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BY SPG

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F. No. 4-40/DSW/PCMA/2007 776
ANDAMAN AND NICOBAR ADMINISTRATION
DIRECTORATE OF SOCIAL WELFARE

Port Blair dated, 16 May, 2007

To

Smti. Deepa Jain Singh,
Secretary, Govt. of India,
Ministry of Women and Child Development,
Shastri Bhavan, New Delhi-110001.

Madam,

With reference to your D.O letter No. 10-5/2007-CM dated 06/03/2007 and letter dated 4th April 2007 regarding enforcement of "The Prohibition of Child Marriage Act, 2006", this is to inform that the Prohibition of Child Marriage Act has come into force in the UT of Andaman and Nicobar Islands w.e.f 14/05/2007. The UT Administration has framed the "Andaman and Nicobar Islands Prohibition of Child Marriage Rules, 2007" and also appointed Child Marriage Prohibition Officers. Copies of the notification regarding framing of rules and appointment of Prohibition Officers are enclosed as annexure A & B respectively.

Yours faithfully,

Special Secretary (Social Welfare)

Copy to:-

✓ Mrs. Surinder Kaur, Under Secretary Ministry of Women and Child Development, Ground Floor, Parliament Street Jeevan Deep Building, New Delhi with the request to inform Mr. R.C.Kathia, Assistant Govt. Counsel, Central Agency Section, Ministry of Law and Justice, Supreme Court Compound, New Delhi.

[Signature]

Special Secretary (Social Welfare)

20

For Shri
Naigam, Co.
Dab, So.
Shastri
Bhavan

अण्डमान तथा निकोबार प्रशासन
ANDAMAN & NICOBAR ADMINISTRATION
सचिवालय
SECRETARIAT

Port Blair dated, 14 May 2007

No..... F. No. 4-40/DSW/PCMA/2007 In exercise of the powers conferred by Sub-Sections (1) & (2) of Section 19 of the Prohibition of Child Marriage Act, 2006 read with letter No. 10-5/ 2007-CM dated 6th March 2007 of the Govt. Of India, Ministry of Women and Child Development, the Lt. Governor, (Administrator), Andaman and Nicobar Islands hereby makes the following rules, namely :-

1. **Short title and commencement :-**

(1) These rules may be called The Andaman and Nicobar Islands Prohibition of Child Marriage Rules 2007.

(2) They shall come into force on such date as the UT Administration may by notification in the Official Gazette, appoint

2. **Definition :-** In these rules, unless the context otherwise requires,-

- (a) "The Act" means the Prohibition of Child Marriage Act, 2006 as amended from time to time.
- (b) 'Section' means a Section of the Act
- (c) "child" means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age;
- (d) "Child marriage" means a marriage to which either of the contracting parties is a child;
- (e) "Contracting party", in relation to a marriage, means either of the parties whose marriage is or is about to be thereby solemnized;
- (f) "Child Marriage Prohibition Officer" includes the Child Marriage Prohibition Officer appointed under sub-section(1) of section 16;
- (g) "district court" means, city civil court, in any other area, the principal civil court of original jurisdiction and includes any other civil court which may be specified by the State Government, by notification in the Official Gazette, as having jurisdiction in respect of the matters dealt with in this Act;
- (h) "Minor" means a person who, under the provisions of the Majority Act, 1975 is to be deemed not to have attained his majority.

3. (1) The UT Administration shall, by notification in the Official Gazette , appoint for the whole UT , or such part thereof as may be specified in that notification , an officer or officers to be known as the Child Marriage Prohibition Officer having jurisdiction over the area or areas specified in the notification .
 - (2) The UT Administration may also request a respectable member of the locality with a record of social service or an officer of the Gram Panchayat or Municipality or an officer of the Government or any public Sector under taking or an office bearer of any non - governmental organization to assist the child marriage Prohibition officer and such member, officer or office bearer, as the case may be, shall be bound to act accordingly.
 - (3) It shall be the duty of the Child Marriage Prohibition Officer:-
 - (a) to prevent solemnization of child marriages by taking such action as he may deem fit;
 - (b) to collect evidence for the effective prosecution of person contravening the provision of the Act;
 - (c) to advise either individual cases or counsel the residents of the locality generally not to indulge in promoting , helping , aiding or allowing the solemnization of child marriages ;
 - (d) to create awareness of the evil which results from child marriages ;
 - (e) to sensitize the community on the issue of child marriages ;
 - (f) to furnish such periodical returns and statistics as the State Government may direct ; and
 - (g) to discharge such other functions and duties as may be assigned to him by the State Government;
 - (4) The UT Administration may, by notification in the official Gazette, subject to such conditions and limitations, invest the Child Marriage Prohibition Officer with such powers of a police officer as may be specified in the notification and the Child Marriage Prohibition Officer shall exercise such powers subjects to such conditions and limitations as may be specified in the notification.
 - (5) The Child Marriage Prohibition Officer shall have the power to move the court for an order under sections 4, 5 and 13 and along with the child under section 3.
- 4 The Child Marriage Prohibition Officer shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

- 5 No suit, prosecution or other legal proceedings shall lie against the Child Marriage Prohibition Officer in respect of anything in good faith done or intended to be done in pursuance of this Act or any rule or order made there under.

Sd/-
(Bhopinder Singh)
Lieutenant Governor
Andaman & Nicobar Islands

By Order and in the name of the Lieutenant Governor


(Salina)
Assistant Secretary (Social Welfare)

Copy forwarded to:-

1. The Manager Govt. Press, Port Blair with the request to publish the notification in the Extra Ordinary Gazette and supply 100 copies of the Gazette to the AS(SW) immediately. Hindi version will be supplied by the Hindi Officer, A&N Administration.
2. The Hindi Officer, A&N Admn., with the request to supply the Hindi Version of the notification to the Manager Govt. Press, Port Blair under intimation to the Administration.

Copy also forwarded to:-

4. The Secretary, Government of India, Ministry of Women and Child Development Shastri Bhawan, New Delhi.
5. The Inspector General of Police, A&N Islands, Port Blair.
6. The Special Secretary, Social Welfare, A&N Administration, Port Blair.
4. The Director (Social Welfare), A&N Administration, Port Blair
5. The Assistant Secretary (Law), A&N Administration, Port Blair.

Copy forwarded for information to:-

3. The P.S to Lt. Governor, Raj Niwas, Port Blair.
4. The P.S to Chief Secretary, A&N Administration.


(Salina)
Assistant Secretary (Social Welfare)

Annexure - B
61 (168)

**ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT**

Port Blair, dated the 14 May, 2007

NOTIFICATION

No. F.No.4-40/DSW/PCMA/2007, in exercise of powers conferred by sub-section 1 of Section 16 of "The Prohibition of Child Marriage Act, 2006. read with letter No. 10-5/2007-CM dated 06/03/2007 of the Govt. of India, Ministry of Women and Child Development, the Lt. Governor A&N Islands appoints the following officials as Child Marriage Prohibition Officers for the area mentioned against each.

S.No.	Name of the Officials to be notified as Prohibition Officers	Jurisdiction of the Official
1	CDPO Urban Project	South Andaman District
2	CDPO, Ferrargunj	South Andaman District
3	Superintendent (Orphan Home)	Port Blair
4	CDPO, Rangat	North & Middle Andaman District
5	CDPO, Diglipur	North & Middle Andaman District
6	CDPO, Nicobar	Nicobar District

The Child Marriage Prohibition Officers will discharge their duties as envisaged in the "Prohibition of Child Marriage Act, 2006.

Sd/-
Lt. General (Retd.) Bhopinder Singh
Lieutenant Governor
A&N Islands

By Order and in the name of the Lieutenant Governor


(Salina)
Assistant Secretary (Social Welfare)

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5. The Assistant Secretary (Law), A&N Administration, Port Blair.

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1. The P.S to Lt. Governor, Raj Niwas, Port Blair.
2. The P.S to Chief Secretary, A&N Administration.


(Salina)
Assistant Secretary (Social Welfare)



GOVERNMENT
OF ANDHRA PRADESH

ఆంధ్ర ప్రదేశ్ రాజ పత్రము

RULES SUPPLEMENT TO PART-I
EXTRAORDINARY

OF

THE ANDHRA PRADESH GAZETTE

PUBLISHED BY AUTHORITY

No. 71 HYDERABAD, TUESDAY, MARCH 20, 2012

NOTIFICATIONS BY GOVERNMENT

DEPARTMENT FOR WOMEN, CHILDREN, DISABLED &
SENIOR CITIZENS

(WP)

FRAMING OF RULES UNDER THE PROHIBITION OF CHILD
MARRIAGES ACT, 2006.

[G.O. Ms. No. 13, Department for Women, Children, Disabled & Senior
Citizens (WP), 19th March, 2012.]

In exercise of the powers conferred by sub-section (1) of Section
19 of the Prohibition of Child Marriages Act, 2006 (Central Act No. 6 of
2007), the Governor of Andhra Pradesh hereby makes the following rules.

111

G. 1247.

RULES

1. Short title, Extent and Application :

- (1) These Rules may be called "THE ANDHRA PRADESH PROHIBITION OF CHILD MARRIAGES RULES, 2012".
- (2) It extends to the whole State of Andhra Pradesh.
- (3) These Rules shall be applicable to all Indian citizens, and foreigners residing in/visiting Andhra Pradesh, including their families, enforcement agencies and the Government.

2. Definitions :

In these rules, unless the context otherwise requires :-

- (i.) "Act" means "Prohibition of Child Marriages Act, 2006".
- (ii.) "Child" means a person who, if a male has not completed twenty-one years of age; and if a female, has not completed eighteen years of age.
- (iii.) "Child Marriage" means a marriage to which either of the contracting parties is a child;
- (iv.) "Contracting party" in relation to a marriage, means either of the parties whose marriage is or is about to be thereby solemnized.
- (v.) "District Court" shall in addition to those mentioned in the Act includes the Court of the Judicial First Class Magistrate, and all other Children's Courts in Andhra Pradesh that shall be constituted under the Commission for Protection of Child Rights Act, 2005;
- (vi.) "Marriage Officer" means an Officer duly appointed by the State Government under the Andhra Pradesh Compulsory Registration of Marriages Act, 2002;

March 20, 2012]

RULES SUPPLEMENT

3

THE EXTRAORDINARY (Part-I)

RULES

Application :

called "THE ANDHRA PRADESH
CHILD MARRIAGES RULES, 2012"

State of Andhra Pradesh.

applicable to all Indian citizens, and
visiting Andhra Pradesh, including their
agencies and the Government.

Context otherwise requires :-

Prohibition of Child Marriages Act, 2006".

Person who, if a male has not completed
age; and if a female, has not completed
age;

means a marriage to which either of the
is a child;

in relation to a marriage, means either of
marriage is or is about to be thereby

all in addition to those mentioned in the
act of the Judicial First Class Magistrate,
Sessions Courts in Andhra Pradesh that shall
be the Commission for Protection of Child

means an Officer duly appointed by the
under the Andhra Pradesh Compulsory
Marriages Act, 2002;

(vii) "Nodal Officer" means the Commissioner / Director of Women
Development and Child Welfare at State Level and the
Collector of the District at District Level or as may be notified
by the Government.

(viii) "Section" means a Section of the Act, and

(ix) "Rules means" The Andhra Pradesh Prohibition of Child
Marriages Rules, 2012".

Words and expressions used and not defined in these rules but
defined in the Act, shall have the means respectively assigned to them
in the Act.

3. "Appointment of Child Marriage Prohibition Officers" :

The State Govt. appoint the following Officers as the "Child
Marriage Prohibition Officers" (hereinafter referred to as the CMPOs)
for the whole State of Andhra Pradesh from the date of notification
in the official Gazette/District Gazette :-

- (1) The District Collector of the concerned District is District CMPO.
- (2) Revenue Divisional Officer (RDO)/Sub-Collector at the divisional
level.
- (3) The Child Development Project Officers (CDPOs) at the Project
level covering 3-5 mandals which is under their jurisdiction.
- (4) The Tahsildars at the Mandal level for the villages which are
under their jurisdiction.
- (5) The ICDS Supervisors at the Mandal level covering their
respective villages under their jurisdiction.
- (6) The Panchayat Secretaries of the Panchayat Raj Department and
Village Administrative Officers of Revenue Department at the
Village level.

E. "Duties of the Child Marriage Prohibition Officers" :

In addition to the duties enlisted in the Act, all the "Child Marriage Prohibition Officers" at all levels, shall be duty bound to :

- (1) Ensure implementation of the Andhra Pradesh Compulsory Registration of Marriages Act, 2003 and Rules made under the said Act, vide G.O. Ms.No.35, W.D, C.W & D.W (Prugs) Department dated 24th September, 2003.
- (2) Immediately act, upon any information of the solemnization or proposed solemnization of any child marriage that may be received through any mode of communication, including in written or oral form i.e., through a letter, telegram, phone, e-mail, etc. or by any other means maintaining the confidentiality of the informant or source of information or *sun moto* on any instance coming into his/her knowledge or reported in media and forthwith initiate all necessary action, including addressing the Police and Officers concerned.
- (3) Furnish Returns and Statistics in formats as may be prescribed by the Government from time to time.
- (4) Cause the publication and wide circulation of the Act and the Rules in Telugu and Urdu in all offices under this Act and public places and in all villages etc.
- (5) Associate and Work in Co-ordination with the respective Village / Mandal / Divisional / District Child Marriage Prohibition and Monitoring Committee, NGOs, SHGs, VDP, Mandal Samakhya, Zilla Samakhya and departments concerned.
- (6) Initiate legal action and cause registration of cases under appropriate provisions of the Act, and Rules for their violation.
- (7) Formulate concrete strategies for the identification, rescue, rehabilitation and reintegration of Victims of child marriages.

(242)

March 20, 2012]

REUTERS SUPPLEMENT

THE EXTRAORDINARY
Prohibition Officers"

listed in the Act, all the "Child Marriage
Prohibition Officers" shall be duty bound to

of the Andhra Pradesh Compulsory
in Act, 2007 and Rules made under the
1.55, W.D., C.W & D.W (Praga) Department
2013.

any information of the solemnization or
of any child marriage that may be received
communication, including in written or oral
in, telegram, phone, e-mail, etc. or by any
of the confidentiality of the informant or
it and none on any instance coming into
period in media and forthwith initiate all
ding addressing the Police and Officers

Statistics in format as may be prescribed
on time to time.

and wide circulation of the Act and the
in all offices under this Act and public
gas etc.

Co-ordination with the respective Village
/ District Child Marriage Prohibition and
e, NGOs, SHGs, VDP, Mandal Samakhya,
departments concerned.

and cause registration of cases under
of the Act, and Rules for their violation.

strategies for the identification, rescue,
integration of Victims of child marriages.

(8) Activate the Balika Mandals and Peer Groups to sensitize other
adolescent girls.

(9) Take all such measures as required to sensitize and promote
awareness against child marriages and to prevent child marriage.

5. "Powers of the Child Marriage Prohibition Officers" :

Under the Act, "Child Marriage Prohibition Officers" are vested
with the powers of a police officer and shall exercise the powers of
investigation, summoning of parties and witnesses, recording of
statements, booking of cases against individuals and parties concerned.
The said Reports shall be treated as material evidence for punishing
the offenders legally.

The "Child Marriage Prohibition Officers" shall also have the
power to seek the assistance of the police and the police shall be duty
bound to provide such assistance to the "Child Marriage Prohibition
Officers" to enable her/him to carry out his/her duties under the Act
and the Rules.

6. Disciplinary Action against Child Marriage Prohibition Officers:

Every Child Marriage Prohibition Officers shall be responsible
for taking pre-action steps to prevent Child Marriages including
furnishing of timely information of any such marriages or proposed
marriages to Police and Superior Officers concerned. Any failure in
this regard shall entail appropriate action against concerned.

