

Bill No. XVIII of 2011

THE PREVENTION OF EXTRAVAGANCE AND UNLIMITED
EXPENDITURE ON MARRIAGES
BILL, 2011

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to provide for the prevention and prohibition of sheer extravagance and unlimited expenditure being incurred on marriages and related ceremonies in various parts of the country and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-Second Year of the Republic of India as follows:—

1. (1) This Act may be called the Prevention of Extravagance and Unlimited Expenditure on Marriages Act, 2011.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of India except the State of Jammu and Kashmir, and applies also to citizens of India domiciled in the territories to which this Act extends who are outsiders in the said territories.

(3) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) 'appropriate Government' means in the case of a State, the Government of that State, and in other cases, the Central Government;

(b) 'expenditure on marriage' includes expenses incurred, prior to, during and after the marriage celebrations and related ceremonies on invitation cards, hiring and decoration of pandals, banquet hall, hotel, barat ghar, or such other places, as the case may be, illumination and fireworks, the bridegroom's procession, luncheon or dinner and other refreshments offered to the guests, wedding clothes, ornaments, jewellery, garlands, any kind of gift, in cash or kind, in the form of dowry or any other local custom; 5

(c) 'prescribed' means prescribed by rules made under this Act;

(d) 'related ceremonies' means any custom or ritual, preceding or succeeding a marriage, such as betrothal, engagement, ring exchange, traditional sangeet programme, mehndi, reception, or any other ritualistic or traditional customs prevailing in the place. 10

Prohibition of extravagance on marriages and related ceremonies.

3. Notwithstanding any tradition or custom prevailing in any religion, community, tribe or sect, the appropriate Government shall prescribe an upper ceiling for the expenditure that can be incurred in any marriage and related ceremonies of a couple, after taking into consideration the demographic details and circumstances of the place concerned: 15

Provided that the appropriate Government may, if it considers necessary, make exceptions and relax the limit of total expenditure in individual cases, based on sound reasons and justifications for such relaxation.

Appropriate Government to issuing discretion.

4. Notwithstanding anything contained in any other law for the time being in force, the appropriate Government may issue directions under this Act for achieving the objects of this Act. 20

Penalty and punishment.

5. Any person, who violates the provisions of this Act, or the rules framed or directions issued thereunder, shall be liable to imprisonment for a term which may extend upto one year or fine which may extend upto rupees one lakh or both.

Saving.

6. Nothing contained in this Act shall affect the validity of any marriage solemnized under the provisions of relevant and applicable Acts or personal laws nor shall this Act be deemed to directly or indirectly affect the validity of any mode of contracting marriage. 25

Power to make rules.

7. The Central Government, in the case of diplomatic and consular officer and other officers of the Central Government, and the appropriate Government, in all other cases, may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. 30

STATEMENT OF OBJECTS AND REASONS

Marriages in India have become highly extravagant and lavish affairs, involving lakhs, and even crores, of rupees. Instead of preserving the sanctity of the sacred union of two individuals in life, people are using the marriages and the various ceremonies related to it, as an opportunity to show off their wealth and status, with heavily decorated *Shamianas*, Banquet Halls, sumptuous feasts, special effects, professional dance and music groups, powerful fireworks, etc. It is an open secret that, in most of such pompous weddings, any unspecified amount of money, costly gifts, jewellery and other articles are exchanged as 'Dowry'. Even the invitation cards, which used to be very simple and meaningful, have now become a status symbol, with each party trying to outdo the just concluded marriage ceremony in the area. People have also started the practice of distributing costly gifts and sweets to the Guests attending marriages and receptions and even while giving invitation cards. Indeed, people are now thinking sky-high to add more colour and pomp to marriages, with weddings nowadays taking place in historic places, luxury yachts, ships, planes, etc. At this rate, it will not be far when people start planning to conduct a wedding in the Moon!

The *betrothel* or 'engagement' ceremony has now become a mini marriage itself, with hundreds of guests and lavish spending. The impact of such growing extravagance in marriages is telling upon the lower-middle and lower class people, who try to match the unabashed and pompous rich marriages, often with borrowed money or by selling their hard-earned assets, and later find themselves in severe debt trap. Such uncontrolled expenditure on marriages are, in fact, break the very fabric of our society and institutionalizes the practice of dowry and wasteful expenditure.

The real victims of these extravagant marriages are the poor people, who do not have adequate resources to marry off their daughters and leave their lives to destiny.

It is high time that the Government must take proactive steps to curb the tendency of extravagant expenditure in marriages and related ceremonies, by enacting an appropriate Act, to monitor, regulate and control the unlimited wasteful expenditure being incurred in the name of marriages.

Hence this Bill.

PROF. P. J. KURIEN

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill gives power to the Central Government and appropriate Government to make rules for carrying out the purposes of the Bill. The rules will relate to matters of details only.

The delegation of legislative power is of normal character.

RAJYA SABHA

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(Prof. P.J. Kurien, M.P.)