

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

UNSTARRED QUESTION NO:3842
ANSWERED ON:25.08.2011
CHILD MARRIAGE
Viswanathan Shri P.

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

- (a) whether the Law Commission has suggested that child marriage should be declared as illegal;
- (b) if so, the details thereof; and
- (c) the action taken by the Union Government to implement its recommendations?

Answer

MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHID)

(a) & (b) The Law Commission of India vide its 205th report on `Proposal to Amend the Prohibition of Child Marriage Act, 2006 and other Allied Laws` submitted in the year 2008 has recommended that child marriages below certain age i.e., 16 years of age be made void and also recommended that all marriages between 16 and 18 years of age should be made voidable at the option of either party.

(e) Recommendations to declare marriages below 16 years of age as void reflects that the definition of child is to be restricted to 16 years which goes against the provisions contained in the Juvenile Justice (Care and Protection of Children) Act, 2000, the Immoral Traffic (Prevention) Act, 1956 and the Prohibition of Child Marriage Act, 2006. Hence, it was decided that the existing provisions of these Acts are to be retained.