

'THE DOWRY PROHIBITION (MAINTENANCE OF LISTS OF PRESENTS TO THE BRIDE AND BRIDEGROOM) RULES, 1985

G.S.R. 664 (E)—In exercise of the powers conferred by Section 9 of the Dowry Prohibition Act, 1961 (28 of 1961), the Central Government hereby makes the following rules, namely:—

1. SHORT TITLE AND COMMENCEMENT—(1) These rules may be called the Dowry Prohibition (Maintenance of lists of Presents to the Bride and Bridegroom) Rules, 1985.

(2) They shall come into force on the 2nd day of October, 1985 being the date appointed for the coming into force of the Dowry Prohibition (Amendment) Act, 1984 (63 of 1984).

2. RULES IN ACCORDANCE WITH WHICH LISTS OF PRESENTS ARE TO BE MAINTAINED.—(1) The list of presents which are given at the time of the marriage to the bride shall be maintained by the bride.

(2) The list of presents which are given at the time of the marriage to the bridegroom shall be maintained by the bridegroom.

(3) Every list of presents referred to in Sub-rule (1) or Sub-rule (2)—

(a) shall be prepared at the time of the marriage or as soon as possible after the marriage;

(b) shall be in writing;

(c) shall contain:—

(i) a brief description of each present;

(ii) the approximate value of the present;

(iii) the name of the person who has given the present; and

(iv) where the person giving the present is related to the bride or bridegroom, a description of such relationship.

(d) shall be signed by both the bride and the bridegroom.

Explanation 1—Where the bride is unable to sign, she may affix her thumb impression in lieu of his signature after having the list read out to her and obtaining the signature on the list, of the person who has so read out the particulars contained in the list.

Explanation 2—Where the bridegroom is unable to sign, he may affix his thumb impression in lieu of her signature after having the list read out to him and obtaining the signature on the list, of the person who has so read out the particulars contained in the list.

(4) The bride or the bridegroom may, if she or he so desires, obtain on one or both of the lists referred to in Sub-rule (1) or Sub-rule (2), the signatures of any relations of the bride or the bridegroom or of any other person or persons present at the time of the marriage.

STATE AMENDMENTS UNDER THE DOWRY PROHIBITION ACT, 1961
THE DOWRY PROHIBITION (BIHAR AMENDMENT) ACT, 1975
(Bihar Act No. 4 of 1976)

An Act to amend the Dowry Prohibition Act, 1961, in its application to the State of Bihar.

Be it enacted by the Legislature of the State of Bihar in the Twenty-sixth Year of the Republic of India as follows:—

1. SHORT TITLE AND COMMENCEMENT—(1) This Act may be called the Dowry Prohibition (Bihar Amendment) Act, 1975.
(2) It shall come into force at once.

2. SUBSTITUTION OF NEW SECTION FOR SECTION 3 OF ACT XXVIII OF 1961.—For Section 3 of the Dowry Prohibition Act, 1961 (Act XXVIII of 1961) (hereinafter referred to as the said Act), the following section shall be substituted, namely:—

“**3. Penalty for giving or taking dowry.**—If any person after the commencement of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment which may extend to six months and with fine which may extend to five thousand rupees.”

2. SUBSTITUTION OF NEW SECTION FOR SECTION 4 OF ACT XXVIII OF 1961.—For Section 4 of the said Act, the following section shall be substituted, namely:—

“**4. Penalty for demanding dowry.**—If any person, after the commencement of this Act, demands directly or indirectly from the parents or guardian of a bride or bridegroom, as the case may be, any dowry, he shall be punishable with imprisonment which may extend to six months and with fine which may extend to five thousand rupees:—

Provided that no Court shall take cognizance of any offence under this section except with the previous sanction of the State Government or of such officer as the State Government may, by general or special order, specify, in this behalf.

4. SUBSTITUTION OF NEW SECTION FOR SECTION 7 OF ACT XXVIII OF 1961.—For Section 7 of the said Act, the following section shall be substituted, namely:—

“**7. Trial of offences.**—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Act II of 1974) no Court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence under this Act”.