7. Designation of Nodal Officer :

(i) The Commissioner / Director of Women Development & Child
Welfare at State Level and the District Collector at the District
Level and RDOs/Sub Collectors at the divisional level shall be
the Nodal Officers respectively for the purpose of
implementation of the Act and the Rules.

- (ii) The Commissioner / Director of Women Development & Child Welfare at State Level and the District Collector at the District Level and RDC's/Sub Collectors shall periodically review the functioning of the "Child Marriage Prohibition Officers" which shall not be less than once in six months within her/his respective State/District/Division and take all necessary measures for the proper and effective implementation of the Act and the Rules.

B. Village Child Marriage Prohibition and Monitoring Committee

A committee shall be constituted in every village to monitor and supervise the implementation of the Act and the Rules within that village. The Committee shall comprise of the following persons :

- | | |
|---|----------------|
| 1. Gram Panchayat Sarpanch | - Chair person |
| 2. The Panchayat Secretary | - Member |
| 3. Village Administrative Officers of Revenue Dept. | - Member |
| 4. Local School Teacher | - Member |
| 5. Members of self help group / Gram Samakhya | - Members |
| 6. Elected Panchayat Women Members | - Members |
| 7. ANM | - Member |
| 8. NGO functioning in the area | - Member |
| 9. A member from Youth Organization
Preferably a women | - Member |
| 10. Village Officers | - Members |
| 11. ASHA | - Members |
| 12. Anganwadi Workers | - Convener |

Women Development & Child
District Collector of the District
shall periodically review the
Prohibition Officers" which
months within limits respective
all necessary measures for the
lation of the Act and the Rules.

and Monitoring Committee:

in every village to monitor and
the Act and the Rules within that
use of the following persons:

- Chair person
- Member
- of Revenue - Member
- Member
- run Samakhya - Members
- Members
- Member
- Member
- ation - Member
- Members
- Members
- Convener

March 20, 2012]

RECEIVED SUPPLEMENT

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9. Mass-Solemnization of Child Marriages:

The CMPOs and officials concerned shall, during the mass
solemnizations of child marriages, on occasions such as Akshya
Tritiya, Mahadivratri, Hicappa Pongala, Sannakka Sannakka Janaki,
Sreyana and Vinga (Kalyanamata Programmes) etc. take all necessary
steps to prevent Child Marriages including the following:

- (1) The District Collector shall involve all the related departments,
especially of the Endowments/Departments, i.e. Head of National
Committees or the Executive Officer of the temple where the
mass marriages are being held; Health, Education, Rural
Development, Panchayat Raj, Women Development and Child
Welfare, Police Information & Public Relation, Adult Education,
Revenue etc., among others, for better co-ordination to ensure
that no child marriages, including mass child marriages are
solemnized.
- (2) The District Administration should begin planning and
strategizing well before such occasions with constant awareness
drives etc., against child marriages including mass child
marriages.
- (3) The Officials shall ensure scrupulous adherence to the Andhra
Pradesh Compulsory Registration of Marriages Act, 2002.
- (4) The Nodal Officers at State Level and District Level with the
help of Village Level Child Marriage Prohibition Committee
and CMPOs etc., at various levels should among others take the
following measures:-
 - (i) Give wide publicity about the negative consequences of child
marriages in the local language and use creative and mass media
through films, hearings, posters, pamphlets, loudspeakers,
cultural programmes etc. and advertisement on the TV, radio
and newspapers and on buses and trains etc.

(ii) Take a serious note of any form or means of glorification of child marriages and initiate appropriate measures, including legal action, against child marriages and must initiate appropriate measures, including legal action, against such persons / organisations responsible for such glorification.

(iii) Ensure that officials and professionals like doctors etc. do not account issue false medical/birth age certificates and initiate appropriate action when they are found doing so.

(iv) Necessarily involve NGOs having a track record of working on issues related to children, in particular against child marriages.

10. Budget:

The Nodal Officers and Child Marriage Prohibition Officers at various level shall be provided adequate funds to implement and monitor the implementation of the Act and Rules.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF
ANDHRA PRADESH)

P. V. RAMESH,
Principal Secretary to Government (Hr).

—x—

GOVERNMENT OF ASSAM
SOCIAL WELFARE DEPARTMENT, DISPUR

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 2nd November, 2015.

No.SWD.96/2004/192 : The Governor of Assam is pleased to notify the Assam Prohibition of Child Marriage Rules 2015 as approved in the cabinet under section 19(1) of the prohibition of Child Marriage Act, 2006 (Act No. 6 of 2007) in the State of Assam with immediate effect.

The Rules comes in force with immediate effect.

Sd/-

Commissioner & Secretary to the Govt. of Assam,
Social Welfare Department, Dispur.

Memo No. SWD. 96/2004/192 -A,
Copt to:-

Dated, Dispur, the 2nd November, 2015

1. P.S. to Hon'ble Chief Minister, Assam.
2. S.O. to the Chief Secretary, Assam, Dispur, Guwahati-6.
3. All the Additional Chief Secretaries
4. The Prin. Secretary /Commissioner & Secretary
5. P.S. to Parliamentary Secretary, Social Welfare, Assam for information.
6. P.S. to Commissioner & Secretary, Social Welfare Department, Assam, Dispur.
7. The Director, Social Welfare, Assam, Uzanbazar, Guwahati-1.
8. The Chairperson I/c Assam State Commission for Protection of Child Rights, Jayanagar, Guwahati-22 for information.
9. The Member Secretary, State Child Protection Society, Beltola, Guwahati -28 for information.
10. All Deputy Commissioners
11. All the SDO(Civil)
12. All the Programme Officer, Divisional ICDS Cells.
13. All the District Social Welfare Officers/ Child Development Project Officers.
14. All the members concerned.
15. The Deputy Director, Assam Govt. Press, Bamunimaidam, Guwahati-21 for favour of publication of the above notification in the next issue of Assam Gazette.

By order etc



Deputy Secretary to the Govt. of Assam,
Social Welfare Department, Dispur

**GOVERNMENT OF ASSAM
SOCIAL WELFARE DEPARTMENT
DISPUR, GUWAHATI - 6**

No. SWD.96/2004/196

Dated, Dispur the 19th January, 2016.

From : Smti L. Das, ACS,
Joint Secretary to the Govt. of Assam,
Social Welfare Department.

To : The Legal Consultant,
Ministry of Women & Child Development,
Shastri Bhawan, New Delhi- 110001.

Sub : **Notification of prohibition of Child Marriage Act, 2006.**

Ref. : Your email dtd. 18-1-2016.

Sir,

With reference to your letter on the subject cited above, I am directed to inform you that this Department has sent the notification to Secretary, Govt. of India, Ministry of Women & Child Development regarding prohibition of Child Marriage Rules 2015 under section 19 (1) of the prohibition of Child Marriage Act, 2006 vide letter No. SWD. 96/2004/194, Dtd. 12-1-2016.

However, a copy of the same is enclosed herewith for your ready reference.

Further, the District Child Protection Officers shall be notified as Prohibition Officer which is under process.

Yours faithfully

Encl.: As above.


Joint Secretary to the Govt. of Assam
Social Welfare Department.

४ मई २०१०

सं० १०/बालविवाह-०३/२००७-१०२४—का अंग्रेजी में निम्नलिखित अनुवाद बिहार-राजपत्र के प्रतिकल्प से इसके द्वारा प्रकाशित किया जाता है, जो भारतीय संविधान के अनुच्छेद ३५३ के खण्ड (३) के अन्तर्गत अंग्रेजी भाषा का प्रामाणिक पाठ समझा जाता।

बिहार-राजपत्र के आदेश से,

(स) असमर्थ,

संयुक्त सचिव।

Bihar Prohibition of Child Marriage Rules, 2010

The 8th May, 2010

सं० १०/बालविवाह-०३/२००७-१०२४—In exercise of the power conferred by section 19 of the Prohibition of Child Marriage Act, 2006 (No. 6 of 2007) the State Government of Bihar makes the following Rules, namely:-

Rules

1. *Short title, extent and commencement:*—(1) These rules may be called the Bihar Prohibition of Child Marriage Rule, 2010.

(2) It shall extend to the whole of the State of Bihar.

(3) It shall come into force on the date of its publication in the Official Gazette.

2. *Definition:*—In these Rules, unless the context otherwise requires:—

(1) 'Act' means the Prohibition of Child Marriage Act, 2006 (6 of 2007)

(2) "Court" means the district court as defined in the Act.

(3) "Aggrieved Person" means any of the contracting party to a child marriage;

(4) "Child Welfare Committee" means the committee constituted under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2000

(5) "Form" means a form appended to these rules.

(6) "Child Marriage Prohibition Officer" means a persons notified by the Government of Bihar under sub-section (1) of Section 16 of the Act the purpose of carrying out the functions as mentioned in the sub section (3) of the section 16.

(7) The Words used in these rules but not defined shall have the same meaning as defined in the Act.

3. (1) The petitioner under the provision of sub section (1) of Section 3 for annulling a child marriage by a decree of nullity may be filed before the court exercising jurisdiction in that area (ii) The court while exercising jurisdiction under the Act shall have all the powers and shall be governed by the provision of Civil Procedure Code, 1908 (No. 5 of 1908).

(2) Any sum or articles including ornaments ordered to be returned by the court, shall be returned in the presence of Presiding Officer of the Court.

(3) Any order for return of any sum or article shall be executable as a decree under the Civil Procedure Code, 1908 (No. 5 of 1908).

4. (1) Any order for return of any sum or article under sub Rule (1) of section 4 of the act for payment of maintenance in lump-sum to the female contracting party of the marriage shall be paid within 30 days from the date of passing order, in the presence of Presiding Officer of the Court. If the amount of maintenance is payable monthly the concerned party or guardian shall pay the same to the female contracting party of the marriage by 15th day of each calendar month. (2) When the male contracting party to the marriage or his guardian where the male contracting party is minor fails to obey the order of the court passed under Sub-section (1) of Section 4 of the Act then the aggrieved party may file an application for execution in the district court. The district court shall make an

order in accordance with provisions of chapter IX of the Code of Criminal Procedure, 1973 (No. 2 of 1974).

5. A copy of any order passed by the court under sub-section (1) of section 5 of the Act shall be sent to the Child Welfare Committee whose duty shall be to ensure from time to time that the child is getting proper care and protection from authorized custodian.

6. In cases where the contracting parties or any other party is minor the court shall in appropriate cases refer then to Child Welfare Committee for protecting the Best interest of the Child.

7. An order passed under sub-section (4) of section 5 shall be executable in the manner provided herein before under sub-rule (2) of Rule 4.

8. A copy of an order passed under section 7 of the Act shall be given to both the contracting parties and their guardian and also to the Child Marriage Prohibition Officer.

9. (1) Information regarding of likelihood of solemnization of child marriage in any area may be given by any person orally or in writing or by post or by electronic mode to the Child Marriage Prohibition Officer, Block Development Officer, Police Station or Sarpanch of the Gram Panchayat.

(2) The officials other than the Child Marriage Prohibition Officer, on receiving the information of likelihood of solemnization of child marriage, shall furnish such information to Child Marriage Prohibition Officer along with this report, who shall then take an appropriate action under the provisions of the Act.

(3) District Magistrate may pass an order under Sub section (5) of section 13 of the Act directing all or any Police Stations to keep vigil at religions and public places and also to take appropriate action to check and prevent the solemnization of child marriages, specially during special occasions when mass child marriages are solemnized.

10. Duties of Child Marriage Prohibition Officer:- In addition to the duties mentioned in clauses (a) to (f) of sub section (3) of section 16 of the Act, the Child Marriage Prohibition Officer shall discharge the following functions and duties, namely:-

(1) To provide the information about the rights of aggrieved persons and his relatives or the person accompanying him or other person under the Act;

(2) To provide legal aid to the aggrieved person through the State Legal Aid Services Authority;

(3) To inform the aggrieved person about the shelter homes and if required, arrange for their shelter in shelter homes for the purpose of safety of the aggrieved person during the pendency of the proceedings of the Court or otherwise;

(4) To Assist the aggrieved person in filling an application in the Court regarding the offenses committed under the Act;

(5) To keep vigilance in the area under his jurisdiction for eliminating the possibility of solemnization of child marriage;

(6) To inform the police authorities including the special police officers appointed under the Immoral Traffic (Prevention) Act, 1956 (104 of 1956), if he comes to know of the solemnization of any child marriage wherein the child being a minor, is:-

- (i) Taken or enticed out of the keeping of the lawful guardian; or
- (ii) Compelled by force; or
- (iii) Induced by any deceitful means to go from any places; or
- (iv) Sold for the purpose of marriage, and made to go through a form of marriage; or
- (v) Married and after which is sold or is trafficked or used for immoral purpose;

(7) To—

- (i) Organise awareness drives and campaigns;
- (ii) Organise visits to educational institutions; and
- (iii) Hold meetings for the residents of the locality;

For the purpose of creating awareness of the evils result from child marriage and for sensitizing the community on the issue of child marriages;

(8) To maintain a record and copies of the relevant documents submitted to the District Court, Judicial Magistrate of the First Class or Metropolitan Magistrate, as the case may be;

(9) To assist, if requested by either or both the parties to the child marriage, in preparing a list of money, valuables ornaments and gifts received on occasion of the marriage by them from the other side for placing it before the District Court during the proceeding of annulment of child marriage.

11. Child Marriage Incident Report:—(1) Any person who has reason to believe that a Child Marriage has been, or is being, or is likely to be solemnized, may give information through letter, e-mail or a telephone call or in any other form, to the Child Marriage Prohibition Officer having jurisdiction in the area.

(2) Upon receipt of information that a child marriage has been, or is being, or is likely to be solemnized, the Child Marriage Prohibition Officer shall prepare a child marriage incident report in Form-I and submit the same to the court and forward copies thereof to the police officer in-charge of the police station within the local limits of whose jurisdiction the child marriage alleged to have been, or is being, or is likely to be, solemnized.

(3) Notwithstanding anything contained in these, the Child Marriage Prohibition Officer shall not refuse to record information regarding child marriage on the ground that the child marriage alleged to have been, or is being, or is likely to be, solemnized outside the area of his jurisdiction. He shall record and immediately forward such information to the concerned Child Marriage Prohibition Officer. The concerned Child Marriage Prohibition Officer to whom such information is forwarded shall record the information in Form I.

(4) The Child Marriage Prohibition Officer shall furnish, free of cost, to the Complainant, the copy of Child Marriage Incident Report.

By order of the Government of Bihar,
(Sd.) Illegible,
Joint Secretary.

50
SO(CA)
for SO(WN)

SOCIAL WELFARE DEPARTMENT
CHANDIGARH ADMINISTRATION

Notification

Dated the, 18/5/2015

No.SW3/2015/ 4040 - In exercise of the powers conferred by sub-section (1) of section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007), the Administrator, Union Territory, Chandigarh is pleased to make the following rules for carrying out the provisions of the aforesaid Act, namely: -

1. **Short title and commencement-**(1) These rules may be called the Chandigarh Prohibition of Child Marriage Rules, 2015.

(2) They shall come into force on the date of their publication in the Official Gazette of Chandigarh Administration.

2. **Definitions-** (1) In these rules, unless the context otherwise requires, -

- (i) "Act" means the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007);
- (ii) "Complaint" shall have the same meaning as assigned to it in the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974);
- (iii) "Child Marriage Prohibition Officer" means an officer appointed as such by the State Government under sub-section (1) of section 16;
- (iv) "Form" means a form appended to these rules;
- (v) "Probation Officer" shall have the same meaning as assigned to it under the Probation of Offenders Act, 1958 (Central Act 20 of 1958); and
- (vi) "Section" means Section of the Act.

(2) All other words and expressions used in these rules and not defined but defined in the Act shall have the same meaning as assigned to them in the Act.

