

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

UNSTARRED QUESTION NO:985

ANSWERED ON:05.08.2011

MISUSE OF THE DOWRY PROHIBITION ACT, 1961

Jagannath Dr. M.

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

- (a) whether the Government has received complaints regarding lodging of false cases under the Dowry Prohibition Act, 1961;
- (b) if so, whether the Government proposes to review/amend the provisions of the said Act; and
- (c) if so, the details thereof?

**Answer**

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

(a) to (c): No complaints/ representations alleging misuse of Dowry Prohibition Act, 1961 have been received. However, some complaints/ representations regarding alleged harassment of husband and other family members for inflicting cruelty on account of dowry using Section 498A of IPC, have been received.

For preventing the misuse of Section 498A of IPC, Government has issued an Advisory to all the State Governments and Union Territory Administrations on 20th October, 2009. They have been advised 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. The 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.

The Government has a proposal for amendment to the Dowry Prohibition Act, 1961 to make it more effective.