

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:6674
ANSWERED ON:06.05.2010
DIVORCE UNDER HINDU LAW
Majumdar Shri Prasanta Kumar; Tirkey Shri Manohar

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Law Commission has recommended to dispense with the requirement of mutual consent in case of divorce under Hindu Law especially in cases where both the parties are living separately for years; and

(b) if so, the response/decision of the Government in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY)

(a) & (b): The Law Commission, in its 217th Report on 'Irretrievable Breakdown of Marriage - Another Ground for Divorce', has recommended that immediate action be taken to introduce an amendment in the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954 for inclusion of 'irretrievable breakdown of marriage' as another ground for grant of divorce.

Since the subject matter of the said Report falls under List III -Concurrent List of the Seventh Schedule to the Constitution, comments/views of the State Governments and Union territory Administrations have been solicited and a final decision in the matter is under consideration.