3. **Additional duties of Child Marriage Prohibition Officer** -The Child Marriage Prohibition Officer shall, in addition to the duties provided under clauses (a) to (e) of sub-section (3) of section 16 of the Act, perform the following duties, namely: -

- (a) maintain a register for the purposes of this Act to record all complaints, enquiries and the results thereof and other relevant information connected therewith in Form -I and shall also maintain separate files containing relevant records of each individual case;
- (b) discharge the duties with due care, decorum, privacy and in such a manner so as to uphold the dignity and harmony of family relationships;
- (c) maintain an approach which shall primarily be suggestive, preventive and remedial in nature and the prosecution be recommended only as a last resort when all other measures prove to be ineffective;
- (d) scrutinize the complaints received by it and if the same appears to be genuine, then he shall conduct investigation and collect such evidence, either orally or in writing from the parties or witnesses in his office or at a convenient place without causing inconvenience or hardship to the concerned parties;
- (e) send quarterly reports to the Director Social Welfare, Chandigarh Administration in Form-II, and intimate the parties and witnesses about the date, time and place of hearing of the complaint, in Form-III;
- (f) ensure that every complaint is enquired into within a period of one month from the date of its receipt;
- (g) while inquiring into any complaint, may seek the assistance of the Probation Officer of the area concerned for any information, if required, in Form-IV;
- (h) may also seek assistance of any Police Officer while performing the duties under these rules;
- (i) on completion of the investigation, he shall submit a report to the Judicial Magistrate of the First Class along with the statement recorded, all other documents connected with the investigation of the proceedings and brief account of his findings.

SECRETARY SOCIAL WELFARE,
CHANDIGARH ADMINISTRATION.

No.SW3/CMA/15/

Dated:

A copy is forwarded to the Under Secretary, Govt. of India, Ministry of Home Affairs, North Block, New Delhi for information w.r.t. their letter NO. 11019/12/2007-UTL dated 4.03.2015.

sdh
Director Social Welfare,
for Secretary Social Welfare,
Chandigarh Administration.

No.SW3/CMA/15/ 4042

Dated: 18/5/15

A copy is forwarded to the Under Secretary, Government of India, Ministry of Women and Child Development, Shastri Bhawan, New Delhi for information.

sdh
Director Social Welfare,
for Secretary Social Welfare,
Chandigarh Administration.

No.SW3/CMA/15/

Dated:

A copy is forwarded to the Chairperson, Chandigarh Commission for Protection of Child Rights, Village Maloya, Chandigarh for information.

sdh
Director Social Welfare,
for Secretary Social Welfare,
Chandigarh Administration.

No.SW3/CMA/15/

Dated:

A copy is forwarded to the following for information and necessary action: -

1. The Home Secretary, Chandigarh Administration
2. The Inspector General of Police, U.T., Chandigarh
3. The Deputy Commissioner-cum-District Magistrate, U.T., Chandigarh
4. The Director, Public Relations, Chandigarh Administration.
5. The Sub Divisional Magistrate (East), U.T., Chandigarh
6. The Sub Divisional Magistrate (South), U.T., Chandigarh
7. The Sub Divisional Magistrate (Central), U.T., Chandigarh

sdh
Director Social Welfare,
for Secretary Social Welfare,
Chandigarh Administration.

No.SW3/CMA/15/

Dated:

A copy is forwarded to the Controller Printing & Stationery Department, Union Territory of Chandigarh, with a request to publish the above notification in the next issue of Chandigarh Administration gazette and supply 100 copies of the same to this office for record.

sdh
Director Social Welfare,
for Secretary Social Welfare,
Chandigarh Administration.

Form-I

[See rule 3 (a)]

Register of Complaints

Sr. No.	Name and address of complainant	Relationship with the child	Date of marriage fixed or held	Date of receipt of complaint	Date of hearing	Nature of disposal	Initials of Officer	Remarks
1.	2.	3.	4.	5.	6.	7.	8.	9.

Child Marriage Prohibition Officer

Form-II

[See rule 3 (e)]

Quarterly Progress Report

Sr. No.	From whom Name and address	Nature of complaints	Date of registration	Action taken	Disposal details	Initials of Officer with date	Remarks
1.	2.	3.	4.	5.	6.	7.	8.

Child Marriage Prohibition Officer

Form-IV

[See rule 3(g)]

INFORMATION OF THE PROBATION OFFICER

To

The Probation Officer

No.....dated.

Whereas your assistance is required to collect information to a complaint of -----(state shortly the alleged offence).

You are therefore requested to provide the necessary information on the following points:-

- 1.
- 2.
- 3.
- 4.
- 5.

Child Marriage Prohibition Officer

(Office Seal)

8. **सदभावनापूर्वक की गई कार्रवाई का संरक्षण :—** राज्य द्वारा बाल विवाह प्रतिबंध अधिनियम, 2007 के अंतर्गत जारी किए गए नियमों के अंतर्गत सदभावनापूर्वक की गई या आदेशित किसी बात के होने पर कोई भी व्यक्ति अथवा व्यक्तिगत कार्रवाई नहीं की जावेगी।
9. **निर्वाचन :—** इस नियमों के निर्वाचन के संबंध में यदि कोई बात उद्भूत हो तो उसे राज्य सरकार की भिन्न-भिन्न विभागों द्वारा निर्णयित किया जाएगा।

राजपूर के राज्यपाल के नाम से तथा अवस्थानान्त,
आर. पी. राजपूर, उप-राजपूर।

राजपूर, दिनांक 9 जनवरी 2008

अनुच्छेद 4-1/2008/प्रकाशित/50 (1) :—राजपूर के राज्यपाल के अधिनियम 2008 के अंतर्गत जारी किए गए नियमों के अंतर्गत सदभावनापूर्वक की गई या आदेशित किसी बात के होने पर कोई भी व्यक्ति अथवा व्यक्तिगत कार्रवाई नहीं की जावेगी।

राजपूर के राज्यपाल के नाम से तथा अवस्थानान्त,
आर. पी. राजपूर, उप-राजपूर।

Rajpur, the 9th January 2008

NOTIFICATION

S. No. F-4/12008/WCD/50 (1) :—In exercise of the powers conferred by sub-section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007) the State Government hereby makes the following rule, namely :—

1. **Short title and Commencement :—**
 - (a) These rules may be called the "Chhattisgarh Child Marriage Prohibition Rules, 2007".
 - (b) It shall come into force from the date of its publication in the Official Gazette.
2. **Definitions :—**In these rules unless the context otherwise requires :—
 - (a) "Act" means the Prohibition of Child Marriage Act 2006 (Central Act No. 6 of 2007);
 - (b) "Child Marriage" Means the Marriage of a boy below the age of 21 years or a girl below the age of 18 years.
 - (c) "Child Marriage Prohibition Officer" means an officer notified under sub-section (1) of section 16 of the Prohibition of Child Marriage Act 2006 (Central Act No. 6 of 2007) by the State Government and entrusted with duties and liabilities under these rules.
 - (d) "District Magistrate" and "Complainant" shall have the same meaning as assigned and defined in the code of Criminal Procedure 1973 (Act 2 of 1973) respectively.
 - (e) "Police Officer" means an officer of the State Police Department.
 - (f) "State" means the State of Chhattisgarh.
 - (g) The words and expressions used but not defined in these rules shall carry the same meaning as have been assigned to them in the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007).

3. **Jurisdiction of the Child Marriage Prohibition Officer :—** The area shall be such as may be specified by the State Government by notification in the Official Gazette to exercise the jurisdiction under sub-section (1) of section 16 of the Act by the Child Marriage Prohibition Officer.
4. **Procedure of Complaint :—** Any person, mother, father or any relative of the victim or any recognized welfare institution or organization, personally or through messenger or by post may make complaint in writing to the Child Marriage Prohibition Officer.
5. **The work and liabilities of the Child Marriage Prohibition Officer :—**
 - (a) Prohibition organizing the function of the Child Marriage Prohibition Officer shall Child Marriage through appropriate action.
 - (b) Collect the evidences for effective legal action against the persons violating the provisions of the Act.
 - (c) Advise the persons or local communities, not to encourage, help cooperate or recognize a child marriage.
 - (d) Create awareness against the evils of child marriage.
 - (e) Sensitize the community on issue of child marriage.
 - (f) Prepare reports on dates as expected by the state government from time to time.
 - (g) Perform such other functions and liabilities as entrusted by the state government from time to time.
6. **Power of Child Marriage Prohibition Officer :—** Child Marriage Prohibition Officer may exercise the power of a police officer as under:
 - (a) The Child Marriage Prohibition Officer is empowered under the provision of the Code of Criminal Procedure to investigate and submit the report before the competent Magistrate.
 - (b) The Child Marriage Prohibition Officer, if there is reasonable ground to believe that any offence punishable under the Act was committed or is being committed or will be committed in future and it appears to him that the search of any premises is necessary without delay, may enter upon the premises without warrant and search there in and there after sent the grounds of such belief to the District Magistrate.
 - (c) Before search of any premises under sub-rule (II) the child marriage prohibition officer shall call upon two or more local residents and order them in writing or otherwise to be present during the search and prepare the search memo in presence of said witnesses.
7. **Child Marriage Prohibition Officer to be a Public Servant :—** Every Child Marriage Prohibition Officer shall be a public servant within the meaning of section 21 of the Indian Penal Code 1960 (Act 45 of 1960).
8. **Protection of action taken in good faith :—** No suit, prosecution or other legal proceeding shall lie against the government, the Child Marriage Prohibition Officer or any person helping him or any prohibition to be done under these rules.
9. **Interpretation :—** Any difficulty if arises on any issue relating to the interpretation of the rules shall be sent to the State Government whose decision thereon shall be final.

By order and in the name of the Governor of Chhattisgarh,
R. P. DEWANGAN, Deputy Secretary.

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The
Dadra And Nagar Haveli
Gazette

सरकारी राजपत्र

संघ प्रदेश दादरा एवं नगर हवेली, प्रशासन



भारत सरकार / Government of India

असाधारण

EXTRAORDINARY

श्रेणी-१ / SERIES - I

प्राधिकरण द्वारा प्रकाशित

PUBLISHED BY AUTHORITY

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U.T. OF DADRA AND NAGAR HAVELI

(DEPARTMENT OF SOCIAL WELFARE)

No.1-2(13)/95-SWD/196

Dated the 25-3-2009

NOTIFICATION

In exercise of the powers conferred by Sub Section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (No. 6 of 2007) read with the Govt. of India, Ministry of Home Affairs, Notification no. 743 F. No.1 1018/3/2008-UTL dated: 30.05.2008, the Administrator, U.T. of Dadra and Nagar Haveli, hereby makes the following rules, namely :-

1. **Short title and commencement-** (1) These rules may be called as the Union Territory of Dadra and Nagar Haveli Prohibition of Child Marriage Rules, 2008.

(2) These rules shall come into force on the date of their publication in the official gazette of UT. of Dadra and Nagar Haveli.
2. **Definitions-** In these rules, unless the context otherwise requires :-
 - (a) "Act" means the Prohibition of Child Marriage Act, 2006 (No.6 of 2007);
 - (b) "Complaint" means any allegation made orally or in writing by any person to the Prohibition Officer;
 - (c) "Section" means a section of the Act;
 - (d) "Form" means a form appended to these rules.
 - (e) Words and expressions used and not defined in these rules but defined in the Act shall have the same meanings respectively assigned to them in the Act.
3. **Qualifications and experience of Child Marriage Prohibition Officer-** (I) The Child Marriage Prohibition Officers appointed by the U.T. of Dadra and Nagar Haveli shall be an officer of the Government and preference shall be given to a woman officer.

- (2) The tenure of a Child Marriage Prohibition Officer shall be a minimum period of three years.
- (3) The Administration of Dadra and Nagar Haveli shall provide assistance as necessary to the Child Marriage Prohibition Officer for the efficient discharge of his / her functions under the Act and these rules.
4. **Information to Prohibition Officer :-** (1) Any person who has reason to believe that an act of child marriage has been, or is being, or is likely to be committed, may give information through letter, e-mail or a telephone call or in any other form, to the Child Marriage Prohibition Officer having jurisdiction in the area, in the prescribed form.
- (2) In case the information is given to the Child Marriage Prohibition officer under sub rule (1) orally, he/she shall cause it to be reduced to writing and shall ensure that the same is signed by the person giving such information.
- (3) The Child Marriage Prohibition Officer shall give a copy of the information recorded by him immediately to the informant, free of cost.
5. **Child Marriage Report** (1) Upon receipt of a complaint of a child marriage, the Child Marriage Prohibition Officer shall prepare a child marriage report in Form-I and submit the same to the Judicial Magistrate, First Class and forward a copy thereof to the police officer, in charge of the police station within the local limit of jurisdiction of which the child marriage alleged to have been committed has taken place.
- (2) Upon receipt of an information of a child marriage, any individual authorized in terms of sub-section (2) of section 16th may record child marriage report and forward a copy thereof to the Judicial Magistrate, First Class and to the Child Marriage Prohibition officer having jurisdiction in the area where child marriage is alleged to have taken place.
6. **Duties and functions of Child Marriage Prohibition Officer:-** The duties and functions to be discharged and performed by a Child Marriage Prohibition Officer shall be as under :-
- (a) To assist the complainant in making a complaint under the Act, if the complainant so desires.
- (b) To Provide information to the contracting parties regarding the rights and offence be committed.
- (c) To assist the person in making the application in terms of sub-section (1) of section 13 or any other provision of the Act or there rules.
- (d) To provide legal aid to the complainant through UT Legal Aid Service Authority.
- (e) To inform the person authorized under sub-section (2) of section (16) that their services may be required in the proceedings under the Act.
- (f) To maintain copies of the records and documents forwarded under sub-section (3) of section 16 and in pursuance of the powers conferred upon him/bet under sub-section (4) of section 16.
- (g) To provide all possible assistance to the complainant to ensure that he/she is not victimized or pressurized as a consequence of reporting the incidence of child marriage.
- (h) To liaise between the complainant or persons, police and authorized persons in the manner provided under the Act and these rules.

- j) To take all reasonable measures to prevent recurrence of child marriage against the aggrieved person, in accordance with the provisions of the Act and these rules.
- k) The Child Marriage Prohibition Officer shall assist the Court in the enforcement of orders in the proceedings under the Act including orders under section 4 and 5.
- l) The Child Marriage Prohibition Officer shall also perform such other duties as may be assigned to him/her by the Administration of Dadra and Nagar Haveli in giving effect to the provisions of the Act and these rules, from time to time.

7. **Action to be taken in case of emergency :** If the Child Marriage Prohibition Officer or a person authorized under sub section (2) of section 16 of the Act receives reliable information through e-mail or a telephone call or the like, either from the aggrieved person or from any persons who has reason to believe that an act of child marriage is being or is likely to be committed, in such an emergent situation, the Child Marriages Prohibition Officer or the person authorized, as the case may be, shall seek immediate assistance of the police and shall proceed to the place of occurrence and record the child marriage report and present the same to the court without any delay.

8. **Means of service of notices :-** (1) The notices for appearance in respect of the proceedings under the Act shall contain the names of the persons alleged to have committed or caused child marriage, the nature of child marriage and such other details as may facilitate the identification of persons concerned.

(2) The service of notices shall be made in the following manner, namely:-

- a) The notices in respect of the proceeding under the Act shall be served by the Child Marriage Prohibition Officer or any other person as directed by him to serve the Notice, on his/her behalf, at the address where the respondent is stated to be ordinarily residing in India or where the respondent is stated to be gainfully employed, as the case may be.
 - b) The notice shall be delivered to any person in charge of such place at the moment and in case of such delivery not being possible, it shall be pasted at a conspicuous place on the residential/business premises of such person.
- (3) On the date fixed for appearance of the respondent on a statement or a report of the person authorized to serve the notice under the Act to the effect that notice has been served, appropriate orders shall be passed by the court on any pending application for interim relief, after hearing the complainant or the respondent, or both.
9. **Disposal of records:-** The records or documents in respect of a case of child marriage shall be kept in a safe place for a period of seven years and thereafter, be destroyed, by the Administration of UT of Dadra and Nagar Haveli
10. **Repeal and savings:** Since the Child Marriage Restraint Act, 1929 stands repealed; the rules framed thereunder also stand repealed immediately on the publication of these rules.

