

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

UNSTARRED QUESTION NO:4209
ANSWERED ON:19.02.2014
PUNISHMENT UNDER HIT AND RUN CASES
Aaron Rashid Shri J.M.

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

- (a) whether the Law Commission of India, in its 234th report submitted to the Government, has recommended for enhancement of punishment under Section 304A of Indian Penal Code in light of meager punishment awarded to rich and famous persons involved in hit and run cases and if so, the details thereof;
- (b) whether the Law Commission of India has also recommended that the offence under Section 304A should be made non-bailable;
- (c) if so, the details thereof and the steps taken by the Government in this regard; and
- (d) if not, the reasons therefor?

Answer

MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS AND INFORMATION TECHNOLOGY
(SHRI KAPIL SIBAL)

- (a) and (b): Yes Madam. The Law Commission of India in its 234 Report titled 'Legal Reforms to Combat Road Accidents' has recommended that even the maximum term of imprisonment of five years in section 304A, IPC would not be adequate on the touchstone of the theory of deterrence keeping in view the present days' practical reality and the same should be increased to ten years (also for the proposed sub-section (2) thereof). It is also felt that the offence under section 304A, IPC should be non-bailable.
- (c) and (d): The information is being collected and will be laid on the Table of the House.