

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

UNSTARRED QUESTION NO:2335
ANSWERED ON:03.12.2009
MISUSE OF SECTION A
Meinya Dr. Thokchom

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

- (a) whether the section 498 A meant for offences of matrimonial cruelty including dowry cases has been misused;
- (b) if so, the details thereof;
- (c) whether the Government has any proposal to delete this particular Section or amend it;and
- (d) if so, the details thereof?

Answer

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

(a) to (d): A number of representations have been received from various quarters regarding the misuse of the provision of Section 498 A of IPC. Information regarding its misuse is not collected by National Crime Records Bureau. The matter has been referred to the Law Commission of India to study the use of the provision of this section and hold consultation and suggest amendments, if any, to the provision. An Advisory has also been issued to the State Governments to prevent the misuse of the said Section.

Ministry of Women and Child Development has informed that the Motor Vehicle Act mandates third party Insurance for plying of vehicles on the public roads. It further prescribes the amount of compensation to be paid to the victim depending upon the nature of the accident. The claims are however, settled by MACT which are set up by the State Governments. The Motor Vehicle Act does not deal with the procedure to be adopted by MACT in settlement of road accident cases.