By order and in the name of the
Administrator, UT of Daman and Diu

(PETER BARA)
Deputy Secretary (Social Welfare)

FORM I

(See Rule 5)

Child Marriage Incident Report

1. Details of the complainant/party to the child marriage:

(1) Name of the complainant/party to the child marriage:

(2) Age:

(3) Present Address:

(4) Phone Number, if any:

2. Details of respondents:

3. Details of Marriage:

Sr.No.	Date, Place and Time of Child Marriage	Performer			Audience		Remarks
		Priest	Relatives		Friends	Others	

4. List of documents attached:

Name of document	Date	Any other details
Birth Certificate		
Doctor's certificate for age verification		
List of money, ornaments, valuables, gifts given at the time of marriage		
Any other document		

5. Order that needs to be obtained under the Prohibition of Child Marriage Act, 2006 (6 of 2007)

Sr.No.	Orders	Yes/No	Any other
1	Prohibitory injunction under Section 13		
2	Annulment order under section 3		
3	Residence order under section 4(4)		
4	Maintenance order under section 4(1)		
5	Custody order under section 5		
6	Restriction order under section 3(4)		
7	Any other order		

श्रेणी : I
SERIES : I

64 4167

Daman 20th February, 2009, 1 Phalgun, 1930 (Saka)

सं. : 01
No.

सरकारी राजपत्र OFFICIAL GAZETTE



भारत सरकार
Government of India

संघ प्रदेश दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित
PUBLISHED BY AUTHORITY

U.T. ADMINISTRATION OF DAMAN & DIU
DEPARTMENT OF SOCIAL WELFARE,
DAMAN.

No. SW/615/(Child Marriage)/2008-09/727 Dated the 18/2/2009.

NOTIFICATION

In exercise of the powers conferred by Sub Section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (No. 6 of 2007) read with the Govt. of India, Ministry of Home Affairs, Notification No. 743 F. No. 11018/3/2008-UTL dated : 30/05/2008, the Administrator, U.T. of Daman and Diu, hereby makes the following rules, namely :-

1. **Short title and commencement** – (1) These rules may be called as the Union Territory of Daman and Diu Prohibition of Child Marriage Rules, 2008.
(2) These rules shall come into force on the date of their publication in the official Gazette of U.T. of Daman and Diu.
2. **Definitions** – In these rules, unless the context otherwise requires :-
 - (a) "Act" means the Prohibition of Child Marriage Act, 2006 (No. 6 of 2007);
 - (b) "Complaint" means any allegation made orally or in writing by any person to the Prohibition Officer;
 - (c) "Section" means a form appended to these rules.
 - (d) Words and expressions used and not defined in these rules but defined in the Act shall have the same meanings respectively assigned to them in the Act.

Contd./—

3. **Qualifications and experience of Child Marriage Prohibition Officer** - (1) The Child Marriage Prohibition Officers appointed by the UT of Daman & Diu shall be an officer of the Government and preference shall be given to a woman officer.
- (2) The Tenure of a Child Marriage Prohibition Officer shall be a minimum period of three years.
- (3) The Administration of Daman & Diu shall provide assistance as necessary to the Child Marriage Prohibition Officer for the efficient discharge of his/her functions under the Act and these rules.
4. **Information to Prohibition Officer :-** (1) Any person who has reason to believe that an act of child marriage has been, or is being, or is likely to be committed, may give information through letter, e-mail or a telephone call or in any other form, to the Child Marriage Prohibition Officer having jurisdiction in the area, in the prescribed form.
- (2) In case the information is given to the Child Marriage Prohibition Officer under sub rule (1) orally, he/she shall cause it to be reduced to writing and shall ensure that the same is signed by the person giving such information.
- (3) The Child Marriage Prohibition Officer shall give a copy of the information recorded by him immediately to the informant, free of cost.
5. **Child Marriage Report :-** (1) Upon receipt of a complaint of a child marriage, the Child Marriage Prohibition Officer shall prepare a child marriage report in Form-I and submit the same to the Judicial Magistrate, First Class and forward a copy thereof to the police officer, incharge of the police station within the local limit of jurisdiction in the area where child marriage is alleged to have taken place.
- (2) Upon receipt of an information of a child marriage, any individual authorized in terms of sub-section (2) of section 16 may record child marriage report and forward a copy thereof to the Judicial Magistrate, First Class and to the Child Marriage Prohibition officer having jurisdiction in the area where child marriage is alleged to have taken place.
6. **Duties and functions of Child Marriage Prohibition Officer :-** The duties and function to be discharged and performed by a Child Marriage Prohibition Officer shall be as under :-
- (a) To assist the complainant in making a complaint under the Act, if the complainant so desires.
- (b) To Provide information to the contracting parties regarding the rights and offence being committed.
- (c) To assist the person in making the application in terms of sub-section (1) of section 13 or any other provision of the Act or there rules.

- (d) To provide legal aid to the complainant through State Legal Aid Service Authority.
- (e) To inform the person authorized under sub-section (2) of section (16) that their services may be required in the proceedings under the Act.
- (f) To maintain copies of the records and documents forwarded under sub-section (3) of section 16 and in pursuance of the powers conferred upon him/her under sub-section (4) of section 16.
- (g) To provide all possible assistance to the complainant to ensure that he/she is not victimized or pressurized as a consequence of reporting the incidence of child marriage.
- (h) To liaise between the complainant or persons, police and authorized persons in the manner provided under the Act and these rules.
- (i) To take all reasonable measures to prevent recurrence of child marriage against the aggrieved person, in accordance with the provisions of the Act and these rules.
- (j) The Child Marriage Prohibition Officer shall assist the Court in the enforcement of orders in the proceedings under the Act including orders under section 4 and 5.
- (k) The Child Marriage Prohibition officer shall also perform such other duties as may be assigned to him/her by the Administration of Daman & Diu in giving effect to the provisions of the Act and these rules, from time to time.
7. **Action to be taken in case of emergency :** If the Child Marriage Prohibition Officer or a person authorized under sub-section (2) of section 16 of the Act received reliable information through e-mail or a telephone call or the like, either from the aggrieved person or from any persons who has reason to believe that an act of child marriage is being or is likely to be committed, in such an emergent situation, the Child Marriage Prohibition Officer or the person authorized, as the case may be, shall seek immediate assistance of the police and shall proceed to the place of occurrence and record the child marriage report and present the same to the court without any delay.
8. **Means of service of notices :-** (1) The notices for appearance in respect of the proceedings under the Act shall contain the names of the persons alleged to have committed or caused child marriage, the nature of child marriage and such other details as may facilitate the identification of persons concerned.
- (2) The service of notices shall be made in the following manner, namely :-
- a) The notices in respect of the proceeding under the Act shall be served by the Child Marriage Prohibition Officer or any other person as directed by him to serve the Notice, on his/her behalf, at the address where the respondent is stated to be ordinarily residing in India or where the respondent is stated to be gainfully employed, as the case may be.

Contd./-

- b) The notice shall be delivered to any person in charge of such place at the moment and in case of such delivery not being possible, it shall be pasted at a conspicuous place on the residential/business premises of such person.
- (3) On the date fixed for appearance of the respondent, on a statement or a report of the person authorized to serve the notice under the Act to the effect that notice has been served, appropriate order shall be passed by the court on any pending application for interim relief, after hearing the complainant or the respondent, or both.
9. **Disposal of records :-** The records or documents in respect of a case of child marriage shall be kept in a safe place for a period of seven years and thereafter, be destroyed, by the Administration of UT of Daman & Diu.
10. **Repeal and savings :** Since the Child Marriage Restraint Act, 1929 stands repealed; the rules framed thereunder also stand repealed immediately on the publication of these rules.

By order and in the name of the
Administrator, UT of Daman and Diu

Sd/-

(**Ajay Kumar**)
Deputy Secretary (Social Welfare)

TO BE PUBLISHED IN PART IV OF THE DELHI GAZETTE
(EXTRAORDINARY)
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
(DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT)
1, CANNING LANE, K.G. MARG, NEW DELHI : 110001.

No. F. 61 (Child Marriage)/DO-I/DSW/2009-10/27467-650 Dated: , 2009

NOTIFICATION

16 OCT 2009

No. F. 61 (Child Marriage)/DO-I/DSW/2009-10/ In exercise of the powers
conferred by Sub Section (1) of Section 19 of the Prohibition of Child Marriage Act,
2006 (No. 6 of 2007) read with the Govt. of India, Ministry of Home Affairs notification
S. O. 1274 (E) F. No. 110183/2008-UTL dated: 30.05.2008, the Lt. Governor of the
National Capital Territory of Delhi, hereby makes the following rules, namely :-

1. Short title and commencement - (1) These rules may be called the Delhi Prohibition
of Child Marriage Rules, 2009.

(2) They shall come into force on the date of their publication in the Delhi Gazette.

2. Definitions - In these rules, unless the context otherwise requires :-

- (a) "Act" means the Prohibition of Child Marriage Act, 2006 (No. 6 of 2007);
- (b) "Child Marriage Prohibition Officer" means an officer appointed as such by the State
Government under section 16 of the Act;
- (c) "Complaint" means any allegation made orally or in writing by any person to the
Child Marriage Prohibition Officer;
- (d) "Delhi" means the National Capital Territory of Delhi;
- (e) "Government" means the Lt. Governor of the National Capital Territory of Delhi
appointed by the President under article 239 and designated as such under article 239 AA
of the Constitution;
- (f) "Section" means a section of the Act;
- (g) Words and expressions used and not defined in these rules and defined in the Act
shall have the meanings respectively assigned to them in the Act.

3. Appointment of Child Marriage Prohibition Officer - The Sub-Divisional Magistrate
of the area shall be the Child Marriage Prohibition Officer for his respective jurisdiction

and shall have powers to investigate the relevant cognizable cases as is exercisable by a police officer under chapter V, VII, XI and XII of the Code of Criminal Procedure, 1973.

4. Information to Child Marriage Prohibition Officer - (1) Any person who has reason to believe that an act of child marriage has been, or is being, or is likely to be committed in Delhi may give information about it to the Child Marriage Prohibition Officer having jurisdiction in the area, either orally or in writing.

(2) In case the information is given to the Child Marriage Prohibition Officer under sub-rule (1) orally, he shall cause it to be reduced to writing and shall ensure that the same is signed by the person giving such information and in case the informant is not in a position to furnish written information the Child Marriage Prohibition Officer shall satisfy and keep a record of the identity of the person giving such information.

(3) The Child Marriage Prohibition Officer shall give a copy of the information recorded by him immediately to the informant free of cost.

5. Child marriage report - (1) Upon receipt of a complaint of child marriage, or on his own the Child Marriage Prohibition Officer shall prepare a child marriage report and submit the same to the District Court and forward copies thereof to the police officer, incharge of the police station within the local limit of jurisdiction of which the child marriage alleged to have been committed has taken place.

(2) Upon any information received, any individual authorized in terms of sub-section (2) of section 16 may record child marriage report and forward a copy thereof to the District Court and to the Child Marriage Prohibition Officer having jurisdiction in the area where child marriage is alleged to have taken place or is likely to take place.

6. Application to the Magistrate - (1) Every application or complaint received by the Child Marriage Prohibition Officer shall be forwarded to the concerned District Court.

(2) In case the complainant is illiterate the Child Marriage Prohibition Officer shall read over the application and explain the contents thereof.

7. Duties and functions of Child Marriage Prohibition Officer - The duties and functions to be discharged and performed by a Child Marriage Prohibition Officer (in

to the duties mentioned in section 16 (3) of the Act) shall be as described

To assist the complainant in making a complaint under the Act, if the complainant so desires.

To provide information to the contracting parties regarding the rights and offences committed.

To assist the person in making the application in terms of sub-section (1) of section 3 or any other provision of the Act or these rules.

To provide legal aid to the complainant through State Legal Aid Service Authority.

To inform the person authorized under sub-section (2) of section (16) that their services may be required in the proceedings under the Act.

To maintain a record and copies of the records and documents forwarded under sub-section (3) of section 16 and in pursuance of the powers conferred upon him under sub-section (4) of section 16.

To provide all possible assistance to the complainant to ensure that he/she is not intimidated or pressurized as a consequence of reporting the incidence of child marriage.

To liaise between the complainant or persons, police and authorized persons in the manner provided under the Act and these rules.

To take all reasonable measures to prevent recurrence of child marriage against the aggrieved person, in accordance with the provisions of the Act and these rules.

The Child Marriage Prohibition Officer shall assist the Court in the enforcement of orders in the proceedings under the Act including orders under section 4 and 5.

The Child Marriage Prohibition Officer shall also perform such other duties as may be assigned to him by the Government in giving effect to the provision of the Act and these rules from time to time.

The Child Marriage Prohibition Officer shall furnish the report in Form – I, appended to these rules, in the first week of every quarter of the year to the District Magistrate/ District Commissioner concerned.

Provision to be taken in cases of emergency - If the Child Marriage Prohibition Officer or any person authorized under sub-section (2) of section 16 receives reliable information through e-mail or a telephone call or the like, either from the aggrieved person or from

any person who has reason to believe that a act of child marriage is being or is likely to be committed, in such an emergent situation, the Child Marriage Prohibition Officer or the person authorized, as the case may be, shall seek immediate assistance of the police and shall proceed to the place of occurrence and record the child marriage report and present the same to the court without any delay.

9. Means of service of notices - (1) The notices for appearance in respect of the proceedings under the Act shall contain the names of the person alleged to have committed or caused child marriage, the nature of child marriage and such other details as may facilitate the identification of person concerned.

(2) The service of notices shall be made in the following manner, namely -

- a) The notices in respect of the proceedings under the Act shall be served by the Child Marriage Prohibition Officer or any other person directed by him to serve the notice, on behalf of the Child Marriage Prohibition Officer, at the address where the respondent is stated to be ordinarily residing in India by the complainant or aggrieved person or where the respondent is stated to be gainfully employed by the complainant or aggrieved person, as the case may be.
- b) The notice shall be delivered to any person in charge of such place at the moment and in case of such delivery not being possible, it shall be pasted at a conspicuous place on the premises.

(3) On a statement on the date fixed for appearance of the respondent, or a report of the person authorized to serve the notices under the Act, that service has been effected, appropriate orders shall be passed by the court on any pending application for interim relief, after hearing the complainant or the respondent, or both.

10. Breach of prohibition orders - (1) Any person may report breach of prohibition order or an interim court direction to the Child Marriage Prohibition Officer.

(2) Every report referred to in sub-rule (1) shall be in writing by the informant and duly signed by him.

(3) The complainant may, if he so desires, make a complaint of breach of prohibition order directly to the court.

(4) If, at any time after a prohibition order has been breached, the complainant seeks his assistance, the Child Marriage Prohibition Officer shall assist the complainant to lodge the report to the local police authorities in an appropriate manner.

(5) Any resistance to the enforcement of orders of the court under the Act by the respondent shall be deemed to be breach of prohibition order or an interim prohibition order covered under the Act.

11. Role of the Government - (1) The Government shall, by notification in the official Gazette, notify any civil court/family court as having jurisdiction in respect of the matters dealt within the Act.

(2) The Government shall have a list of volunteers in each District and it shall be made available to the concerned Child Marriage Prohibition Officer in terms of sub-section (2) of section 16.

12. Disposal of records - The records of documents in respect of a case of child marriage shall be kept in a safe place for a period of seven years or until the pendency of court case, if any and thereafter, be destroyed as per standard procedure.

