

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

UNSTARRED QUESTION NO:1788
ANSWERED ON:23.03.2012
CHILD MARRIAGE
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Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) the number of cases of child marriage reported during the last three years and the current year, State-wise;
- (b) whether there are conflicting provisions in different laws, including those governing marriage, regarding the definition of the age of ``adulthood``;
- (c) if so, the details thereof;
- (d) whether this multiplicity of laws and regulations has a direct bearing on the incidence of child marriage in the country;
- (e) if so, the details thereof;
- (f) whether the Government plans to bring uniformity in the age of ``adulthood``;
- (g) if so, the details thereof; and
- (h) if not, the reasons therefore?

Answer

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

(a): The National Family Health Survey Statistics brought out by the Ministry of Health and Family Welfare inter alia provides periodic statistics on men and women who were married before the statutorily prescribed age of 21 years and 18 years respectively. The latest such information pertains to the NFHS-3 for the year 2005-2006. At an all India level, 47.4% women aged 20-24 were married before attaining the age of 18, and 32.3% of men aged 25-29 were married before attaining the age of 21. There are eight states where this percentage is much higher than the national average. States like Jharkhand (61.2%), Bihar (60.3%), Rajasthan (57.1%), Andhra Pradesh (54.7%), West Bengal (53.3%), Uttar Pradesh (53%), Madhya Pradesh (53%) and Chhattisgarh (51.8%), reveal that more than 50 % of girls are married by the age of 18 years. According to the National Crime Records Bureau, Ministry of Home Affairs, 104 cases in 2008, 3 cases in 2009 and 60 cases in 2010 were reported under the Prohibition of Child Marriage Act, 2006. The information is not available beyond 2010. A statement on state-wise details of cases reported is enclosed at Annexure.

(b)to(h): According to the United Nations Convention of Child Rights (UNCRC), which has been ratified by India, a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier. Accordingly, Indian legislation has minimum ages defined under various laws related to the protection of child rights, including those governing marriage. For example, under Section 375 of the India Penal Code (IPC), it is provided that a girl, if married, must be of at least fifteen years of age in order to give sexual consent. However, under the Prohibition of Child Marriage Act, 2006, adulthood for marriage is prescribed at eighteen for girls and twenty one for boys, which, in the secular and federal structure of the country, is an effort to discourage child marriages under personal laws.