

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

STARRED QUESTION NO:355

ANSWERED ON:23.12.2008

CRIME AGAINST WOMEN

Chavda Shri Harisinh Pratapsinh;Renge Patil Shri Tukaram Ganpatrao

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether crime against women has increased manifold during the recent years;
- (b) if so,the details thereof;
- (c) the stand taken by various bodies including the National Commission for Women regarding amendment of section 498A of the Indian Penal Code (IPC) dealing with cases of criminal assault on women;and
- (d) the reaction of the Government thereto?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS(DR. SHAKEEL AHMAD)

(a) to (d): A Statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (d) OF THE LOK SABHA STARRED QUESTION NO.355 FOR 23.12.2008 REGARDING "CRIME AGAINST WOMEN"

(a) & (b): The detailed information regarding crimes against women, obtained from the National Crime Records Bureau during the last three years 2005, 2006 and 2007 is placed at Annexure-I, II and III respectively.

(c) & (d): The National Commission for Women is of the view that laws such as Protection of Women from Domestic Violence Act, 2005, Dowry Prohibition Act 1961 and Section 498A of IPC are important legislations which provide protection and legal remedies to women and these should not be tinkered with.However,the Commission is of the view that in case of matrimonial disputes, the only recourse should be to effect conciliation and mediation between the warring spouses' families with intent to save the family and marriage.However,the options should be with the women aggrieved whether she would prefer such conciliation in the first instance or alternatively prefer filing charges.The Malimath Committee on the Reforms of Criminal Justice System has recommended that the IPC may be suitably amended to make the offence under Section 498A of IPC as bailable and compoundable.The Law Commission of India in its 154th Report has recommended that the said offence may be compounded with the permission of the Court.The recommendations of the Malimath Committee have been sent to the State Governments for their comments as the subject matter of criminal justice system is in the Concurrent List of Seventh Schedule to the Constitution of India.The Criminal Law (Amendment) Bill 2003 had inter alia, a proposal to amend Section 320 of the Cr.P.C. to enable compounding of the offence under Section 498A of IPC (of cruelty by husband or relatives of husband).However the proposal was deleted from the Bill.The Ministry of Women and Child Development is also not in favour of diluting the provisions of Section 498A of IPC.