By order and in the name of the Lt. Governor
of the National Capital Territory of Delhi.


(Debashree Mukherjee)
Secretary
Department of Women & Child Development

No. F. 61 (Child Marriage)/DO-I/DSW/2002-10/27467-490 Dated: 16 OCT 2009

- Copy forwarded for information to:
1. The Secretary to Lt. Governor, Govt. of NCT of Delhi, Raj Niwas Marg, New Delhi.
 2. The Secretary to the Chief Minister, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi.
 3. The Secretary to Minister of Women & Child Development, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi.
 4. The OSD to Chief Secretary, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi.
 5. The Pr. Secretary (Home), Govt. of NCT of Delhi, Delhi Secretariat, New Delhi.



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1277/
No. 1277

नई दिल्ली, शनिवार, अक्तूबर 20, 2007/आश्विन 28, 1929
NEW DELHI, SATURDAY, OCTOBER 20, 2007/ASVINA 28, 1929

महिला एवं बाल विकास मंत्रालय
अधिसूचना

नई दिल्ली, 19 अक्तूबर, 2007

क्र.अ. 1786(अ).—बाल विवाह निषेध अधिनियम, 2006 (2007 का 6) के खण्ड 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार इसको द्वारा 1 नवम्बर, 2007 के दिन को ऐसी तारीख नियत करती है, जिससे उक्त अधिनियम हिमाचल प्रदेश राज्य में प्रवृत्त होगा।

[फा. सं. 10-5/2007-सौ.सं.]

पी. बोलिना, सहायक सचिव

MINISTRY OF WOMEN AND CHILD DEVELOPMENT
NOTIFICATION

New Delhi, the 19th October, 2007

S.O. 1786(E).—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Prohibition of Child Marriage Act, 2006 (6 of 2007), the Central Government hereby appoints the 1st day of November, 2007, as the date on which the said Act shall come into force in the State of Himachal Pradesh.

[E. No. 10-5/2007-CM]

P. BOLINA, Jt. Secy.

Department of Personnel

Order

15/3/2009-PIER

Sanction of the Government is hereby accorded for revival of the following posts in the Collectorate of South, Margao.

Sr. No.	Name of the post and allotment	Pay Scale	No. of posts
1.	Jr. Stenographer for O/o Mamlatdar (Canacona)	5200-20200+2400 (GP)	1
2.	L.D.C. for O/o Mamlatdar (Margao)	5200-20200+1600 (GP)	1
3.	L.D.C. for O/o Mamlatdar (Canacona)	5200-20200+1900 (GP)	1
4.	L.D.C. for O/o Mamlatdar (Salcete)	5200-20200+1900 (GP)	2
5.	L.D.C. for O/o Mamlatdar (Quepem)	5200-20200+1900 (GP)	1
			Total 6

The expenditure shall be debited to the Budget Head 2053-District Administration, 093-District Establishment, 01-Civil Administration, 01-Salaries under Demand No. 16 controlled by the Collector, South.

This issues with the concurrence of Finance Department vide their U. O. No. Fin/(R&C)/146-F/2010 dated 18-1-2010.

By order and in the name of the Governor of Goa.

Umashchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 25th January, 2010.

Department of Women & Child Development

Notification

4-3-2004-W&CD-Parl/225

In exercise of the powers conferred by sub-section (1) of section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Prohibition of Child Marriage Rules, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions.*— (1) In these rules unless the context otherwise requires,—

- (a) 'Act' means the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007);
- (b) 'aggrieved person' means any of the contracting party to a child marriage;
- (c) 'Form' means a form appended to these rules;
- (d) 'Government' means the Government of Goa;
- (e) 'section' means a section of the Act.

(2) Words and Expressions used but not defined in these rules shall have the same meaning respectively assigned to them in the Act.

3. *Child Marriage Incident Report.*— (1) Save as contained in section 15 of the Act, any person who has reason to believe that child marriage has been, or is being, or is likely to be solemnized, may give information either through a letter, e-mail or a telephone call or in any other form, to the Child Marriage Prohibition Officer having jurisdiction in the area.

(2) Upon receipt of information that a child marriage has been, or is being or is likely to be solemnized, the Child Marriage Prohibition Officer shall prepare a child marriage incident report in Form-I hereto and submit the same alongwith an application to the Judicial Magistrate of the first class and forward copies thereof to the police officer in-charge of the police station within the local limits of whose jurisdiction the child marriage alleged to have been, or is being, or is likely to be, solemnized.

(3) Notwithstanding anything contained in these rules, the Child Marriage Prohibition Officer shall not refuse to record information regarding child marriage on the ground that the child marriage alleged to have been, or is being, or is likely to be, solemnized is not in the area of his jurisdiction. He shall record and immediately forward such information to the concerned Child Marriage Prohibition Officer. The concerned Child Marriage Prohibition Officer to whom such information is forwarded shall act as stipulated in sub-section (2) herein above.

(4) The Child Marriage Prohibition Officer shall furnish, free of cost, to the complainant the copy of Child Marriage Incident Report.

4. *Duties of the Child Marriage Prohibition Officer.*— In addition to the duties mentioned in clauses (a) to (f) of sub-section (3) of section 16 of the Act, the Child Marriage Prohibition Officer shall discharge the following functions and duties, namely:—

(i) To provide the information about the rights of aggrieved person and his relatives, parents or the person accompanying him or other person under the Act;

(ii) To provide legal aid to the aggrieved person through the State Legal Aid;

(iii) To inform the aggrieved person about the shelter homes and if required arrange for their shelter in such shelter homes for the purpose of safety of the aggrieved person during the pendency of the proceedings of the Court or otherwise;

(iv) To assist the aggrieved person in filing an application in the Court of Judicial Magistrate of the First Class regarding offences committed under the Act;

(v) To keep vigilance in the area under his jurisdiction for eliminating the possibilities of solemnization of Child Marriage;

(vi) To inform the police authorities including the special police officers appointed under the Immoral Traffic (Prevention) Act, 1956 (104 of 1956), if he comes to know of the solemnization of any Child Marriage wherein the Child being a minor, is,—

- (i) taken or enticed out of the keeping of the lawful guardian; or
- (ii) compelled by force; or
- (iii) induced by any deceitful means to go from any places; or
- (iv) sold for the purpose of marriage, and made to go through a form of marriage;
- (v) married and after which is sold or is trafficked or used for immoral purpose;

(vii) To maintain a record and copies of the relevant documents submitted to the District Court, Judicial Magistrate of the First Class or Government, as the case may be.

(viii) To assist, if requested by either or both the parties to the child marriage, in preparing a list of money, valuables, ornaments and gifts received on occasion of the marriage by them from the other side for placing it before the District Court during the proceeding of annulment of child marriage.

(ix) For the purpose of creating awareness of the evils that result from child marriages and for sensitizing the community on the issue of child marriages, the Child Marriage Prohibition Officer may undertake one or all of the following:—

- (i) organize lectures of experts in medicine, law, social work, psychology and of other experts;
- (ii) organize awareness drives and campaigns; by use of print, broadcasting and all other forms of media;
- (iii) organize workshops/training to students/teachers by visits to educational institutions; and
- (iv) hold meetings for the residents of the locality.

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Director & ex officio Joint Secretary (W&CD).

Panaji, 21st January, 2010.



The Mizoram Gazette

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VOL - XXXIX Aizawl, Friday, 13.8.2010, Sravana 22, S.E 1932, Issue No. 292

NOTIFICATION

No.B.1201/7/04-SWD, the 27th July, 2010. In exercise of the powers conferred by sub-section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (Act No.6 of 2007), the Governor of Mizoram is pleased to make the Mizoram Prohibition of Child Marriage Rules, 2010, namely :-

1. **Short title, extent and commencement :**
 - (1) These Rules may be called the Mizoram Prohibition of Child Marriage Rules, 2010.
 - (2) It shall have the like extent as the Act.
 - (3) It shall come into force from the date of its publication in the Official Gazette.
2. **Definitions:** In these rules, unless the context otherwise requires:
 - (a) "Act" means the Prohibition of Child Marriage Act, 2006 (Act No.6 of 2007);
 - (b) "Advisory Body" means an Advisory Body constituted under Rule 4 ;
 - (c) "Concerned Government Department", for the purpose of these Rules, means the Department of Social Welfare, Government of Mizoram.
 - (d) "Competent Court" means a Civil Court and in any other area where there is no Civil Court, any other Court which may be specified by the Government of Mizoram as having jurisdiction in respect of the matter dealt with in this Act;
 - (e) "Section" means Section of the Act.
 - (f) Words and expressions used herein and not defined in these rules but defined in the Act, shall have the meaning, respectively, assigned to them in the Act.
3. **Child Marriage Prohibition Officer:**
 - (1) **Appointment of the Child Marriage Prohibition Officer :** In every district where there is District Social Welfare Officer, such District Social Welfare Officer, or in any other district where there is no District Social Welfare Officer, Child Development Project Officer (CDPO), as the Government may, by Notification, appoint, shall act the Child Marriage Prohibition Officer.

(2) **Power and Function of the Child Marriage Prohibition Officer:**

- (i) For the purpose of ensuring effective implementation on the Act, every Child Marriage Prohibition Officer shall be vested with such powers as that of the Officer-in-charge of a Police Station.
 - (ii) Every Child Marriage Prohibition Officer shall take cognizance suo moto or look into specific complaints regarding violations of the provisions of the Act and initiate prosecution before the competent Court.
 - (iii) It shall be the duty of the Child Marriage Prohibition Officer to collect evidence and assist the court for the effective prosecution of persons contravening the provisions of the Act.
 - (iv) The approach of the Child Marriage Prohibition Officer shall be primarily prevention of child marriage and he shall discharge his duties with due care, decorum, privacy and in such a manner to uphold the dignity and harmony of the child and the family relationship.
 - (v) In performance of his duties under the Act, the Child Marriage Prohibition Officer shall, except in case of emergency, consult an Advisory Body constituted here under in Rule 4. However, he shall take such decision as may be appropriate in accordance with the provisions of the Act.
- (3) The Child Marriage Prohibition Officer in collaboration with the concerned Government Department shall organize legal awareness camp in every district and sensitize the community about the provision of the Act and its harmful effects on the issue of child marriage.
- (4) Every Child Marriage Prohibition Officers shall as specified in schedule 1, furnish a periodical return with statistics to the concerned Government Department at least once every year.
- (5) The Child Marriage Prohibition Officer shall hold office for such period until he/she is transferred to another post, or he/she retires from Government services, whichever is earlier.

4. **Constitution of Advisory Body :**

- (1) The Government may constitute an Advisory Body to be associated with each Child Marriage Prohibition Officer for the purpose of advising and assisting him in the performance of his duties and discharge of his functions under this Act.
- (2) The Advisory Body shall consist of not more than five members from amongst prominent citizens like Office Bearer(s) of the Young Mizo Association (YMA), or of the Mizo Hmeichhe Insuikhawm Pawl (MHIP), or of the Mizo Upa Pawl (MUP) or of the Mizoram Kohhran Hruaitu Committee (MKHC), or such respectable members of the locality with a record of social service, having knowledge of, or practical experience in, matters relating to rights belonging to the children, and at least two members shall be woman activists/workers known in the area within the jurisdiction of the Child Marriage Prohibition Officer.

5. **Information to the Child Marriage Prohibition Officer**

- (1) Any person who has reason to believe that an act of child marriage has been, or is likely to be solemnized, may give information about it, orally or in writing to the Child Marriage Prohibition Officer of the Police station of the concerned area. The officials other than the Child Marriage Prohibition Officer on receiving such information, shall furnish the same to the Child Marriage Prohibition Officer along with a report.

- (2) In case the information is given orally to the Child Marriage Prohibition Officer under such rule (1), he shall cause it to be reduced in writing and shall ensure that the same is signed by the person giving such information in case the informant is not in a position to furnish written information, or the information is given by post, through e-mail, telephonic call or the like, the Child Marriage Prohibition Officer will satisfy and keep a record of identity of the person giving such information.
- (3) On receiving such information, the Child Marriage Prohibition Officer shall take necessary action to prevent the child marriage from being solemnized and shall report the same to the Magistrate without delay for seeking appropriate order under the provisions of the Act.
6. **Disposal of Cases :** Every complaint/prosecution/case under this Act shall be disposed of by the competent Court within ninety days from its receipt:

B.Sairengpuli,
Secretary to the Govt. of Mizoram,
Social Welfare Department.

Scheduled - I
(See Rule 3 (4))

Periodical Report regarding the statistics of the incidence of Child Marriage.

Sl. No.	Name of the District	No. of complaint/ information received	Place & Date of Child Marriage performed	Name of person/ organization/ church who perform Child Marriage	No. of Child Marriage identified	No. of cases registered in court	Remark/ Status
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Department of Personnel

Order

15/3/2009-PER

Sanction of the Government is hereby accorded for revival of the following posts in the Collectorate of South, Margao.

Sr. No.	Name of the post and allotment	Pay Scale	No. of posts
1.	Jr. Stenographer for O/o Mamlatdar (Canacona)	5200-20200+2400 (GP)	1
2.	L.D.C. for O/o Mamlatdar (Margao)	5200-20200+1900 (GP)	1
3.	L.D.C. for O/o Mamlatdar (Canacona)	5200-20200+1900 (GP)	1
4.	L.D.C. for O/o Mamlatdar (Salcote)	5200-20200+1900 (GP)	2
5.	L.D.C. for O/o Mamlatdar (Osepeas)	5200-20200+1900 (GP)	1
			Total 6

The expenditure shall be debited to the Budget Head 2053-District Administration, 093-District Establishment, 01-Civil Administration, 01-Salaries under Demand No. 16 controlled by the Collector, South.

This issues with the concurrence of Finance Department vide their U. O. No. Fin/(R&C)/146-F/2010 dated 18-1-2010.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I),

Porvorim, 25th January, 2010.

Department of Women & Child Development

Notification

4-3-2004-W&CD-Part/225

In exercise of the powers conferred by sub-section (1) of section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa Prohibition of Child Marriage Rules, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions.*— (1) In these rules unless the context otherwise requires,—

- (a) 'Act' means the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007);
- (b) 'aggrieved person' means any of the contracting party to a child marriage;
- (c) 'Form' means a form appended to these rules;
- (d) 'Government' means the Government of Goa;
- (e) 'section' means a section of the Act.

(2) Words and Expressions used but not defined in these rules shall have the same meaning respectively assigned to them in the Act.

3. *Child Marriage Incident Report.*— (1) Save as contained in section 13 of the Act, any person who has reason to believe that child marriage has been, or is being, or is likely to be solemnized, may give information either through a letter, e-mail or a telephone call or in any other form, to the Child Marriage Prohibition Officer having jurisdiction in the area.

(2) Upon receipt of information that a child marriage has been, or is being or is likely to be solemnized, the Child Marriage Prohibition Officer shall prepare a child marriage incident report in Form-I hereto and submit the same alongwith an application to the Judicial Magistrate of the first class and forward copies thereof to the police officer in-charge of the police station within the local limits of whose jurisdiction the child marriage alleged to have been, or is being, or is likely to be, solemnized.

(3) Notwithstanding anything contained in these rules, the Child Marriage Prohibition Officer shall not refuse to record information regarding child marriage on the ground that the child marriage alleged to have been, or is being, or is likely to be, solemnized is not in the area of his jurisdiction. He shall record and immediately forward such information to the concerned Child Marriage Prohibition Officer. The concerned Child Marriage Prohibition Officer to whom such information is forwarded shall act as stipulated in sub-section (2) herein above.

(4) The Child Marriage Prohibition Officer shall furnish, free of cost, to the complainant the copy of Child Marriage Incident Report.

