

court buildings and residential quarters for judicial officers is released to augment the resources of the State Governments.

- (iii) The Central Government is providing assistance to States for setting up of Gram Nyayalayas for delivery of justice to citizens at their door steps. Under the Gram Nyayalayas Act, 2008, the Gram Nyayalayas shall exercise both civil and criminal jurisdictions and follow summary trial procedure in the manner and to the extent provided under the Act.
- (iv) Computerization of the District and Subordinate Courts (e-Courts project) has been taken up under a centrally sponsored scheme with the objective of enhancing judicial productivity and making justice delivery system more affordable and cost effective.
- (v) The 13th Finance Commission has allocated a grant of Rs. 5000 crores for the states over a period of 5 years between 2010–2015 for various initiatives such as increasing the number of court working hours using the existing infrastructure by holding morning/evening/shift courts; enhancing support to Lok Adalats to reduce the pressure on regular courts; providing additional funds to State Legal Services Authorities to enable them to enhance legal aid to the marginalized and empower them to access justice; promoting the Alternate Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system.

Misuse of case laws

4096. SHRI SANJAY RAUT:

SHRI BAISHNAB PARIDA:

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

- (a) whether it is a fact that in some case laws regarding dowry are being misused to settle personal scores;
- (b) whether the Supreme Court has termed it as "legal terrorism";
- (c) whether it is also a fact that Government has brought out some changes in marriage laws regarding divorce;
- (d) whether "equality before law" has been diluted by providing different treatment to men and women; and
- (e) if so, the steps Government is taking to rectify this?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) The Ministry of Women and Child Development has informed that 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. 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 and 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 D.K. Basu V/s State of West Bengal (CRI CWP No. 539/86) and that in cases of matrimonial disputes, the first recourse should be 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.

(b) The Hon'ble Supreme Court vide its judgment dated 19.07.2005 in Shushil Kumar Sharma Vs. Union of India & Others, JT 2005(6) SC 266, WP(C) No. 141 of 2005) has observed as under:

"Merely because the provision is constitutional and *intra virus*, does not give a license to unscrupulous persons to wreck personal vendetta or unleash harassment. It may therefore, become necessary for the legislature to find out ways how the makers of frivolous complaints or allegations can be appropriately dealt with. Till then the Court have to take care of the situation within the existing framework. As noted above the object is to strike at the roots of dowry menace. But by misuse of the provision a new legal terrorism can be unleashed."

(c) Yes sir, the Marriage Laws (Amendment) Bill, 2010 proposes to amend the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954 for making irretrievable breakdown of marriage as additional ground for grant of divorce with adequate safeguards for women and children from financial and other hardships.

(d) and (e) The Constitutional provisions not only grants equality to women under article 14, but also makes special provision in favour of women *vide* article 15 (3) that empowers the State to adopt measures for making special provisions in favour of women and children. Adequate safeguards have been provided in the

Marriage Laws (Amendment) Bill, 2010 to prevent financial and other hardships for women and children.

Issue of Photo Identity Cards

4097. SHRI BHUPENDER YADAV: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of voters in the country, State/UT-wise, including Rajasthan, till date;

(b) the number of registered voters who have been issued Electoral Photo Identity Cards (EPICs) in the country including Rajasthan;

(c) whether all the voters would be issued EPICs; and

(d) if so, by when EPICs would be issued?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) The total number of electors in the country at the time of final publication after special summary revision of electoral rolls w.r.t. 1-1-2012 as qualifying date is 75,97,77,081. A State-wise statement, including Rajasthan, showing the total number of electors is given in Statement-I (*See* below).

(b) Out of the total number of 75,84,83,294 general electors in the country (including 3,76,06,918 general electors of Rajasthan), 70,03,78,550 electors (including 3,61,85,934 electors in Rajasthan) have been issued EPIC. A State-wise statement, including Rajasthan, is given in Statement-II (*See* below).

(c) and (d) Yes, Sir. The Election Commission is making every effort to issue Elector Photo Identity Cards (EPICs) to all residual electors as expeditiously as possible.