

**GOVERNMENT OF INDIA
WOMEN AND CHILD DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:5246
ANSWERED ON:10.12.2010
MARRIAGEABLE AGE
Chaudhary Shri Jayant;Rama Devi Smt.

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether seven different laws and regulations exists in field pertaining to the minimum age of marriage definition of child as well as child marriages;
- (b) if so, the details thereof;
- (c) whether the National Commission for Women recently pointed out the lack of one definition of marriageable age in the Supreme Court;
- (d) if so, the details thereof;
- (e) whether the Government intends to reform the existing laws and implement a single law stating the minimum age for marriage;
- (f) if so, the details thereof; and
- (g) if not, the reasons therefore?

Answer

MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH)

(a) & (b): There are several legislations pertaining to the minimum age of marriage. These are: The Hindu Marriage Act, 1955, The Special Marriage Act, 1954, The Parsi Marriage and Divorce Act, 1936, The Indian Christian Marriage Act, 1872, The Foreign Marriage Act, 1969 and The Prohibition of Child Marriage Act, 2006. In all these legislations marriageable age for girls is 18 and for boys is 21.

However, the definition of child varies under different legislations. Under Child Labour Prohibition Act, 1986, it is 14 years, under Immoral Traffic (Prevention) Act, 1956, it is 16 years and it is 18 years under the Prohibition of Child Marriage Act, 2006.

(c) (d), (e), (f) & (g): The question on the marriageable age of girls was raised before the Supreme Court by National Commission for Women (NCW) and Delhi Commission for Women in 2006, in Shikha Sharma vs State, citing two judgements, one by the Delhi High Court in Lajja Devi vs State (October 5, 2005) and the other by the Andhra Pradesh High court in Makemallaa Sailoo vs State (February 1, 2006) allowing underage girls to marry. There is no proposal of the Government to make any changes, in this regard.