4. *Duties of the Child Marriage Prohibition Officer.*— In addition to the duties mentioned in clauses (a) to (f) of sub-section (3) of section 16 of the Act, the Child Marriage Prohibition Officer shall discharge the following functions and duties, namely:—

(i) To provide the information about the rights of aggrieved person and his relatives, parents or the person accompanying him or other person under the Act;

(ii) To provide legal aid to the aggrieved person through the State Legal Aid;

(iii) To inform the aggrieved person about the shelter homes and if required arrange for their shelter in such shelter homes for the purpose of safety of the aggrieved person during the pendency of the proceedings of the Court or otherwise;

(iv) To assist the aggrieved person in filing an application in the Court of Judicial Magistrate of the First Class regarding offences committed under the Act;

(v) To keep vigilance in the area under his jurisdiction for eliminating the possibilities of solemnization of Child Marriage;

(vi) To inform the police authorities including the special police officers appointed under the Immoral Traffic (Prevention) Act, 1956 (104 of 1956), if he comes to know of the solemnization of any Child Marriage wherein the Child being a minor, is,—

- (i) taken or enticed out of the keeping of the lawful guardian; or
- (ii) compelled by force; or
- (iii) induced by any deceitful means to go from any places; or
- (iv) sold for the purpose of marriage, and made to go through a form of marriage;
- (v) married and after which is sold or is trafficked or used for immoral purpose;

(vii) To maintain a record and copies of the relevant documents submitted to the District Court, Judicial Magistrate of the First Class or Government, as the case may be.

(viii) To assist, if requested by either or both the parties to the child marriage, in preparing a list of money, valuables, ornaments and gifts received on occasion of the marriage by them from the other side for placing it before the District Court during the proceeding of annulment of child marriage.

(ix) For the purpose of creating awareness of the evils that result from child marriages and for sensitizing the community on the issue of child marriages, the Child Marriage Prohibition Officer may undertake one or all of the following:—

- (i) organize lectures of experts in medicine, law, social work, psychology and of other experts;
- (ii) organize awareness drives and campaigns by use of print, broadcasting and all other forms of media;
- (iii) organize workshops/training to students/teachers by visits to educational institutions; and
- (iv) hold meetings for the residents of the locality.

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Director & ex officio Joint Secretary (W&CD).

Panaji, 21st January, 2010.



The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XLIX]

THURSDAY, SEPTEMBER 11, 2008/BHADRA 20, 1930

Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART IV-A

**Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Central Acts.**

SOCIAL JUSTICE & EMPOWERMENT DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 11th September, 2008.

PROHIBITION CHILD MARRIAGE ACT, 2006.

No. G/L/2-2008/31.Y/102007/ G.S.-49/CTH in exercise of the powers conferred by section 19 of the Prohibition of Child Marriage Act, 2006 (6 of 2007), the Government of Gujarat hereby makes following rules, namely:-

1. Short title and Commencement: (1) These rules may be called the Prohibition of Child Marriage Rules, 2008. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions:- (1) In these rules, unless the context otherwise requires-

- (a) 'Act' means the Prohibition of Child Marriage Act, 2006.
- (b) 'Director of Social Defence' means the Officer appointed by the State Government as the Head of Department for the Directorate of Social Defence;
- (c) 'Probation Officer' means a Chief Officer or a District Probation Officer or Probation Officer appointed under section 13 of the Probation of Offenders Act, 1958 (20 of 1958);
- (d) 'Police Officer' means an Officer as defined in sub-section (11) of Section 2 of the Bombay Police act, 1951.

(2) The words and expressions used in these rules but not defined shall have the meanings respectively assigned to them in the Act.

3. Procedure to be followed by the Court: (1) The District Court, while granting a decree of nullity under section 3 of the act or while making orders under section 4 of Act, shall call for a report of the Probation Officer of the District, to make an inquiry about the needs of the child, the life style enjoyed by such child during her marriage and the means of the income of the paying party with support of necessary documents and evidence.

(2) While making an order under section 5 of the Act for the custody of the children born of the child marriages the District Court may call for the report of the Probation Officer of the District regarding the appropriate persons and places for keeping the child, along with the reasons for his or her recommendation, keeping in view the provisions contained in sub-sections (2) and (3) of section 5 of the Act.

4. **Procedure to be followed by the State Government:-** The State Government by notification in Official Gazette, shall it appoint the Child Marriage Prohibition Officer for a district or a group of districts, as the case may be, under Sub-section (1) of section 16 of the Act.

5. **Duties and Functions of Child Marriage Prohibition Officer:-**

- (1) The Child Marriage Prohibition Officer appointed under sub-section (1) of section 16 of the Act, shall perform the functions and duties as mentioned in sub-section (2) of section 16 of the Act.
- (2) The Child Marriage Prohibition Officer shall for the purpose of creating awareness against the evil of Child Marriage shall make purposeful use of various traditional and modern media, with the help of concerned Government or Semi-Government Departments, Agencies of the Central Government or the State Government or any other organization or agencies having expertise.
- (3) The Child Marriage Prohibition Officer shall conduct tours and visits and arrange meeting with various Political, Social and Caste group leaders or the Government Official, to solicit their support in locating the cases of Child Marriages and preventing them or prohibiting them from taking place.
- (4) The Child Marriage Prohibition Officer shall encourage the people in general and their leaders or awakened citizens in particular, to provide timely information about the likely incident of child marriages in their areas or localities for the purpose of prohibiting them in time, or about such marriages having taken place to take appropriate action against the concerned persons.
- (5) When The Child Marriage Prohibition Officer receives any complaint in person or through other means of communication about the likely incidents of child marriages or the cases where child marriages have already taken place, he shall take immediate appropriate action to prevent or prohibit them or to take appropriate legal action, as the case may be.
- (6) The Child Marriage Prohibition Officer shall maintain a register to record such complaints received orally or in writing or through any other means of communication and shall record the actions taken by him in form I and II respectively, appended to these rules.
- (7) The Child Marriage Prohibition Officer shall discharge his duties and functions as the Child Marriage Prohibition Officer with due care, decorum, privacy, confidentiality and in a manner to uphold the dignity and self respect of the concerned parties.
- (8) In discharging his duties as above, the Child Marriage Prohibition Officer shall take the assistance from the respectable members of the locality with a record of social service or an officer of the Gram Panchayat or Municipality or an Officer of the Government or any Public Sector Undertaking or an Officer bearer of any Non Government Organization as selected by the State Government from time to time by an administrative order.
- (9) The Child marriage Prohibition Officer may take appropriate assistance from the Probation Officers of the district or any other subordinate staff in his office to discharge of her duties.
- (10) The Child Marriage Prohibition Officer shall submit monthly progress report and quarterly statement to the Director of Social Defence in form III and IV respectively appended to these rules.
- (11) The Child Marriage Prohibition Officer shall discharge such other functions and duties as may be assigned to him by the State Government.

6. **Interpretation:-** If any question arises relating to the interpretation of these rules, the same shall be referred to the State Government for decision and the decision of the State Government shall be final and binding on all concerned.

By order and in the name of the Governor of Gujarat,

JAYDEEP DVIVEDI,
Deputy Secretary to Government

HARYANA GOVERNMENT
WOMEN AND CHILD DEVELOPMENT DEPARTMENT

Notification

The 5th July, 2011

No. 1728W(3)/2011.—In exercise of the powers conferred by Sub-section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (6 of 2007), the Governor of Haryana hereby makes the following rules, namely:—

- | | |
|---|--|
| Short title and Commencement | 1. (i) These rules may be called the Haryana Prohibition of Child Marriage Rules, 2011. |
| Definitions | (ii) They shall come into force on the date of their publication in the Official Gazette. |
| | 2. (i) In these rules, unless the context otherwise requires,—"Act" means the Prohibition of Child Marriage Act, 2006 (6 of 2007). |
| | (ii) The words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the act. |
| Duties of Child Marriage Prohibition Officer Section 16 | 3. The Child Marriage Prohibition Officer shall,—
(a) create social awareness against child marriage;
(b) cause the publication and wide circulation of the Act and the rules;
(c) follow-up all complaints/information related to child marriage to ensure the best interest of the child;
(d) take any other action, which is necessary for prohibition of child marriage; and
(e) Monitor the parental home or alternative residence of female contracting party to child marriage. |
| Measures to prevent mass solemnization of child marriages | 4. Notwithstanding the foregoing duties, the Child Marriage Prohibition Officer shall during the mass solemnization of child marriages on occasions such as Akkha Teej, Akshaya Tritiya, Mahashivratri etc. perform the following functions, namely:—
(a) involve all the related departments such as Social Justice and Empowerment, Health, Education, Rural Development, Panchayati Raj, Women and Child Development, Police, Information and Public Relations, Revenue etc. among others for better co-ordination to ensure that no child marriages are solemnized;
(b) being planning and strategizing for at least a minimum of one month coupled before the date fixed for mass solemnization of child marriage, with constant awareness drive against child marriage;
(c) give wide publicity about the consequence of child marriage in the local language and use creative and mass awareness through films, hoardings, posters, pamphlets, loudspeakers, cultural programmes etc. and advertisements on the television, radio, newspapers and on buses and trains;
(d) take a serious note of any form or means of glorification of child marriage and shall initiate appropriate measures, including legal action, against such persons/organizations responsible for such glorification;
(e) ensure that Officials and Professionals like doctors etc. on no account issue false medical/birth/age certificates and initiate appropriate action when they are found doing so;
(f) coordinate with and monitor all priests in their jurisdiction regularly to ensure that the child marriage shall not be solemnized;
(g) educate/involve the owner or person in-charge of Community Centre, Public Building, Banquet Hall, Marriage Palace etc. for the prevention of solemnization of child marriage. |

SHAKUNTLA JAKHU,
Financial Commissioner and Principal Secretary to
Government Haryana,
Women and Child Development Department.

हरियाणा सरकार

महिला तथा बाल विकास विभाग

अधिसूचना

दिनांक 5 जुलाई, 2011

संख्या 177/एस&डब्ल्यू(3)/2011.—बाल विवाह प्रतिषेध अधिनियम, 2006 (2007 का 6), की धारा 14 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. (1) ये नियम हरियाणा बाल विवाह प्रतिषेध नियम, 2011 को जोड़ सकते हैं।
(2) ये राजपत्र में इनके प्रकाशन की तिथि से लागू होंगे।
कमिशनर गैर कानून प्रवर्धन
2. (1) इन नियमों में, जब तक संदर्भ हो अन्यथा अपेक्षित न हो :
अधिनियम से अधिप्राप्त है, बाल विवाह प्रतिषेध अधिनियम, 2006 (2007 का 6) ;
(2) इन नियमों में प्रयुक्त किन्तु अपरिभाषित शब्दों तथा अभिव्यक्तियों का यही अर्थ होगा जो क्रमशः अधिनियम में उन्हें दिया गया है।
परिभाषाएं
3. बाल विवाह प्रतिषेध अधिकारी :
(क) बाल विवाह के विरुद्ध सामाजिक जागरूकता सृजित करेगा ;
(ख) अधिनियम तथा इसके अधीन बनाये गये नियमों का प्रकाशन तथा व्यापक प्रचार करेगा ;
(ग) बच्चों के सर्वोत्तम हित को सुनिश्चित करने के लिए बाल विवाह से सम्बन्धित सभी शिकायतों/खानबखशी की समीक्षा करेगा;
(घ) कोई अन्य कार्यवाही करेगा जो बाल विवाह के प्रतिषेध हेतु आवश्यक हो ; तथा
(ङ) बाल विवाह के खतम में आने वाली कन्या संविदा करने वाले पक्षकार के पैतृक घर या वैकल्पिक निवास का मानीटर करेगा।
बाल विवाह प्रतिषेध अधिकारी के कर्तव्य धारा 10
4. पूर्वोक्ता कर्तव्यों के होते हुए भी, बाल विवाह प्रतिषेध अधिकारी जैसे आला राज, अलाह तृतीया, महाशिवरात्रि इत्यादि अवसरों पर सामूहिक बाल विवाहों के अनुष्ठान के दौरान निम्नलिखित कृत्य करेगा; अर्थात् कथित
(क) एक दूसरे के बीच अच्छा सम्बन्ध सुनिश्चित करने के लिए कि किसी भी बाल विवाह का अनुष्ठान न हो, सभी संबंधित विभाग जैसे सामाजिक न्याय तथा अधिकारिता, स्वास्थ्य, शिक्षा, ग्रामीण विकास, पंचायती राज, महिला तथा बाल विकास, पुलिस, सूचना तथा लोक सम्पर्क, राजस्व इत्यादि को शामिल करेगा;
(ख) बाल विवाह के विरुद्ध नियमित जागरूकता अभियान चलाने के साथ-साथ सामूहिक बाल विवाह के अनुष्ठान के लिये नियत तिथि से पूर्व कम से कम एक मास पहले योजना तथा नीतिगत योजना आरंभ करेगा;
(ग) बाल विवाह के दुष्परिणामों के बारे में स्थानीय भाषा में व्यापक प्रचार करेगा और इसके लिए फिल्मों, विज्ञापनपट्ट, पोस्टर, पंचलेट्स, लाउडस्पीकर, सांस्कृतिक कार्यक्रमों इत्यादि द्वारा तथा टेलिविजन, रेडियो, समाचार-पत्रों तथा बसों तथा रेतगाड़ियों पर विज्ञापन जैसे संचारमार्ग और अन्य माध्यम का प्रयोग करेगा।
(घ) बाल विवाह के किसी तरह की टिप्पणी या गुणगान के साधन को गंभीरता से लेगा तथा ऐसे गुणगान के लिए उत्तरदायी ऐसे व्यक्तियों/संगतनों के विरुद्ध कानूनी कार्यवाही सहित उचित कदम उठाएगा;
(ङ) यह सुनिश्चित करेगा कि कुर्मचारी तथा व्यवसायिक जैसे डाक्टर इत्यादि किसी भी तरह से ब्रूटा चिकित्सा प्रमाण-पत्र/जन्म/मृत्यु प्रमाण-पत्र जारी न करें तथा यदि वह ऐसा करते पाये जायें, तो उनके विरुद्ध उचित कार्यवाही करेगा;
(च) यह सुनिश्चित करने के लिए कि बाल विवाह के अनुष्ठान न किये जायें अपने अधिकार क्षेत्र में नियमित रूप से सभी पुचारियों के साथ सम्बन्ध करेगा तथा मानीटर करेगा।
(छ) सामुदायिक केन्द्र, सार्वजनिक भवन, बैंकट हाल, मेरिज पैलेस इत्यादि के मासिकों अथवा प्रगरी व्यक्तियों को बाल विवाहों के अनुष्ठान की रोकथाम करने हेतु शिक्षित/संयोजित करेगा।
बाल विवाह के सामूहिक अनुष्ठान को रोकने के उपाय धारा 11

समुन्मता जयलू,

विभागाध्यक्ष एवं प्रधान सचिव, हरियाणा सरकार,
महिला तथा बाल विकास विभाग।

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GOVERNMENT OF JHARKHAND
DEPARTMENT OF SOCIAL WELFARE, WOMEN & CHILD DEVELOPMENT

NOTIFICATION

Rauch, Dated 23 April 2015

No. SW/CMPA-70/2011-786 / In exercise of the powers conferred by Sub-Section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007) the Governor of Jharkhand hereby makes the following rule namely:-

1. Short title and commencement:-

- (i) These rules may be called the "Jharkhand Child Marriage Prohibition Rules, 2015".
- (ii) It shall extend to the whole of the State of Jharkhand.
- (iii) It shall come into force from the date of its publication in the Official Gazette.