5. SUBSTITUTION OF NEW SECTION FOR SECTION 8 OF ACT XXVIII OF 1961.—For Section 8 of the said Act, the following section shall be substituted, namely:—

8 Offences to be cognizable, non-bailable and non-compoundable—Every offence under this Act shall be cognizable, non-bailable and non-compoundable."

6. REPEAL AND SAVING—(1) The Dowry Prohibition (Bihar Amendment) Ordinance, 1975 (Bihar Ordinance No. 194 of 1975) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of powers conferred by or under this Act, as if this Act were in force on the day of which such thing or action was done or taken.

THE DOWRY PROHIBITION (HARYANA AMENDMENT) ACT, 1976¹ (Haryana Act No. 38 of 1976)

An Act to amend the Dowry Prohibition Act, 1961, in its application to the State of Haryana.

Be it enacted by the Legislature of the State of Haryana in the Twenty-seventh Year of the Republic of India as follows:—

1. SHORT TITLE.—This Act may be called the Dowry Prohibition (Haryana Amendment) Act, 1976.

2. SUBSTITUTION OF SECTIONS 2, 3 AND 4 OF PARLIAMENT ACT NO. 28 OF 1961.—For Sections 2, 3 and 4 of the Dowry Prohibition Act, 1961 (hereinafter referred to as the principal Act), the following sections shall be substituted, namely:—

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

(i) dowry means any property or valuable security given or agreed to be given either directly or indirectly—

(a) by one party to a marriage to the other party to the marriage; or

(b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person;

at or before or after the marriage as consideration for the marriage of the said parties but does not include dower or *mahr* in the case of persons to whom the Muslim Personnel Law (*Shariat*) applies.

Explanation I—For the removal of doubts, it is hereby declared that any presents at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles, shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the marriage of the said parties.

Explanation II—The expression "valuable security" has the same meaning as in Section 30 of the Indian Penal Code (45 of 1860);

(ii) 'marriage expenses' shall include expenses incurred directly or indirectly at or before the marriage on—

- (a) *Thakka, Sagai, Tikka Shagun and Milni ceremonies;*
- (b) the gifts made by one party to a marriage on the other party to the marriage or by the parents, grand-parents and brothers of either party to a marriage, to either party to the marriage or the blood relations thereof;
- (c) illuminations, food and the arrangements for serving food to the members of the marriage party and other expenses incidental thereto.

Explanation—For the removal of doubts, it is hereby declared that any gifts made by a person other than those specified in Sub-clause (b), at the time of

1. Assent of President of India received on the 5th August, 1976 and was published in the Haryana Gazette, (Extra), Legislative Supplement, Part I, dated August 11, 1976.

marriage to either party to the marriage shall not be deemed to be marriage expenses.

3. *Bar of certain acts.*—No person shall—

- (a) give or take or abet the giving or taking of dowry;
- (b) demand directly or indirectly, from the parents or guardians of a bride or bridegroom, as the case may be, any dowry;
- (c) incur marriage expenses, the aggregate value whereof exceeds five thousand rupees;
- (d) display any gifts made at or before the marriage in the form of cash, ornaments, clothes or other articles;
- (e) take or carry in excess of—
 - (i) twenty-five members of the marriage party; and
 - (ii) eleven members of the band;
- (f) deny conjugal rights to his wife on the ground that dowry has not been given or the dowry given is insufficient.

4. *Penalty.*—(1) If any person contravenes any of the provisions of Section 3, he shall be punishable with imprisonment which may extend to six months and with fine which may extend to five thousand rupees.

(2) The Court trying an offence under Clause (f) of Section 3 relating to conjugal rights may, at any stage of the proceedings, on the execution of a bond by the husband undertaking not to demand dowry and to allow conjugal rights to the wife, drop the proceedings.

(3) Any proceedings dropped under Sub-section (2) shall revive if the Court is satisfied on an application made by the wife in this behalf, that the husband, has failed to carry out the undertaking or has otherwise acted contrary to the terms of the bond and thereupon the Court shall proceed with the case from the stage at which it was dropped:

Provided that no application under this sub-section shall be entertained if it is made after the expiry of a period of three years from the date on which the proceedings were dropped.

