CHAPTER 1

INTRODUCTION

PREAMBLE

The present study is titled "Public Attitude towards dowry harassment, death and the role of Forensic Science in detection of dowry crimes with respect to Tamil Nadu". In this era of awareness on humanitarian attitude, each country in the world strives to put forward the society by introducing principles of Science and Technology, through peace and understanding. But certain groups in our society try to pursue the old habituations, during the course of their life time for the satisfaction of their traditional aspiration with needs. Some such habituations are corruption, involving criminal activities, gratification through making undue demands. One such kind of undue demands is the "system of dowry". Dowry as social phenomenon have aroused much public concern in contemporary Indian Society. In India, dowry in modern time is not a chance event, but a product of emergence and development of social forces over period of time.

1.1 DOWRY AND ITS PERSISTENCE.

Dowry is a social virus. It is the social evil and is the deadliest enemy of any free and civilized society more so an egalitarian welfare democratic set up. Every thinking man will realise that it poses a serious problem to the society as a whole; dowry in its present form is a burning problem to the civilized society. In Indian society, which is undergoing a
testimonial phase under the capitalist path with uneven development the pheno- 
mina of dowry has attracted much attention. Voluntary organisations have studied voicing their concern against it. Lot of the public debates and 
discussions have been organised and protest marches are held. Besides bills the government have brought in and passed by the assemblies and the parliament at different times, special anti-dowry cells have been opened in various departments of state and central government. It is a fact that all these measures, debates and discussions have singularly failed to achieve their objectives in rooting out dowry. [News paper reports on the need of empower women, an offering financial security to the victims of dowry harassment, the need for educating women etc. have been included in the appendix A1-A5]. Initially the government was not able to define comprehensively, the term of reference of dowry to sue to culprit. The people of contemporary Indian society respond to dowry on two different planes. On theoretical plane most people condemn it on practical plane most of them resort to it.

1.2 DOWRY AS A POLICY MAKER’S SUBJECT

Dowry refers to, indeed more so, a typically large cash transaction made by the bride’s household to that of her perspective bridegroom and his kin. It is not the traditional stridhan usually gifted to the bride, but is the widely condemned social evil, which is spreading by violating the traditional notion and rational mainly in five sense.
Whatever is transacted as stridhan to the bride at the time of marriage, but it is the income that can be taken away by the bridegroom and his kin.

The cash transacted to the bridegroom's parents and his kin is nowhere mentioned in brahminical dictum.

The bridegrooms parents to who claim dowry, utilize it to acquire husbands for their own daughter's, if any, and for other purposes.

The transaction of dowry is demanded even after the marriage and perpetuates for ever.

Further the system of dowry encourages the committal of such crime against women and legal action could not be taken due to obvious social reason.

The above points indicate the social nature of this subject and it is for the government to look to curb such activities for the welfare of the society and the nation's growth.

1.8 FORENSIC SCIENCE AND DOWRY CRIMES

Dowry as a social phenomena which include within its scope the process of making laws, the manner in which such laws are broken and the reaction manner of breaking the laws. Those processes are three aspects of a somewhat unified sequence of interaction. Certain acts referred undesirable
are defined by the society as crime. These crimes may be approached through scientific study in the following manner.

1. The nature and extent of crime.
2. The cause of crime and criminality.
3. The development of criminal law and the administration of the criminal justice.

In this context, the Forensic Science has played vital role for reporting to the court of law so as to render natural justice to the society. Forensic Science is the application of laws of science to the implementation of the laws made by man through the process of investigation. The principle of Forensic Science is as and follows:

A branch of knowledge based on objective principles involving the systemized observation of experiments with phenomena especially concerned with materials and function of the physical universe.

Forensic Science is widely involved in detecting the dowry crimes like dowry death due to strangulation, hanging, murder, suicide, stove bursting, death due to burns, administrations of poison and involvement of documents in the form of suicidal notes, etc.

The present study is made to analyse the causes of such incidence, public attitude towards dowry harassment, death and the role of forensic science in detection of such crimes.
1.4 OBJECTIVES

It is felt that there is an economic association between the various social and economic forces that have contributed to the phenomenon of dowry (Chapter 1). These forces have helped to sustain and augment the phenomenon in contemporary society in general and in metropolitan city in particular. This study has ascertained the existing conditions of life as well as obtained relevant data on socio-economic background, place of birth, migration, status of the individual in respect of dowry practice based on empirical facts on dowry system and its persistence samples were collected from specific field situations.

These were examined and analysed with the following objectives.

- To create awareness in the society that both men and women are equal.
- To emphasize the changing concept of cultural habit.
- To correct the family system.
- To introduce the modified social system.
- To make awareness among the public about the usefulness of forensic science in dowry related cases.