2. Definitions :- In these rules unless the context otherwise requires :-

- (a) "Act" means the Prohibition of Child Marriage Act 2006 (Central Act No. 6 of 2007)
- (b) "Child Marriage" means the marriage of a boy below the age of 21 years or a girl below the age of 18 years.
- (c) "Child Marriage Prohibition Officer" means an officer notified under sub-section (1) of section 16 of the Prohibition of Child Marriage Act 2006 (Central Act No. 6 of 2007) by the State Government and entrusted with duties and liabilities under these rules.
- (d) "Police Officer" means an officer of the State Police Department.
- (e) "District Magistrate" and "Complaint" shall have the same meaning as assigned and defined in the code of Criminal Procedure 1973 (Act 2 of 1974) respectively.
- (f) "State" means the State of Jharkhand.
- (g) The words and expressions used but not defined in these rules shall carry the same meaning as have been assigned to them in the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007)
- (h) "Court" means the district court as defined in the Act.
- (i) "Aggrieved Person" means any of the contracting party to a child marriage;
- (j) "Child Welfare Committee" means the committee constituted under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2000
- (k) "Form" means a form appended to these rules.

Source: www.jharkhand.gov.in/Content/ChildMarriageProhibitionRules2015.pdf

3. **Jurisdiction of the Child Marriage Prohibition Officer :-** The Area shall be such as may be specified by the State Government by notification in the Official Gazette to exercise the jurisdiction under sub-section (1) of section 16 of the Act by the Child Marriage Prohibition Officers:

- (i) The petition under the provision of sub-section (1) of Section 3 for annulling a child marriage by a decree of nullity may be filed before the court exercising jurisdiction in that area. The court while exercising jurisdiction under the Act shall have all the powers and shall be governed by the provision of Civil Procedure Code, 1908 (No. 5 of 1908).
- (ii) Any sum or articles including ornaments ordered to be returned by the court, shall be returned in the presence of Presiding Officer of the Court.
- (iii) In case of any order for return of any sum or article under sub Section (1) of section 4 of the Act for payment of maintenance in lump-sum to the female contracting party of the marriage, the same shall be paid within 30 days from the date of passing order, in the presence of Presiding Officer of the Court. If the amount of maintenance is payable monthly the concerned party or guardian shall pay the same to the female contracting party of the marriage by 15th day of each calendar month.
- (iv) When the male contracting party to the marriage or his guardian where the male contracting party is minor fails to obey the order of the court passed under Sub-section (1) of section 4 of the Act then the aggrieved party may file an application for execution in the district court. The district court shall make an order in accordance with provisions of chapter IX of the Code of Criminal Procedure, 1973 (No. 2 of 1974).
- (v) In cases where the contracting parties or any other party is minor the court shall in appropriate cases refer them to Child Welfare Committee for protecting the best interest of the child.
- (vi) A copy of an order passed under section 7 of the Act shall be given to both the contracting parties and their guardian and also to the Child Marriage Prohibition Officer.

4. **Procedure of Complaint :-** Any person, mother, father or any relative of the victim or any recognized welfare institution or organization, personally or through messenger or by post may make complaint in writing to the Child Marriage Prohibition Officer.

- (i) Information regarding likelihood of solemnization of child marriage in any area may be given by any person orally or in writing or by post or by electronic mode to the Child Marriage Prohibition Officer, Block Development Officer, Police Station or Sarpanch of the Gram Panchayat.
- (ii) Since child marriage is very sensitive issue, awareness through different media will be conducted. Members of civil society/PRI and socially concerned citizens will be honoured and will be provided incentive for their active role in bringing the matter to the concerned authority.

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KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അത്യുപജാത

PUBLISHED BY AUTHORITY

ആവകാശികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol. LIII	Thiruvananthapuram	4th March 2008	No.	444
മാർച്ച് 53	Tuesday	2008 മാർച്ച് 4	സം.	
	തിരുവനന്തപുരം	14th February 1929	സം.	
	വെള്ളി	1929 ഫെബ്രുവരി 14		

GOVERNMENT OF KERALA

Social Welfare (B) Department

NOTIFICATION

G. O. (P) No. 1808/SWD. Dated: Thiruvananthapuram, 29th February, 2008.

S. R. O. No. 246/2008.—In exercise of the powers conferred by section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007), the Government of Kerala hereby make the following rules, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Prohibition of Child Marriage Rules, 2008.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

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(a) "Act" means the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007);

(b) "Child Marriage Prohibition Officer" means an Officer appointed as such by the State Government under sub-section (1) of section 16 of the Act;

(c) "Chief Child Marriage Prohibition Officer" means an Officer of the State Government entrusted with the duties and responsibilities under these rules;

(d) "Form" means a form annexed to these rules;

(e) "Police Officer" means an Officer in the State Police Department;

(f) "Section" means a section of the Act;

(g) "State Government" means the Government of Kerala;

(h) the words and expressions used in these rules but not defined shall have the meanings respectively assigned to them in the Act.

3. *Method of appointment, duties and functions of Child Marriage Prohibition Officer.*—(1) The State Government shall, by notification in the Gazette, appoint Child Marriage Prohibition Officers for such part as may be specified in the notification.

(2) In addition to the duties and functions assigned to a Child Marriage Prohibition Officer under clauses (a) to (g) of sub-section (3) of section 16 of the Act, it shall be the duty of every Child Marriage Prohibition Officer—

(a) to act immediately upon any information of the solemnization of any child marriage that may be received through any mode of communication including written or oral i.e., through a letter, telephone, telegram, e-mail etc. or by any other means and forthwith initiate all necessary action;

(b) to furnish quarterly return and statistics to the Chief Child Marriage Prohibition Officer in Form I;

(c) to file petition for annulling a child marriage in the District Court in the case if the petitioner is a minor;

Child Marriage Act, 2008 (Central Act)

Prohibition Officer" means an Officer appointed as sub-section (1) of section 16 of the Act.

Prohibition Officer" means an Officer of the duties and responsibilities under these rules, annexed to these rules.

Officer in the State Police Department;

of the Act;

in the Government of Kerala,

used in these rules but not defined shall extend to them in the Act.

Method of appointment, duties and functions of Chief Child Marriage Prohibition Officer.—(1) The State Government shall, by notification in the Gazette designate a Senior Officer of the Social Welfare Department as the Chief Child Marriage Prohibition Officer for such part as may be

and functions assigned to a Chief Marriage Prohibition Officer—

any information of the solemnization of marriage received through any mode of communication (letter, telephone, telegram, e-mail etc. or otherwise) shall be taken as necessary action;

return and statistics to the Chief Child Marriage Prohibition Officer.

preventing a child marriage in the District or taluk.

(d) to file petition before the District Court to pay maintenance to the female contracting party of the marriage until her remarriage;

(e) to file petition to the District Court for the custody and maintenance of children of the child marriage.

4. Method of appointment, duties and functions of Chief Child Marriage Prohibition Officer.—(1) The State Government shall, by notification in the Gazette designate a Senior Officer of the Social Welfare Department as the Chief Child Marriage Prohibition Officer to administer and co-ordinate the work relating to Child Marriage Prohibition throughout the State.

(2) The Chief Child Marriage Prohibition Officer shall co-ordinate the work of Child Marriage Prohibition Officers and shall be responsible for the proper performance of the child marriage prohibition work in the State.

(3) The Chief Child Marriage Prohibition Officer shall be responsible for the preparation and submission of an Annual Report on the progress of implementation of the Act and related matters and of such statistics as may be required from time to time by the State Government.

(4) In addition to the general duties of monitoring and supervision of the implementation of the provisions of the Act, it shall be the duty of the Chief Child Marriage Prohibition Officer—

(a) to exercise general control, superintendence and direction over all the Child Marriage Prohibition Officers so much as the implementation of the Act and Rules are concerned;

(b) to review periodically the functioning of Child Marriage Prohibition Officers across the State;

(c) to cause an annual status report on child marriage to be submitted to the State Government;

(d) to formulate schemes and programmes for creating awareness, sensitizing the community and organize training to functionaries of the concerned Departments.

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(e) to discharge such other functions and duties as may be assigned to him by the State Government;

(f) to convene an annual review and strategy conference on prevention of child marriage;

(g) to cause publication and wide circulation of the Act and Rules in Malayalam and English.

5. *Nodal Officer.*—(1) The District Collector shall be the Nodal Officer at the District Level for the purpose of implementation of the Act.

(2) The District Collector shall periodically review the implementation of the Act within the respective District and take all necessary measures for the proper and effective implementation of the Act.

6. *Procedure for filing Complaints.*—(1) A complaint/information to the Child Marriage Prohibition Officer may be filed/given by any person in any form, written, phone, e-mail etc.

(2) On receipt of a complaint/information under sub-rule (1) of this rule, the Child Marriage Prohibition Officer shall record it in Form II and conduct a brief enquiry.

(3) For the conduct of enquiry under sub-rule (2) of this rule, he shall have the powers of a Police Officer under the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) for the purpose of investigation, summoning of parties and witnesses, recording of statement etc. for discharging his duties under the Act.

(4) All Station House Officers shall provide all such assistance to the Child Marriage Prohibition Officers in order to carry out his duties under the Act and Rules.

(5) Every Child Marriage Prohibition Officer shall submit his report in Form III to the concerned Judicial Magistrate of the First Class or the Chief Judicial Magistrate with his enquiry report.

7. *Production of Document.*—It is the duty of the accused party to furnish the relevant document to the satisfaction of the Court to prove that the parties in the marriage are not children as defined in clause (e) of section 2 of the Act.

FORM I

(See rule 3 (2) (b))

Quarterly report under the Prohibition of Child Marriage Act, 2006

For the Quarter starting from _____ to _____

Name of District _____

Name and address of the Child Marriage
Prohibition Officer (with Phone No.) _____

1. Total No. of complaints received
2. Total No. of enquiries conducted
3. Total No. of reports submitted to Courts
4. Total No. of Injunction Order received
5. Total No. of violations made by parties
6. Total No. of maintenance orders issued
7. Total No. of punishment orders made
8. Total No. of Child Marriage successfully prevented
9. Total No. of residence orders made under section 4
10. Total No. of awareness programs conducted
11. Total No. of review meetings of assistance conducted
12. Any other information

Signature of the Child Marriage Prohibition
Officer with Date.

(Seal)

Child Marriage Information Report

1. Name and Address of the Complainant (with Phone No.)
2. Name and Address of the accused (with Phone No.)
 - (1)
 - (2)
3. Particulars of the report
 - a. Age and date of birth
 - b. Address
 - c. Present residence
 - d. Occupation
 - e. Education
 - f. Name and address of parents
 - g. Name and address of employer, if any
 - h. Any other relevant information
4. Short summary on the circumstances of the child marriage
5. Any other information

Signature of the Child Marriage Prohibition Officer with Date

(Seal)

GOVERNMENT OF KARNATAKA

No. WCD.377 SWW 2004

Karnataka Government Secretariat,

M.S. Building,

Bangalore, Dated:06-02-2008

NOTIFICATION

In exercise of powers conferred by sub section (1) of section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act No.6 of 2007), the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title extent and commencement: (1) These rules may be called the Prohibition of Child Marriage (Karnataka) Rules, 2008.

(2) They shall come in to force from the date of their publication in the Official gazette.

2. Definitions: In these rules, unless the context otherwise requires, -

- (a) "Act" means, the Prohibition of Child Marriage Act, 2006 (Central Act No.6 of 2007)
- (b) 'Complaint' or 'petition' means any allegation made orally or in writing by any person or organization or Police to the Child Marriage Prohibition Officer.
- (c) 'Form' means a form appended to these rules.
- (d) 'Section' means a Section of the Act.

3. Information to Child Marriage Prohibition Officer:- (1) Any person who has reason to believe that an act of Child marriage has been, or is being, or is likely to be committed may give information about it to the Child Marriage Prohibition Officer / District Magistrate having jurisdiction in the area either orally or in writing in Form No.- I

(2) In case the information is given to the Child Marriage Prohibition Officer under sub rule (1) orally he or she shall cause it to be reduced it in writing in Form No. 1 and shall ensure that the same is signed by person, giving such information. And in case, the informant is not in a position to furnish written information, the Child Marriage Prohibition Officer will satisfy and keep a record of identity of the person giving such information.

4. Functions and duties of Child Marriage Prohibition Officer:- (1) The Child Marriage Prohibition Officer shall ensure that the organizers of mass marriages shall maintain a register and a list of the proposed eligible couples to be married, and record details after verifying their photographs, birth certificate / school certificate / medical certificate in proof of age from a registered Medical Practitioner.

(2) The Child Marriage Prohibition Officer shall ensure the person applicant to avail the benefit of legal services available under Karnataka Legal Services Authority in obtaining injunction, prohibitory orders, custody orders, maintenance orders and matters pertaining to the enforcement of the Act.

(3) The Child Marriage Prohibition Officer is empowered to move the court suo moto for getting interim orders like injunction, prohibitory orders, maintenance orders, custody orders and also getting suitable orders as to the residence of female contracting party to the child marriage.

(4) The Child Marriage Prohibition Officer shall maintain a directory of Non Governmental Organisations registered under Karnataka Societies Registration Act, 1960 / Companies registered under the Companies Act, 1956 or any other law for the time being in force.

(5) The Child Marriage Prohibition Officer at taluka level and at the district level shall report the statistics of the incidence of Child Marriage periodically (quarterly) as per section 16 (3) (f) of the Act to the Director, Women and Child Development in Form No.-III.

(6) It is the duty of the Child Marriage Prohibition Officer to collect evidence and assist the Court / Magistrate in effective prosecution of the cases.

(7) The Child Marriage Prohibition officer shall facilitate in getting appropriate orders from the courts for custody of the children born out of the child marriage.

(8) The Child Marriage Prohibition officer shall provide all possible assistance to stop the child marriage and to ensure the person / applicant, police help, if any, in the event of occurrence of child marriage.

(9) The Child Marriage Prohibition Officer shall create awareness and sensitize the community about the provisions of the Act and its harmful effects on the issue of child marriage.

(10) The Child Marriage Prohibition Officer shall discharge his duties with due care, decorum, privacy and in a manner to uphold the dignity and harmony of the child and the family relationship.

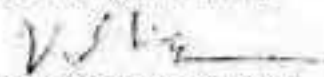
(11) The approach of the Child Marriage Prohibition Officer shall be primarily prevention of Child marriage and it shall be a remedial one. Prosecution shall be recommended or resorted to only, if all other measures and directions are found ineffective or parties fail to comply with the orders or directions within the stipulated time.

(12) The Child Marriage Prohibition Officer shall prevent the solemnization of Child Marriage by taking such action as he deems fit. While doing so he may take the assistance of the respectable members of the locality, with a record of social service

or an officer of Gram Panchayat, Municipalities or an Officer of Government or any public sector undertaking or an Office bearer of any Non Governmental Organisation as the case may be.

5. Action to be taken in case of emergency:- Whenever Child Marriage Prohibition Officer / person receives reliable information through e-mail, or telephonic call or the like either from any person, who has reason to believe that a act of child marriage is being or is likely to be committed in such an emergency situation, the Child Marriage Prohibition Officer / person shall seek immediate assistance of the police, who shall accompany the Child Marriage Prohibition Officer to the place of occurrence, record the incident in writing and report the same to the Magistrate without any delay for seeking appropriate orders under the provisions of the Act.

By Order and in the name of the
the President of India


(V. SHIVA KUMAR)

Under Secretary to Government-1
Women and Child Development Department

To:

The Compiler, Karnataka Gazette, Bangalore - with a request to publish in the next issue of the Gazette and supply 500 copies to Under Secretary to Govt., Women and Child Development Department, Room No.115, 1st floor, M.S. Building, Bangalore.

Copy to:

1. The Secretary of Government of India, Ministry of Women and Child Development, Shastri Bhavan, New Delhi.
2. The Director, Women and Child Development Department, Bangalore.
3. The Director, Disabled and Senior Citizens Welfare Department, Bangalore.
4. The Managing Director, Karnataka State Women Development Corporation, Bangalore.
5. Secretary, Karnataka State Women Commission, Bangalore.
6. The Registrar, High Court of Karnataka, Bangalore - with a separate covering letter.
7. Deputy Director, Child Development Project Officer of all districts.
8. Principal Secretary to Govt. Social Welfare Department, Vikasa Soudha, Bangalore.
9. Principal Secretary to Govt. Home Department, Vidhana Soudha, Bangalore.
10. D.G. and I.G.P., Nrupathunga Road, Bangalore
11. I.G.P./Commissioners of Police, Bangalore, Hubli-Dharwad, Mysore.
12. Deputy Commissioners of all districts.
13. Section Guard file/Spare copies.