(4) The Court may direct that the fine, if any, imposed for the convention of Clause (f) of Section 3 or such portion thereof, as the Court may deem proper, shall be paid to the wife."

3. AMENDMENT OF SECTION 6 OF PARLIAMENT ACT NO. 28 OF 1961.—In Sub-section (2) of Section 6 of the Principal Act, for the words "or with fine which may extend to five thousand rupees, or with both", the words "and with fine which may extend to five thousand rupees" shall be substituted.

4. SUBSTITUTION OF SECTION 7 OF PARLIAMENT ACT NO. 28 OF 1961.—For Section 7 of the principal Act, the following section shall be *substituted*, namely:—

7. *Cognizance of offences.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),—
- (a) no court inferior to that of a Judicial Magistrate of the first class shall try any offence under this Act;
 - (b) no court shall take cognizance of any such offence except on a complaint made by any party to the marriage or her father, mother or brother or a Gazetted Officer specially authorized by the State Government in this behalf, within a period of one year from the date of the marriage;
 - (c) no court shall take cognizance of any such offence except with the previous sanction of the District Magistrate or of such officer as the State Government may, by general or special order, specify in this behalf;
 - (d) no enquiry shall be carried out through any Police Officer below the rank of a Deputy Superintendent of Police;
 - (e) no woman shall be called to a Police Station for the purpose of an enquiry regarding any offence under this Act".

**THE DOWRY PROHIBITION (HIMACHAL PRADESH AMENDMENT)
ACT, 1976¹ [Act No. 25 of 1976]²**

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-seventh Year of the Republic of India as follows:—

1. SHORT TITLE, EXTENT AND COMMENCEMENT.—(1) This Act may be called the Dowry Prohibition (Himachal Pradesh Amendment) Act, 1976.

(2) It extends to the whole of Himachal Pradesh.

(3) It shall come into force at once.

2. SUBSTITUTION OF SECTION 3.—For Section 3 of Dowry Prohibition Act, 1961, in its application to the State of Himachal Pradesh (hereinafter referred to as the principal Act), the following section shall be *substituted*, namely:—

“3. *Penalty for giving or taking dowry.*—If any person gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment which may extend to one year and with fine which may extend to five thousand rupees”.

3. SUBSTITUTION OF SECTION 4.—For Section 4 of the principal Act, the following section shall be substituted, namely:—

“4. *Penalty for demanding dowry.*—If any person demands, directly or indirectly, from the parents or guardian of a bride or bridegroom or from any other person, as the case may be, any dowry, he shall be punishable with imprisonment which may extend to one year or with fine which may extend to five thousand rupees”.

4. INSERTION OF SECTIONS 4-A AND 4-B.—After Section 4 of the principal Act, the following sections shall be *inserted*, namely:—

“4-A. *Bar of certain acts.*—Any person who—

(i) displays any presents made at the time of marriage in the form of cash, ornaments, clothes, or other articles ; or

(ii) gives in the form of ‘*shagun*’ at the time ‘*thaka*’, betrothal or ‘*tikka*’, anything the value of which exceeds eleven rupees; or

(iii) gives to the parents or any other relation of a party to the marriage anything on the occasion of ‘*milni*’ or any other ceremony performed in relation to betrothal or marriage ;

shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees, or with both.

“4-B. *Penalty for depriving any party of the rights and privileges of marriage.*—(1) If after the marriage, any party to the marriage with or without assistance of any other person deprives any other party of the right and privilege of marriage or tortures or refuses to maintain the other party for non-payment of dowry before, during or after marriage, he shall be punishable with imprisonment which may extend to one year and with fine which may extend to five thousand rupees.

(2) The provisions of this section shall be in addition to and not in derogation of, any provision on the subject contained in any other law for the time being in force”.

