

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(Civil) No.499/1997

"IN RE: ENFORCEMENT & IMPLEMENTATION OF DOWRY PROHIBITION ACT, 1961"

(For Final Disposal)

Date : 12/03/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner (s)Mr. Raj Kumar Mehta, Adv.

For Respondent (s)

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Mr. K.K. Rai, Adv.

Mr. Rajeev Sharma, Adv.

Mr. R.C. Verma, Adv.

Ms. Rachna Shrivastava, Adv.

Mr. Gopal Prasad, Adv.

UPON hearing counsel the Court made the following

O R D E R

In spite of order dated 16th January, 2004 passed by this Court, the states of Karnataka, Kerala, Madhya Pradesh, Orissa, Punjab, Andhra Pradesh, Chhatisgarh and Union Territory of Pondicherry continue to be in default.

Responses have been filed by the States of U.P. And Rajasthan but compliance is yet to be made inasmuch as the amendment to the Rules is still under consideration.

We make it clear that the compliance is called for not only in the matter of finalisation of Rules on the basis of model rules framed by the Central Government but the Dowry Prohibition Officers are also appointed and the Advisory Boards constituted.

The learned Amicus Curiae has pointed out that in some of the states Dowry Prohibition Officers have been appointed simply by giving an additional charge to the previously appointed officers discharging other duties and such appointment may be merely an eye wash inasmuch as the overburdened officers may not be able to discharge by devoting the required time for implementation of the provisions of the Dowry Prohibition Act and Rules.

We expect the compliance of the order of the Court in letter and spirit. Eight weeks' time is allowed as a matter of last opportunity for compliance and office shall appoint a date for hearing. On the appointed date if any state or union territory continues to be in default the Secretary of the concerned department of such states/union territory must remain personally present in the Court.

KALYANI

(RADHA R. BHATIA)

COURT MASTER