	2224831	187.6	79.1
10	1990	1604449	194.0	70.2	31	2011	2325575	192.2	78.8
11	1991	1678375	197.5	71.3	32	2012	2387188	196.7	78.8
12	1992	1689341	194.7	72.2	33	2013	2647722	215.5	79.5
13	1993	1629936	184.4	72.5	34	2014	2851563	229.2	79.6
14	1994	1635251	181.7	74.1	35	2015	2949400	234.2	77.7
15	1995	1695696	185.1	74.3	36	2016	2975711	233.6	72.9
16	1996	1709576	183.4	76.9	37	2017	3062579	237.7	70.7
17	1997	1719820	180.0	77.5	38	2018	3132955	236.7	68.1
18	1998	1778815	183.2	77.8	39	2019	3225597	241.2	67.2
19	1999	1764629	178.9	78.0	40	2020	4254356	314.3	75.8
20	2000	1771084	176.7	78.4	41	2021	3663360	268.0	72.3
21	2001	1769308	172.3	78.6	42	2022	3561379	258.1	71.3

The above table reveals that for the past four decades there is a rise in recorded crime under the IPC. The number of cases that were recorded increased from 13,85,757 in 1981 to 35,61,379 in 2022 which amounts to a 157% increase. Some of the major reasons for the increased number of reporting are mandatory FIR registration and major legal reforms like Protection of Women from Domestic Violence Act, 2005 which provides civil remedies within 60 days to a woman victim and the Criminal Law (Amendment) Act 2013. The increased number of cases reported can also be attributed to the increase in population as well as the willingness to report, apart from other reasons like awareness on gender inequality, economic stress and urbanization.

Table 2: Crime Heads-wise Cases Registered (CR) under Crime against Women during 2020-2022:

Sl.	Crime Head	2020	2021	2022
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No.				
1	Murder with Rape/Gang Rape	219	284	248
2	Dowry Deaths	6966	6753	6450
3	Abetment to Suicide of Women	5040	5292	4963
4	Miscarriage	239	196	236
5	Acid Attack	105	102	124
6	Attempt to Acid Attack	33	48	38
7	Cruelty by Husband or his relatives	111549	136234	140019
8	Kidnapping and Abduction of Women	62300	75369	85310
9	Human Trafficking	646	914	781
10	Selling of Minor Girls	12	12	8
11	Buying of Minor Girls	1	2	3
12	Rape	28046	31677	31516
13	Attempt to Commit Rape	3741	3800	3288
14	Assault on Women with Intent to Outrage her Modesty	85392	89200	83344
15	Insult to the Modesty of Women	7065	7788	8972
A	Total IPC Crimes against Women	311354	357671	365300
16	Dowry Prohibition Act	10366	13568	13479
17	Immoral Traffic (Prevention) Act	868	1071	946
18	Protection of Women from Domestic Violence Act	446	507	468
19	Cyber Crimes/Information Technology Act	2334	2597	2940
20	Protection of Children from Sexual Offences Act	46123	52836	62095
21	Indecent Representation of Women (Prohibition) Act	12	28	28
B	Total Special and Local Laws Crimes against Women	60149	70607	79956
	Total Crime against Women	371503	428278	445256

Source: Crime in India

While the Table 1 shows the IPC crimes registered over the years 1981- 2022 and includes all types of crimes registered against women, Table 2 specifically mentions 'Crime Heads- wise Cases Registered (CR) under Crime Against Women during 2020-2022, and includes cases like, Rape, dowry deaths, cruelty by husband etc.

Position of women now and then:

Our society is based on a patriarchal structure, where women have to respect and obey those values. In India most of the women from rural as well as urban areas are dependent on others. Initially, only 10 percent of women's participation was observed in the elected assemblies, but now one-third of all seats in the Lok Sabha, State Legislative Assemblies, and the Legislative Assembly of the National Capital Territory of Delhi, including those designated for SCs and STs, are reserved for women under the Constitution (106th Amendment) Act, 2023.

Mahatma Gandhi, the father of our nation rightly said that, women are equal to men intellectually, mentally, and spiritually and also can participate in every activity with equal competence as men. In reality, gender discrimination is present in all the fields. According to recent studies, only 14 percent of women occupy managerial and administrative jobs. They often work longer hours than men but much of their work remains under-valued, unrecognised, unappreciated and the threat of violence stalks their lives from cradle to grave.

