

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

UNSTARRED QUESTION NO:1856
ANSWERED ON:04.12.2014
THE DOWRY PROHIBITION ACT
Patle Smt. Kamla Devi

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

- (a) whether a large number of cases of misuse of the Dowry Prohibition Act, 1961 have come to the notice of the Government during each of the last three years and the current year and if so, the details thereof ;
- (b) whether the Supreme Court has recently made certain observation regarding arrest of a person without verifying the allegations made for violation of the said Act ;
- (c) if so, the details thereof along with the reaction of the Government thereto ;
- (d) whether the Government proposes to review and amend the said Act to check its misuses; and
- (e) if so, the details thereof and if not, the other steps taken/ being taken by the Government in this regard ?

Answer

MINISTER OF LAW & JUSTICE (SHRID. V. Sadananda Gowda)

(a): Data regarding number of cases of misuse of the Dowry Prohibition Act, 1961 is not maintained.

(b)&(c): Recently the Hon'ble Supreme Court in the case of Armesh Kumar vs State of Bihar on 2nd July, 2014 has expressed concern over increasing misuse of Section 498A of Indian Penal Code, 1860 (IPC). The Apex Court directed all States/UTs Administrations to ensure that police officers should not automatically arrest a person when a case under Section 498A IPC (which deals with cruelty by husband and his relatives including cruelty related to dowry harassment) is registered but to satisfy themselves about the necessity of such arrest as per the parameters laid down in Section 41 of Code of Criminal Procedure (CrPC).

Government has issued an advisory to all the Chief Secretary/Secretaries of the States/UTs Administrations vide D.O. letter No. 14-16/2014-WW on 11th July, 2014 in the light of the judgment passed on 2nd July 2014 by Hon'ble Supreme Court in the case of Armesh Kumar vs State of Bihar (Special Leave Petition (Cri) No.9127/2013) to ensure that police officers do not automatically arrest when a case under Section 498-A of the Indian Penal Code is registered but to satisfy themselves about the necessity for arrest under the parameters laid down flowing from Section 41, Cr.PC.

(d)&(e): Implementation of various legislations is regularly reviewed and if required, necessary amendments are carried out for effective implementation.