

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 1583**

**TO BE ANSWERED ON THE 11<sup>TH</sup> FEBRUARY, 2020/ MAGHA 22, 1941 (SAKA)**

**MISUSE OF SECTIONS OF CrPC AND IPC**

**1583. SHRI JAYADEV GALLA:**

**Will the Minister of HOME AFFAIRS be pleased to state:**

**(a) whether it has come to the notice of the Government regarding the gross misuse of Section 144 of Code of Criminal Procedure (CrPC) by various State Governments in spite of Supreme Court directing that it should not be misused and if so, the details thereof;**

**(b) whether the Government is also aware of misuse of Sections 332 and 353 of Indian Penal Code (IPC) by the States;**

**(c) the number of times Section 144 of CrPC is used by various States during the last three years, year-wise and State-wise;**

**(d) whether the Government has issued any direction/ advisory not to misuse Sections 144 of CrPC and 332 and 353 of IPC and if so, the details thereof; and**

**(e) whether the Government has any proposal to make the offences under Sections 332 and 353 of IPC bailable?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI G. KISHAN REDDY)**

**(a) to (d): 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. The responsibilities to maintain law and order, protection of life and property of the citizens are with the respective State Governments. The State Governments are competent to**

**deal with the offences under the extant provisions of the law and the judicial interpretations and directions thereof and thereunder. It is stated that the data regarding the number of times Section 144 of CrPC is used by various States during the last three years, year-wise and State-wise is not centrally maintained.**

**(e): There is no such proposal at present to make the offences under Sections 332 and 353 of IPC a bailable offence.**

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