1. Received assent of the President of India on 11-6-1976.

2. Statement of Objects and Reasons, See R.H.P. Extra, dated 8th March, 1976, at page 858.

5. SUBSTITUTION OF SECTION 7.—For Section 7 of the principal Act, the following shall be substituted, namely:—

“7. *Trial of offences.*—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), no court inferior to that of Judicial Magistrate of first class shall try any offence under this Act.

(2) No court shall take cognizance of any offence under Section 4-B, except on a police report or complaint made within one year of marriage.”

6. SUBSTITUTION OF SECTION 8.—For Section 8 of the principal Act, the following section shall be substituted, namely:—

“8. *Offences to be cognizable, bailable and non-compoundable.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), every offence under this Act shall be cognizable, bailable, and non-compoundable.

8-A. Cognizance of offences.—No court shall take cognizance of any offence under this Act except on a police report under Section 173 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974) or a complaint made by a person aggrieved by the offence:

Provided that no police officer of the rank lower than that of the Deputy Superintendent of Police shall investigate any case registered under this Act:

Provided further that no court shall take cognizance of any offence under this Act except with the previous sanction of the District Magistrate having jurisdiction in the area”.

7. AMENDMENT OF SECTION 9.—In Section 9 of the principal Act,—

(a) after the words “Central Government” occurring in Sub-section (1), the words “or the State Government with the prior approval of the Central Government” shall be inserted;

(b) in Sub-section (2) after the words “Every rule made” and before the words “under this section” the words “by the Central Government” shall be inserted;

(c) after Sub-section (2), the following Sub-section (3) shall be added namely:—

“(3) Every rule made by the State Government under this section shall be laid, as soon as may be, after it is made, before the State Legislature while it is in session for a total period of not less than seven days, which may be comprised in one session or in two successive sessions and if before the expiry of the sessions in which it is so laid or the sessions immediately following, the Legislature requires any modification in the rule or desires that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”

**THE DOWRY PROHIBITION (HIMACHAL PRADESH SECOND
AMENDMENT) ACT, 1978¹**

[Act. No. 39 of 1978]²

It is hereby enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-ninth Year of the Republic of India, as follows:—

1. SHORT TITLE, EXTENT AND COMMENCEMENT—(1) This Act may be called the Dowry Prohibition (Himachal Pradesh Second Amendment) Act, 1978.

(2) It extends to the whole of Himachal Pradesh.

(3) It shall come into force at once.

2. AMENDMENT OF SECTION 7.—In Section 7 of the Dowry Prohibition Act, 1961 (28 of 1961) (hereinafter referred to as the principal Act), the brackets and figure "(1)" at the beginning of Sub-section (1) and also Sub-section (2) shall be omitted.

3. SUBSTITUTION OF SECTION 8-A.—For Section 8-A of the principal Act, the following Section 8-A shall be substituted, namely:—

"8-A. Cognizance of offences.—No court shall take cognizance of any offence under this Act except on a police report under Section 173 of the Code of Criminal Procedure, 1973 (2 of 1974) or a complaint made by a person aggrieved by the offence, as the case may be, within one year from the date of the commission of the offence:

Provided that no police officer of the rank lower than that of the Deputy Superintendent of Police shall investigate any case registered under this Act:

Provided further that no court shall take cognizance of any offence under this Act except with the previous sanction of the District Magistrate, having jurisdiction in the area".

1. Received assent of the President of India on the 22nd November, 1978 and published in R.H.P. Extra, dated 4.12.1978, at page 1900.
2. Statement of Objects and Reasons, see R.H.P. Extra., dated 16.9.1978, at page 1190.

THE DOWRY PROHIBITION (ORISSA AMENDMENT) ACT, 1975
[Act No. 1 of 1976]

Be it enacted by the Legislature of the State of Orissa in the Twenty-sixth Year of the Republic of India, as follows :—

1. SHORT TITLE.—This Act may be called the Dowry Prohibition (Orissa Amendment) Act, 1975.

2. INSERTION OF NEW SECTIONS 6-A & 6-B.—In the Dowry Prohibition Act, 28 of 1951 (hereinafter referred to as the principal Act), after Section 6 the following new sections shall be inserted, namely :

6-A. Penalty for denial of conjugal right by the husband.—(1) If any person denies conjugal rights to his wife on the ground that dowry has not been given or on the ground that the dowry given is insufficient, he shall be punishable with imprisonment which may extend to one year, or with fine which may extend to ten thousand rupees or with both.