Dowry is another social evil that exists in our society, and dowry-related deaths occur in large numbers. Dowry death is prevalent more in middle class urban areas. There is a common saying that every marriage is made in heaven, but in reality, most marriages are arranged based on materialistic considerations. Just like every commodity has a price tag, in some communities in India, a bride is tagged with a price on the basis of her qualification, economic background, social status etc. This price is subject to bargaining in a way similar to people bargain, while purchasing commodities in a market. The dowry amount is then finalised to the satisfaction of the groom's family.

When a girl is born and brought up in a family, she is considered as someone who shall be moving out after marriage and is treated like someone belonging to another family. When a tender sapling is transplanted, extra care and nourishment is given to ensure that the new soil is suitable for its proper growth. Even if the temperature and other conditions are maintained properly, the plant still requires some time to adjust. Similarly, when a bride enters a new life, she brings with her own desires, impressions, habits, etc. It takes time to adapt to the new situation. This process of adaptation should not and cannot be one-sided. She needs a warm welcome and guidance from family members, such as parents-in-law, husband, and others. The husband must stand as a pillar of support, ready to protect her and champion her cause when she is right, and offer equality and protection, by lifting her up or taking responsibility upon himself when she is at fault.

Sati was an ancient practice in India, followed by upper-caste Hindus. It involved the self-immolation of widowed women, who believed it would allow them and their deceased husbands to enjoy heavenly pleasures and escape the cycle of birth and death. During the colonial period, through the efforts of the Bengal elite, missionaries, and colonial officials, Sati was legally abolished in 1829.

In India, especially in Bengal, between 1815 and 1828, 8,135 widows were burnt alive. The reason behind this inhumane practice was the *Dayabhaga* system of Hindu law, according to which widowed women could inherit their deceased husband's property in the absence of male heir.

In order to avoid gender discrimination in our country, our Constitution ensures equality, prohibition of

discrimination, and protection of life and liberty through Articles 14, 15, and 21. Article 51A(e) promotes harmony and the spirit of common brotherhood among all the people of India, transcending religious, linguistic, regional, or sectional diversities, and encourages the renouncement of practices derogatory to the dignity of women.

Roop Kanwar's Case study:

Sikar, one of the districts in Rajasthan, witnessed a tragic incident involving an 18-year-old girl named Roop Kanwar. She was married to Mal Singh, a B.Sc. student. Mal Singh's father was a school teacher, and Roop Kanwar was a matriculate and quite modern in her views. She was also a strong believer in her religion. After being married for seven months, Mal Singh began experiencing severe stomach pain in September and was admitted to the hospital. However, he was brought home dead by his family members. Roop Kanwar voluntarily decided to perform Sati, claiming that her soul would be united with her husband. The exact reason behind her decision remains unclear. Ultimately, she was cremated along with her husband's corpse on September 4, 1987. Her parents were unaware of this decision and were convinced by Roop Kanwar's in-laws. This act was witnessed by the villagers as an act of honour. However, it raises the question whether this act was performed voluntarily, due to religious fervour, or as a result of community pressure?

After this, people decided to glorify Sati.

They aimed to build a temple in honor of Roop Kanwar, who had passed away. Both the High Court and the state government recognized the importance of preventing any such ceremony from taking place. In October 1987, the state government enacted the Rajasthan Sati (Prevention) Ordinance. Just thirteen days after Roop Kanwar's death, a ceremony was held that saw participation from over 200,000 people. Numerous protest marches were organized by women's associations urging the government for a more robust central law to effectively stop Sati. In India, attempting suicide is considered a criminal act, as stated in Section 309 of the Indian Penal Code. Many high courts suggested that committing Sati be made punishable under this law. Ultimately, 'The Prevention of Sati Act 1987' was enacted on January 3, 1988. In 1996, 32 individuals accused in relation to the Sati case were acquitted due to a lack of sufficient evidence. The Rajasthan High Court permitted worship in several Sati temples, including the Rani Sati Temple, Khemi Temple, and Dhauri Temple, located in the Sikar and Jhunjhunu districts. This ruling once again motivated people to embrace the principles of Sati, which posed a challenge to efforts aimed at combating Sati. Following various protest marches organized by women's movements, an intervention petition was submitted on September 12, 2022. Under the Mahila Atyachar Virodhi Jan Andolan, nine women's associations petitioned the Rajasthan High Court to halt the public glorification of Sati and to ensure the effective enforcement of the Sati (Prevention) Act of 1987. In October 2024, the last eight individuals implicated in this case were acquitted due to insufficient evidence.

