

Linkages of Prohibition of Child Marriage Act, 2006 with other Laws

Basic premise of the PCMA is:

- **To make a child go through a marriage is an offence.**
- **Child is a person up to 18 years in the case of girls and 21 years in the case of boys.**

The provisions of law can be classified into three broad categories:

A. Prevention

B. Protection

C. Prosecution of Offenders

Other Legislations

A. Hindu Marriage Act, 1955

B. Juvenile Justice (Care and Protection of Children) Act, 2015

C. Protection of Children from Sexual Offences Act, 2012

D. Protection of Women from Domestic Violence Act, 2005

E. Rajasthan Compulsory Registration of Marriages Act, 2009

F. Indian Penal Code, 1860 and Cr.PC, 1973

Hindu Marriage Act, 1955

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A. Condition for a hindu marriage (sec. 5 (iii))

B. Punishment for contravention of conditions (sec. 18)

Juvenile Justice (Care and Protection of Children) Act, 2015 and Model Rules, 2016

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- A. Children in Need of Care and Protection (Sec. 2(14)(xii))**
- B. Production of child before Child Welfare Committee (CWC) (Sec. 31)**
- C. Inquiry by CWC (Sec. 36 R 18)**
- D. Rehabilitation (Care and Protection (Sec. 30, 37 R 19)**
- E. Offence of cruelty (R 55)**
- F. Friendly procedures during pre-trial and trial (Age Determination, Support Person etc.) (R 54)**

Protection of Children from Sexual Offences (POCSO) Act, 2012 and Rules, 2020

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A. Offence of Sexual Offences (Sec. 3,5, 16)

B. Mandatory reporting and recording of Sexual Offences (Sec. 19)

C. Prohibition on disclosure of identity of victim (Sec. 23)

D. Friendly procedures during pre-trial and trial (Sec. 24, 25, 26, 33)

E. Compensation (Sec. 33(8))

Protection of Women from Domestic Violence Act, 2005 and Rules, 2006

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A. Definition of Domestic Violence (Sec. 3)

B. Domestic Incident Report (DIR) by PO (Sec. 9)

C. Protection/Residence orders (Sec. 18, 19)

D. Monetary reliefs (Sec. 20)

E. Custody of child (Sec. 21)

Rajasthan Compulsory Registration of Marriages Act, 2009

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A. Compulsory of registration of Marriage (Sec. 3)

B. Responsibility of Guardian to register Child Marriage (Sec. 8)

Indian Penal Code, 1860 and Cr.PC, 1973

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Indian Penal Code, 1860

A. Definition of Cruelty (Sec. 498A)

Cr.PC, 1973

A. Period of limitation to take cognizance (Sec. 468)

B. Prosecution for offences against marriage (Sec. 198 (6))

Authorities responsible for prevention of Child Marriage

- A. Child Marriage Prohibition Officers (CMPOs)**
- B. District Magistrates**
- C. Police and Child Welfare Police Officers**
- D. First Class Judicial or Metropolitan Magistrates**
- E. Child Welfare Committee**
- F. District Child Protection Units**
- G. Child Protection Committees**
- H. PRI Representatives**
- I. CHILDLINE 1098**
- J. Family Courts**
- K. Children Courts**
- L. Civil Societies**

Thank you