

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

LOK SABHA
UNSTARRED QUESTION NO 1012
TO BE ANSWERED ON 06.03.2007

AMENDMENT IN DOWRY ACT

1012. SHRI RAMDAS ATHAWALE
ABU AYES MONDAL
REWATI RAMAN SINGH

Will the Minister of HOME AFFAIRS be pleased to state: -

- (a) whether the misuse of dowry Act is on increase in the country ;
- (b) if so, whether NRIs have registered any complaints against the misuse of Section 498A of the Dowry Prevention Act ;
- (c) if so, the total number of cases registered and total number of cases found fake ;
- (d) the action taken by the Government in this regard;
- (e) whether a website 498.org has also been established to make a case against the provision ;
- (f) if so, the details thereof ;
- (g) whether the Government has received proposals from various States/organisations regarding amendment in section 498A of IPC and to make it more effective;
- (h) if so, the total number of suggestions/ recommendations received by the Government, till date, organisation-wise and State-wise; and

(i) the reaction of the Government on each suggestion/recommendation ?

ANSWER

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MANIKRAO H. GAVIT)

(a) to (c): The Government has no information that any misuse of the Dowry Prohibition Act, 1961 is on the increase. Section 498A is a section of the Indian Penal Code (IPC) and not the Dowry Prohibition Act. As per statistics compiled by the National Crime Records Bureau (NCRB), the number of cases registered under Section 498A of the IPC during the years 2003, 2004 & 2005 were 50703, 58121 and 58319 respectively.

(d) : `Police` and `Public Order` are State subjects under the seventh schedule to the Constitution of India, hence the primary responsibility of prevention, detection, registration, investigation and prosecution of crime lies with the State Governments. However, the Union Government has from time to time issued advisories to the State Governments to give more focused attention to improving administration of criminal justice system and take such measures as are necessary for the prevention of crimes against all vulnerable sections of the society.

(e) to (f): The Government has no information in this regard.

(g) to(i): The Government has been receiving representations from various quarters for amending Section 498A of the IPC. The Criminal Law (Amendment) Bill, 2003 had, inter alia, a proposal to make Section 498A of the IPC compoundable, but the same was dropped by the Government on the request of women`s organizations, to retain the effectiveness of this legal provision.