This case study demonstrates the evolution of legal approaches to Sati, transitioning from traditional acceptance to stringent prohibition in contemporary times. The judiciary has played a critical role in upholding constitutional principles. Nonetheless, there remain several gaps in our legal systems and awareness initiatives. Legislation against such practices should be more rigorous, and penalties must be severe.

Dowry Prohibition Act:

Following Independence, women were granted equal rights with men through the Constitution and various legal measures. However, women continue to experience unequal status within society. Many are deprived

of the right to choose their life partners, pursue advanced education, secure employment, or assert inheritance rights. Cultural and traditional obstacles further exacerbate their situation.

‘Kanyadan’, the ceremony of giving away the bride, and ‘Varadaksina’ are terms that have been significant since the Vedic period. The dowry system is not a new concept in our society; this social evil has been practiced since ancient times.

According to the Dowry Prohibition act of 1961, Dowry is defined as any property or valuable security given or agreed to be given either directly or indirectly,

- a. by one party to marriage to the other party to the marriage or
- b. by the parents of either party to a marriage or by other person, to either party to the marriage or any other person

Every hour, approximately five women in India face abuse and torture linked to dowry practices. A study conducted in 2010 revealed that a woman in India dies by burning every 90 minutes. This statistic does not account for the many other instances in which women, whose families fail to meet dowry requirements, are killed. In the year 2010, there were 8,391 documented dowry-related homicides, representing a notable rise from the 7,000 cases reported in 2003. Data from the National Crime Records Bureau (NCRB) shows that in 2023, dowry cases increased by 14%, resulting in the deaths of over 6,100 women. The NCRB reported that in 2022, nearly 60,577 dowry cases were pending in courts, with 54,416 of these concerning incidents that occurred before 2022. In Tamil Nadu, a total of 59 dowry cases were registered in 2022 under IPC section A, while across the country, there were 6,450 registered cases that same year. In certain communities, it is perceived that giving dowries enhances social standing, leading parents to believe that providing a larger dowry for the groom will ensure respect and safety for their daughter. Furthermore, it has been noted that educated grooms often demand more dowry than their uneducated counterparts.

Even in the 21st century, many educated women endure disrespectful treatment from their partners due to societal pressure. The societal expectation prevents many married women from voicing their difficulties within their husband’s household, as they are convinced by their parents that doing so would harm their status and honor in society, prompting them to tolerate and endure their situations. Conversely, if provided with encouragement, confidence, support, and reassurance during difficult times, women may feel empowered to confront and combat social injustices. In certain states of India, dowry-related cases and deaths are on the rise.

A recent incident in Tamil Nadu has stirred significant concern in society. Kaviya (name changed) took her own life on June 29, 2025, due to dowry demands, physical abuse, and domestic violence. An FIR was subsequently filed under IPC Sections 304B and 498A (cruelty by husband or relatives), along with section 4 of the Dowry Prohibition Act, 1961. Her husband, mother-in-law, and father-in-law were arrested and placed in judicial custody.

The Dowry Prohibition Act, enacted in 1961, was the first national legislation to address the issue of dowry. Although the law established various preventive and punitive measures, its intended outcomes have largely remained unachieved. The primary obstacle to its success lies not in minor shortcomings within the law, but rather in the government's lack of effective implementation. This deficiency stems from the deep-rooted nature of the dowry system in societal customs. Criminal law can be applied to dowry-related violence, rendering it a proper venue for addressing such crimes. Considering the shortcomings of dowry laws and the growing incidence of dowry deaths, Sections 304-B and 498-A were incorporated into the Indian Penal Code in 1983 and 1986. Despite these legislative efforts, dowry-related violence continues, with the nation recording more than 6,000 dowry-related murders in 2022. In conclusion: Despite initiatives

aimed at raising awareness and taking legal action, an analysis of legal measures exposes both advancements and obstacles. While laws exist to prohibit dowries and impose penalties, these regulations often become ineffective due to systemic challenges, societal attitudes, and enforcement deficiencies. Following the case of Roop Kanwar, no similar cases have been registered, yet 'sati sthalas' and melas continue to exist. The Dowry Prohibition Act forbids the demanding, giving, or receiving of dowry. Amendments were made in India's Criminal Law IPC regarding Section 498 A and Section 304 B (dowry death) as part of the Dowry Prohibition Act of 1961.