(2) The Court trying an offence under this section may, at any stage of the proceedings, on the execution of a bond by the husband, undertaking not to realise the dowry or any portion thereof, as the case may be, and to allow conjugal rights to the wife, drop the proceedings.

(3) Any proceedings dropped under Sub-section (2) shall revive if the Court is satisfied, on an application made in that behalf by the wife, that the husband has failed to carry out the undertaking or has otherwise acted contrary to the terms of the bond, and thereupon the Court shall proceed with the case from the stage at which it was dropped:

Provided that no application under this sub-section shall be entertained if it is made after the expiry of three years from the date on which the proceedings were dropped.

(4) The Court may direct that the fine, if any, imposed under this section or such portion thereof as the Court deems proper, shall be paid to the wife as compensation.

6-B. Maintenance to be paid by husband on his conviction.—(1) On conviction of a person for an offence under Section 6-A, the Court trying the offence may, on a claim made by his wife in that behalf within two months from the date of the order of conviction, order such person to make a monthly allowance for the maintenance of his wife at such monthly rate not exceeding five hundred rupees, as the Court deems proper.

Provided that no such order shall be made without giving the parties concerned a reasonable opportunity of being heard.

(2) In determining the monthly allowance under this section, regard shall be had to—

- (a) the position and status of the parties;
- (b) the reasonable wants of the wife;
- (c) the value of the wife's property and any income derived from such property, or from the wife's own earning or from any other source; and
- (d) the amount of compensation awarded under Section 6-A.

(3) The maintenance so ordered shall be a charge on the property, if any, of the husband, whether acquired before or after the date of the order.

(4) Whether a complaint has been filed by the wife for an offence under Section 6-A, the husband shall not transfer any of his assets till—

- (a) where no claim for maintenance has been preferred under this section, the date of expiry of the period of limitation specified in Sub-section (1) for filing such claim ; and
- (b) where such claim is preferred, the disposal of the claim.

(5) Notwithstanding anything contained in any other law, the wife may enforce any claim for maintenance against any property transferred by the husband in contravention of the provisions of Sub-section (4) as if such transfer were *null and void*.

(6) The provisions contained in Sub-section (3) of Section 125 of the Code of Criminal Procedure, 1973 (2 of 1974) shall, so far as may be, apply to the recovery of the maintenance ordered under this section".

3. AMENDMENT OF SECTION 8.—In Section 8 of the principal Act, for the words "Every offence", the words "Save as otherwise provided, every offence" shall be *substituted*.

THE DOWRY PROHIBITION (PUNJAB AMENDMENT) ACT, 1976
(Punjab Act No. 26 of 1976)¹

Be it enacted by the Legislature of the State of Punjab in the Twenty-seventh Year of the Republic of India as follows:—

1. SHORT TITLE.—This Act may be called the Dowry Prohibition (Punjab Amendment) Act, 1976.

2. AMENDMENT OF SECTION 3 OF CENTRAL ACT NO. 28 OF 1961.—In Section 3 of the Dowry Prohibition Act, 1961, in its application to the State of Punjab (hereinafter referred to as the principal Act), for the words "six months, or with fine which may extend to five thousand rupees", the words "one year, and fine which may extend to five thousand rupees" shall be *substituted*.

3. AMENDMENT OF SECTION 4 OF CENTRAL ACT NO. 28 OF 1961.—In Section 4 of the principal Act,—

- (a) for the words "six months, or with fine which may extend to five thousand rupees", the words "one year, and fine which may extend to five thousand rupees" shall be *substituted*; and
- (b) the proviso shall be *omitted*.