1.5 GEOGRAPHICAL SCOPE OF THE STUDY

Keeping in mind that dowry as a social problem, the following points are observed for the present investigation.
The literary factor and average sex ratio are some of the factors selected as the area for the study. The universe of study represents, more or less various categories and characteristics of persons of the metropolis. The comprehensive nature of the data required for the study in metropolitan city is such that the existing materials are obviously not sufficient. The time and manpower on the one hand and the vastness of area and population size on the other, delimit the area of study. Hence the field of study had been fixed in various cities of Tamil Nadu. One which is a metropolitan city, 3 of which are corporation head quarters and the remaining is a district head quarter. This present study has ascertained the existing conditions of life and obtained relevant data on social economic background, place of birth, migration, status of the individual in dowry practice.

1.6 SAMPLING FRAME

Representative samples from the particular geographical area were drawn by using simple random method from the total number of households in different places. People of these places belong to heterogenous groups and classes in terms of their income, occupation, education, migration status, place of birth, etc. Since these factors were very much related to the consideration of dowry, samples were collected in such a way so that these respondents could be drawn from these groups and closely. In addition to this, interactive method in selecting the samples was adopted, which had resulted in good response in initiating and solving the cases technically. However, it was very difficult to complete the work within the limited period in view of the widespread nature of the Dowry problem.
1.7 MATERIALS

1.7.1 Sources of Information

Primary Sources

The main theme of the thesis is based on the information furnished by the previous studies on dowry research (1) Ganapathy- Varathatichanai Kuttrangalum, Tamil Kathai Ilakkiayamum - 1991 (2) Aruna- Varathatichanai Oru Samuga Aaiyu - 1995. Further, certain facts are collected through personal interviews with the persons affected due to dowry harassment. Along with this, data's on dowry death, harassment for the years 1992-1997, 1998, 1999, 2000 have also been included (See Appendix - A6-A13).

1.7.2 Secondary Sources

Certain published work from books, magazines, journals were referred to for their views and findings and interview with the persons of the office concerned was also conducted.

Both these primary and secondary sources were attributed for corroboration of information and critical analysis of the matter.

1.8 METHODOLOGY

The methodology adopted for the thesis is scientific and analytical.
1.9 COLLECTION OF DATA ANALYSIS

In a scientific study of a problem certain tools and techniques are adopted depending upon the type of problem recognised. For the present study the following tools and techniques were adopted.

Main tool for the collection of primary data was through the questionnaire schedule consisting of standard and structural question. This was followed by the interviews to elicit the qualitative responses relevant to the study in order to build a meaningful rapport with the respondents to develop mutual feeling of trust. A meaningful dialogue and exchange of views and ideas also elicit insight about various issues relating to the dowry and investigation of dowry cases. A method of observation by participation by way of field work attending wedding ceremonies, crime scenes, involvement during post-mortem examination by the medical officers brought out certain facts that have been incorporated in this thesis.

Mass and press media have also been taken into account for the studies of exposure of dowry to get update level knowledge and referred details which revealed many facts not known so far.

The following offices were approached for collecting the particulars in respect of dowry system, causes for dowry harassment and death, investigative methods of dowry crime, agencies to look into dowry. Scientific techniques to detect dowry crimes and facts of the finding are discussed in detail (Chapter 3, 4 and 5).
1. Tamil Nadu State Police Headquarters.


3. Family Courts.

4. Anti-Dowry Cell Wings.

5. Forensic Science Laboratory and Chemical Testing Laboratory (Appendix -A14).


1.10 CHAPTERISATION

Besides introduction (Chapter 1) and Conclusion (Chapter 7), the following chapters are prescribed in presenting the thesis.

Chapter 2. Historical perspectives and genesis of dowry.


Chapter 4. Government effort on prevention of Dowry crimes since Independence.

Chapter 5. Dowry crimes in Society and public attitude towards dowry harassment with respect to Tamil Nadu.

Chapter 6. Role of Forensic Science in detection of Dowry Crimes.

Finally Appendices and Bibliographies are referred.
1.10.1 Information Furnished in Various Chapters

Definition of dowry, cause and effects of dowry, phenomenon of dowry are discussed in the chapter, "Historical perspectives and genesis of dowry".

1.10.2 In the third chapter, various policies and acts made by the British Government under 1947 to control the Dowry Crimes, focus an post-independent Indian Government Act with regard to dowry, lacuana found in the laws, case studies failure in controlling the dowry crime, causes of failure are referred.

1.10.3 In the fourth chapter, the legislative measures made by the government to eradicate the dowry system, comparative study and results are discussed. Various government machineries and organisations, non-governmental organisation to look out the dowry harassment are pointed out with suitable references.

1.10.4 In the fifth chapter, dowry as cause for the social crimes, is analysed in respect of failure of administrative authorities to control the dowry system, public attitudes towards the dowry harassment, death were corroborated.

1.10.5 In the sixth chapter, "Forensic Science in detection of dowry crimes", deals with the significance of Forensic Sciences, definition and legal validity. Further successive case studies in detail through scientific analysis finding and results were presented.
The present report concludes (Chapter 7) with observations and comments. At the end of the report, evidence of data collection, questionnaire format, news covered in the magazines and journals with photo copies and bibliography are annexed.

REFERENCES


Chapter II

Historical Perspective of Dowry