

LAW AREA NAME : WOMAN
SECTION NAME : SOCIAL LAWS
SUB SECTION NAME : PREVENTION OF SATI

LAW IN BRIEF

Sati is an ancient Hindu practice where the widow immolated herself on the funeral pyre of her husband. They deemed it to be a great honour to be able to commit sati and the satimata was idolized by the society.

The ritual of sati was banned by the British Government in 1829 consequent to the relentless efforts of Sri Raja Ram Mohan Roy. A large scale of social reform undertaken by Swami Dayanand Saraswati and Mahatma Gandhi helped in actually putting a stop to the practice.

However, the practice is still in vogue in some parts of Rajasthan and Madhya Pradesh. In light of these incidents, the Government of India enacted the Commission of Sati (Prevention) Act, 1987.

LAW IN DETAIL

The commission of sati involves 3 stages-the burning of the widow, glorification of the act and the culmination with the establishment of a temple dedicated to the sati.

An attempt to commit sati is punishable with imprisonment up to one year or with fine or both.

All those who take part in burning or burying the woman whether as sightseers or as organizers are punishable with life imprisonment and fine

Glorification is the intentional colouring of the act of the sati with religion. Any person glorifying sati is punishable with imprisonment between a year and 7 years and with fine which shall not be less than Rs.5000 but which may extend to Rs.30000.

Any person who contravenes the order of the collector is punishable with imprisonment between a year and 7 years and with fine from Rs.5000 to Rs.30000.

A person who has been convicted under the Act is disqualified from inheriting the property of the person who had committed sati. He is also disqualified from contesting in any election for a period of 5 years from the date of conviction.

PROCESS FOR SOLUTION

Complaint Under which Section ?

- Section 3: Punishment for attempt to commit sati
- Section 4: Punishment for abetment of sati
- Section 5: Punishment for glorification of sati
- Section 6: Powers of the Collector/District Magistrate to prohibit sati
- Section 14: Appeal
- Section 18: Disqualification of convicts.

Whom to complain / where to complaint?

A complaint may be made to the Collector or to the Magistrate that sati is being or about to be committed or glorified. He may by order prohibit the doing of any such act.

How to file the Case ?

The Act also prescribes constitution of special courts for trying offences under the Act. These courts have all the powers of a court of session.

After a complaint has been made to the police or to the Magistrate, the case will be taken up as a criminal case and will be proceeded with according to the criminal procedure code, 1973.

A trial will be held where the witnesses will be examined and the accused person will be convicted if found guilty.

What Next ?

An appeal from the order of a Special court lies with the High Court to filed within 30 days from the date of the judgment.

ALTERNATE REMEDIES

No alternative remedies exist.