4. INSERTION OF NEW SECTIONS 4-A AND 4-B IN CENTRAL ACT NO. 28 OF 1961.—After Section 4 of the principal Act, the following sections shall be inserted, namely:—

"4-A. *Bar of certain acts.*—Any person who—

- (i) displays any presents made at the time of such marriage in the form of cash, ornament, clothes or other articles ; or
- (ii) takes in a marriage party more than twenty-five persons exclusive of minors and the members of the band; or
- (iii) gives in the form of shagun at the time of thaka, betrothal or marriage, anything the value of which exceeds eleven rupees ; or
- (iv) gives to the parents or any other relation of a party to the marriage, anything on the occasion of 'milni' or any other ceremony performed in relation to betrothal or marriage ; or
- (v) serves to the marriage party more than two principal meals; shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees or with both.

1. Received assent of the President of India on the 12th May, 1976 and published in the Punjab Gazette, (Extra), Legislative Supplement, Part I, dated May 20, 1976.

Explanation.—In this section, the expression 'principal meal' means lunch or dinner.

4-B. Penalty for depriving any party of rights and privileges of marriage.—Any party to the marriage, who, after the marriage, deprives the other party of the rights and privileges of marriage, or tortures, or refuses to maintain the other party, for non-payment of dowry, and any person who assists such party in the commission of such offence, shall be punishable with imprisonment for a term which may extend to one year, and fine which may extend to five thousand rupees".

5. SUBSTITUTION OF SECTION 7 OF CENTRAL ACT NO. 28 OF 1961—For Section 7 of the principal Act, the following section shall be *substituted*, namely :—

7. Cognizance of offences—Notwithstanding anything contained in the Code of Criminal Procedure, 1973—

(1) no court inferior to that of a Judicial Magistrate of the first class shall try any offence under this Act ;

(2) no court shall take cognizance of any offence punishable under Sections 3, 4 and 4-B except upon a complaint made within one year from the date of the offence, by some person aggrieved by the offence :

Provided that—

(a) where such person is under the age of eighteen years, or is an idiot, or a lunatic, or is from sickness or infirmity unable to make a complaint, or is a woman who, according to the local customs and manners, ought not to be compelled to appear in public, some other person may, with the leave of the Court, make a complaint on his or her behalf;

(b) where the person aggrieved by an offence is the wife, complaint may be made on her behalf by her father, mother, brother, sister or by her father's or mother's brother or sister ; and

(3) every offence under Section 4-A shall be cognizable :

Provided that no Police Officer below the rank of a Deputy Superintendent of Police shall investigate any offence punishable under this Act or make any arrest therefor."

6. SUBSTITUTION OF SECTION 8 OF CENTRAL ACT NO. 28 OF 1961.— For Section 8 of the principal Act, the following section shall be *substituted*, namely :—

8. Offences to be bailable and non-compoundable—Every offence under this Act shall be bailable and non-compoundable."

7. AFTER SECTION 8 OF THE PRINCIPAL ACT, THE FOLLOWING SECTION SHALL BE INSERTED, NAMELY—

“8-A. *Institution of proceedings.*—No prosecution shall be instituted against any person in respect of any offence committed under this Act without the previous sanction of the District Magistrate or of such officer as the State Government may, by special or general order, appoint in this behalf”.

8. AMENDMENT OF SECTION 9 OF CENTRAL ACT NO. 28 OF 1961.—
In Section 9 of the principal Act,—

- (i) in Sub-section (1), after the words “Central Government”, the words “or the State Government” shall be *inserted* ;
- (ii) in Sub-section (2), after the words “every rule made” the words “by the Central Government” shall be *inserted* ; and
- (iii) after Sub-section (2), the following sub-section shall be *added*, namely—

“(3) Every rule made under this section by the State Government shall be laid as soon as may be, after it is made before the House of the State Legislature while it is in session for a total period of ten days which may be comprised in one session or in two or more successive sessions, and if before the expiry of the session in which it is so laid or the successive session aforesaid, the House agrees in making any modification in the rule, or the House agrees that the rule should not be made, the rule shall, thereafter, have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule”.