In 1961, the first national legislation targeting the dowry issue, known as the Dowry Prohibition Act, was established. Although this law provided various preventive and punitive measures, the intended goals have largely not been achieved. The main reason for this shortcoming lies not in minor flaws within the law but rather in the government's inadequate enforcement. This issue is compounded by the fact that the dowry system is deeply rooted in societal customs.

Since criminal law governs dowry-related violence, it serves as an appropriate means to tackle such offenses. Owing to the inadequacies of dowry laws and the rise in dowry-related fatalities, Sections 304-B and 498-A were introduced to the Indian Penal Code in 1983 and 1986, respectively. Nonetheless, incidents of dowry-related violence continue, with over 6,000 dowry murder cases reported in 2022.

In conclusion, although there have been efforts to raise awareness and take legal action, a review of the legal frameworks shows both achievements and ongoing challenges. While laws exist to prohibit dowries and impose penalties, these regulations frequently become ineffective due to systemic obstacles, societal attitudes, and flaws in enforcement. Following Roop Kanwar's case, no similar incidents have been officially recorded, but 'sati sthalas' and melas remain present. The Dowry Prohibition Act forbids the soliciting, giving, or receiving of dowry. Some amendments were made to India's Criminal Law IPC under Section 498 A and Section 304 B (concerning dowry deaths) as part of the Dowry Prohibition Act of 1961. These amendments aim to enforce stricter punishments and provide greater protection in dowry-related cases.

Despite the existence of legal measures meant to reduce dowry-related deaths, the problem persists in our nation. Thus, it is imperative for the government to implement and uphold strict anti-dowry laws.

Numerous NGOs work to safeguard women from dowry-related issues, such as Majilis Legal Centre, Sakthi Shalini, and the All-India Democratic Women's Association. Sakthi Shalini was established in 1987 by Satyarani Chanda and Shajahan Begum, two women who lost their daughters due to dowry-related matters, and who came together to combat sexual and gender-based violence against women. Majilis Legal Centre was founded in 1991 with the goal of informing, educating, and empowering women regarding their legal rights. The All-India Democratic Women's Association, established in 1981, is a mass organization of women created to empower them with social and cultural values leading to their mental advancement.

The contributions of NGOs in protecting women from social injustices and enabling them are admirable. However, it is also the responsibility of every citizen to commit to safeguarding women against dowry-related offenses. Public awareness initiatives can be conducted in educational institutions, workplaces, and community areas. Prioritizing women's education and fostering their self-sufficiency is crucial, as many dowry crimes are linked to economic dependency. If a woman achieves financial independence, her vulnerability to dowry-related issues may decrease. Actions at the panchayat level should also focus on negotiations. Additionally, an important measure to be taken in addressing this issue is to persuade local leaders to discourage rising dowry demands during marriage, along with improving the police-to-population ratio.

The dowry system in India has worsened the condition of women, as it is not confined to any specific community or religion; this social evil is prevalent across all religions and communities.

The UN has recommended a ratio of 222 per 1,00,000 people but we have 155 police personnel for 100,000 people. Hotspots of the crime should be identified, and additional police support should be provided there. Giving counselling and skill enhancement programmes to offenders will reduce recidivism.

Through the Criminal Law Amendment Act 2018, our government introduced strict punishments. The number of Fast Track Special courts were increased. These courts were created to provide swift dispensation of justice and are currently present in 28 states. By expanding the number of One Stop Crisis Centres, the crime rate can be reduced. This scheme is named in Tamil Nadu as Sakhi with an objective to provide immediate, emergency and non-emergency services.

Since 1987 Sati cases are not registered in India but Government and judiciary must impose severe penalties. All District level higher officials must be vigilant and act swiftly against any attempt or even rumours of Sati. The Education Department must add the ill-effects of the social evils and promote women's rights through gender sensitive curriculum. Media should not be allowed to promote or telecast movies, news or documentary which supports or glorifies Sati.

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