

**GOVERNMENT OF INDIA  
WOMEN AND CHILD DEVELOPMENT  
LOK SABHA**

UNSTARRED QUESTION NO:4437

ANSWERED ON:20.08.2010

DOWRY PROHIBITION ACT, 1961

Kumar Shri Kaushalendra; Rama Devi Smt. ; Venugopal Shri K. C.

**Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:**

- (a) whether the Government has received complaints about the misuse of the Dowry Prohibition Act, 1961;
- (b) if so, the details thereof;
- (c) whether the Government has received representation or suggestions from State Governments and other quarters of the society to amend the said Act; and
- (d) if so, the action taken or proposed by the Government in this regard?

**Answer**

MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH)

(a) to (b): Some complaints/ representations alleging misuse of Dowry Prohibition Act, 1961 have been received. These mainly relate to alleged harassment of husband and other family members using Section 498A of IPC.

A few suggestions were also received for amendment of these legal provisions. In order to lay to rest the allegations of misuse of Section 498A of IPC, the Ministry of Home Affairs in consultation with the Ministry of Women & Child Development have issued an Advisory on 20th October, 2009 to all the State Governments and Union Territory Administrations to comply with the procedures laid down by the Hon'ble Supreme Court in the case of DK Basu Vs. State of West Bengal (CRI CWP No. 539/86) and that in cases of matrimonial disputes, the first recourse should be to effect conciliation and mediation between the warring spouses and their families and recourse to filing charges under Section 498A IPC may be resorted to where such conciliation fails and where there appears a prima facie case under Section 498A and other laws.