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GOVERNMENT OF MANIPUR
SECRETARIAT, SOCIAL WELFARE DEPARTMENT

NOTIFICATION
Imphal, the 11th September, 2007

No. 7(1)/2002-S(SW) - In exercise of the powers conferred by sub-section (1) of section 19 of the Prohibition of Child Marriage Act, 2006 (No. 6 of 2007), the Governor of Manipur is pleased to make the following rules, namely, -

THE MANIPUR CHILD MARRIAGE PROHIBITION RULES, 2007

1. Short title and commencement. - (1) These rules may be called the Manipur Child Marriage Prohibition Rules, 2007.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Definitions. - In these rules, unless the context otherwise requires, -

- (a) "Act" means the Prohibition of Child Marriage Act, 2006;
- (b) "section" means the section of the Act;
- (c) The words and expressions used and not defined in these rules but defined in the Act shall have the same meanings respectively assigned to them in the Act.

3. Qualification, term of appointment, condition of service, etc. of the Child Marriage Prohibition Officer. - (1) The Child Marriage Prohibition Officer shall be appointed who has passed a Bachelor's Degree of Law with 7 (seven) year practice as an Advocate and he shall attain the age of above 45 years but below 65 years on the day of appointment as Child Marriage Prohibition Officer but it may be extended not exceeding up one year.

(2) The Child Marriage Prohibition Officer may, by writing under his hand addressed to the State Government, resign from his office of the Child Marriage Prohibition Officer at any time.

(3) The State Government shall remove the Child Marriage Prohibition Officer from his office if he -

- (a) becomes an un-discharged insolvent;
- (b) is convicted and sentenced to imprisonment for an offence which in the opinion of the State Government, involves moral turpitude;
- (c) becomes unsound mind and stands so declared by a competent Court;
- (d) refuses to act or becomes incapable of acting; or
- (e) has, in the opinion of the State Government, so abused the position of the Child Marriage Prohibition Officer as to render that person's continuance in office is detrimental to the public interests;

Provided that no Child Marriage Prohibition Officer shall be removed under this clause until he has been given a reasonable opportunity of being heard in the matter.

(4) A vacancy caused under sub-rule (2) and (3) or otherwise shall be filled by fresh appointment.

4. Salary and allowances of the Child Marriage Prohibition Officer. - The fixed salary for the Child Marriage Prohibition Officer shall be determined by the State Government by notification from time to time.


(Letkhogin Meokip)
Commissioner (SW), Govt. of Manipur

Copy to 1. The Secretary (Law), Government of Manipur.
2. The Director (SW), Manipur.

भोपाल, दिनांक 26 नवम्बर 2007

क्र. एफ-10-48-07-पचास-2.—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसार, इस विभाग की अधिसूचना क्रमांक एफ 10-48-07-पचास-2, दिनांक 26 नवम्बर 2007 का अंग्रेजी अनुवाद राज्यपाल के प्रविष्टिकार से स्वतंत्र प्रकाशित किया जाता है।

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
अश्विनी श्रीवास्तव, उपसचिव

Bhopal, the 26th November 2007

No.F-10-48-07-L-2.—In exercise of the powers conferred by sub-section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (No. 6 of 2007), the State Government, hereby makes the following rules, namely:—

RULES

1. Short title and Commencement. —(1) These rules may be called the Madhya Pradesh Prohibition of Child Marriage Rules, 2007.

(2) They shall come into force with effect from the date of their publication in the Madhya Pradesh Gazette.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Prohibition of Child Marriage Act, 2006 (No. 6 of 2007);

(b) "Child Welfare Committee" means the Committee constituted under section 29 of the Juvenile Justice (Care and Protection of Children) Act, 2000 (56 of 2000);

(c) "Court" means the District Court as defined in clause (e) of Section 2 of the Act;

(d) Words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the Act.

3. (1) (i) According to the provisions of sub-section (1) of section 3 of the Act, decree of nullity may be obtained for annulling child marriage, by filing petition in the court having jurisdiction over area.

(ii) The Court shall have all powers as assigned to it in Criminal Procedure Code, 1973 (2 of 1974).

(2) Any sum or articles including ornaments ordered to be returned by the court shall be returned in the presence of Presiding Officer of the Court.

(3) Any order for return of any sum or article shall be executable as a decree or order under the Civil Procedure Code, 1908 (No. 5 of 1908).

4. (1) Any order made by the Court under sub-section (1) of Section 4 of the Act for payment of maintenance in lump sum of the female contracting party of the marriage, the amount shall be paid within 30 days from the date of passing order, in the presence of Presiding Officer of the court. If the amount of maintenance is payable monthly the concerned party or guardian shall pay the same to the female contracting party of the marriage by 15th day of each calendar month.

(2) When the male contracting party to the marriage, and where the male contracting party is minor, his guardian fails to comply the order of the court passed under sub-section (1) of Section 4 of the Act, then aggrieved party may file an application for execution in the court. The court may pass an order in accordance with the provisions of Chapter IX of the Code of Criminal Procedure, 1973 (2 of 1974).

5. A copy of any order passed by the court under sub-section (1) of Section 5 of the Act shall be sent to the Child Welfare Committee whose duty shall be to ensure from time to time that the child is getting proper care and protection from authorized custodian.

6. In cases where the contracting parties or any of the other parties is minor the court may refer to them to child Welfare Committee for protecting the best interest of the child.

7. An order passed under sub-Section (4) of Section 5 shall be executable in the manner provided herein under sub-rule (2) of rule 4.

8. A copy of an order passed under section 7 of the Act shall be given to both the contracting parties and their guardian and also to the Child Marriage Prohibition Officer.

9. (1) Information regarding of likelihood of solemnization of child marriage in any area may be given by any person orally or in writing or by post or by electronic mode to the child Marriage Prohibition Officer, Police Station or Sarpanch of the Gram Panchayat of the concerned area.

(2) The officials other than the Child Marriage Prohibition Officer, on receiving the information of likelihood of solemnization of child marriage, shall furnish such information to Child Marriage Prohibition Officer alongwith a report.

(3) The District Magistrate may pass an order under sub-section (5) of Section 13 of the Act and direct all or any Police Station to keep vigil at religious and public places and also to take appropriate action to check and prevent the solemnization of child marriages, specially during special occasions when mass child marriages are solemnized.

10. The Child Marriage Prohibition Officer in collaboration with the concerned Government Departments under clause (d) and (e) of sub-section (2) of Section 16 of the Act shall organize legal awareness camp in every district with special focus on villagers in remote areas where the incidents of child marriages are common.

By order and in the name of the Governor of Madhya Pradesh,

AKHILESH SHRIVASTAVA, Dy. Secy.

संख्य. प्रशासक/संसाधन विकास, असा, संख्या ५, २००८/प्रशासक १४, असे ११३० [पान संख्या-३]

WOMEN AND CHILD DEVELOPMENT DEPARTMENT
New Administrative Building, Mantralaya, Mumbai-400 032,
dated the 1st September 2008

NOTIFICATION

PROHIBITION OF CHILD MARRIAGE ACT, 2006.

No. CMA. 2007/C.R.109/D-II.—In exercise of the powers conferred by section 19 of the Prohibition of Child Marriage Act, 2006 (6 of 2007), the Government of Maharashtra hereby makes the following rules :—

1. *Short Title.*—These Rules may be called the Maharashtra Prohibition of Child Marriage Rules, 2008.

2. *Definition.*—(1) In these rules, unless the context otherwise requires,—

(a) 'Act' means the Prohibition of Child Marriage Act, 2006 (6 of 2007);

(b) 'aggrieved person' means any of the contracting party to a child marriage;

(c) 'Form' means a form appended to these rules.

(2) The words and expressions used but not defined herein shall have the meanings assigned to them in the Act.

3. *Child Marriage Incident Report.*—(1) Any person who has reason to believe that a child marriage has been, or is being, or is likely to be solemnized, may give information through letter, e-mail or a telephone call or in any other form, to the Child Marriage Prohibition Officer having jurisdiction in the area.

(2) Upon receipt of information that a child marriage has been, or is being, or is likely to be solemnized, the Child Marriage Prohibition Officer shall prepare a child marriage incident report in Form-I and submit the same to the Judicial Magistrate of the First Class or the Metropolitan Magistrate and forward copies thereof to the police officer in-charge of the police station within the local limits of whose jurisdiction the child marriage alleged to have been, or is being, or is likely to be, solemnized.

(3) Notwithstanding anything contained in these rules, the Child Marriage Prohibition Officer shall not refuse to record information regarding child marriage on the ground that the child marriage alleged to have been, or is being, or is likely to be, solemnized outside the area of his jurisdiction. He shall record and immediately forward such information to the concerned Child Marriage Prohibition Officer. The concerned Child Marriage Prohibition Officer to whom such information is forwarded shall record the information in Form I.

(4) The Child Marriage Prohibition Officer shall furnish, free of cost, to the Complainant, the copy of Child Marriage Incident Report.

4. *Duties of Child Marriage Prohibition Officer.*— In addition to the duties mentioned in clauses (a) to (f) of sub-section (3) of section 16 of the Act, the Child Marriage Prohibition Officer shall discharge the following functions and duties, namely :—

(1) To provide the information about the rights of aggrieved person and his relatives or the person accompanying him or other person under the Act ;

(2) To provide legal aid to the aggrieved person through the State Legal Aid Services Authority ;

(3) To inform the aggrieved person about the shelter homes and if required, arrange for their shelter in shelter homes for the purpose of safety of the aggrieved person during the pendency of the proceedings of the Court or otherwise ;

(4) To Assist the aggrieved person in filing an application in the Court of Judicial Magistrate of the First Class or Metropolitan Magistrate, as the case may be, regarding the offences committed under the Act ;

(5) To keep vigilance in the area under his jurisdiction for eliminating the possibility of solemnization of child marriage ;

(6) To inform the police authorities including the special police officers appointed under the Immoral Traffic (Prevention) Act, 1956

(104 of 1956), if he comes to know of the solemnization of any child marriage wherein the child being a minor, is,—

- (i) taken or enticed out of the keeping of the lawful guardian ; or
- (ii) compelled by force ; or
- (iii) induced by any deceitful means to go from any places ; or
- (iv) sold for the purpose of marriage, and made to go through a form of marriage ; or
- (v) married and after which is sold or is trafficked or used for immoral purposes ;

(7) To,—

- (i) use print, broadcasting and all other forms of media ;
- (ii) organise lectures of experts in medicine, law, social work, psychology, and other experts ;
- (iii) organise awareness drives and campaigns ;
- (iv) organise visits to educational institutions ; and
- (v) hold meetings for the residents of the locality ;

for the purposes of creating awareness of the evils that result from child marriages and for sensitizing the community on the issue of child marriages ;

(8) To maintain a record and copies of the relevant documents submitted to the District Court, Judicial Magistrate of the First Class or Metropolitan Magistrate, as the case may be ;

(9) To assist, if requested by either or both the parties to the child marriage, in preparing a list of money, valuables, ornaments and gifts received on occasion of the marriage by them from the other side for placing it before the District Court during the proceeding of annulment of child marriage.

FORM 1
 (See rule 3)

Child Marriage Incident Report

1. Details of the complainant/party to the child marriage:

- (1) Name of the complainant/party to the child marriage:
 (2) Age:
 (3) Present Address:
 (4) Phone Number, if any:

2. Details of Respondents:

Sr. No.	Name	Address	Telephone No., if any
---------	------	---------	-----------------------

3. Details of Marriage:

Sr. No.	Date, Place and Performer	Audience	Remarks
	Time of Child Marriage		
		Priest Relatives Friends Others	

4. List of documents attached:

Name of document	Date	Any other details
Birth Certificate		
Doctor's Certificate for age verification		
List of money, ornaments, valuables, gifts given at the time of marriage.		
Any other document		

६९९ महाराष्ट्र शासन राजपत्र, अंक, अक्टोबर १५, २००६/मासिक १२, पृष्ठ १९२०

5. Order that needs to be obtained under the Prohibition of Child Marriage Act, 2006 (6 of 2007)

Sr. No.	Orders	Yes/No.	Any other
1	Prohibitory injunction under Section 13.		
2	Annulment order under section 3.		
3	Residence order under section 4(4).		
4	Maintenance order under section 4(1)		
5	Custody order under section 5.		
6	Restriction order under section 3(4).		
7	Any other order.		

6. Assistance needed :

Sr. No.	Assistance available	Yes/No.	Nature of Assistance
1	Counsellor		
2	Police Assistance		
3	Assistance for initiating Criminal Proceedings		
4	Shelter home		
5	Medical Facilities		
6	Legal Aid		

Place

Date

(Counter signature of Prohibition Officer/Service Provider)

Name

Address (Seal)

By order and in the name of the Governor of Maharashtra,

S. P. WARE,

Deputy Secretary to Government.

सहायक सचिव महाराष्ट्र शासन, मुंबई

Acts and Ordinances

Concerned Department : Social Welfare Department

Concerned District : Meghalaya

Act Title/Name : Child Marriage Act, 2006

Act Details :

Number :

Year : 2006

Short Title : CM Act, 2006

Extent : All over Meghalaya

Commencement Date :

Act Objectives : Child marriage means a marriage to which either of the contracting parties is a child. Every child marriage, whether solemnized before or after the commencement of this act shall be voidable at the option of the contracting party who was a child at the time of marriage.

The practice of child marriage does not exist in the State of Meghalaya.

The District Social Welfare Officers of all the Districts has been notified as Child Marriage Prohibition Officers.



The Mizoram Gazette

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NOTIFICATION

No.B.1201/7/04-SWD, the 27th July, 2010. In exercise of the powers conferred by sub-section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (Act No.6 of 2007), the Governor of Mizoram is pleased to make the Mizoram Prohibition of Child Marriage Rules, 2010, namely :-

1. **Short title, extent and commencement :**
 - (1) These Rules may be called the Mizoram Prohibition of Child Marriage Rules, 2010.
 - (2) It shall have the like extent as the Act.
 - (3) It shall come into force from the date of its publication in the Official Gazette.
2. **Definitions:** In these rules, unless the context otherwise requires:
 - (a) "Act" means the Prohibition of Child Marriage Act, 2006 (Act No.6 of 2007);
 - (b) "Advisory Body" means an Advisory Body constituted under Rule 4 ;
 - (c) "Concerned Government Department", for the purpose of these Rules, means the Department of Social Welfare, Government of Mizoram.
 - (d) "Competent Court" means a Civil Court and in any other area where there is no Civil Court, any other Court which may be specified by the Government of Mizoram as having jurisdiction in respect of the matter dealt with in this Act;
 - (e) "Section" means Section of the Act.
 - (f) Words and expressions used herein and not defined in these rules but defined in the Act, shall have the meaning, respectively, assigned to them in the Act.
3. **Child Marriage Prohibition Officer:**
 - (1) **Appointment of the Child Marriage Prohibition Officer :** In every district where there is District Social Welfare Officer, such District Social Welfare Officer, or in any other district where there is no District Social Welfare Officer, Child Development Project Officer (CDPO), as the Government may, by Notification, appoint, shall act the Child Marriage Prohibition Officer.

(2) **Power and Function of the Child Marriage Prohibition Officer:**

- (i) For the purpose of ensuring effective implementation on the Act, every Child Marriage Prohibition Officer shall be vested with such powers as that of the Officer-in-charge of a Police Station.
 - (ii) Every Child Marriage Prohibition Officer shall take cognizance suo moto or look into specific complaints regarding violations of the provisions of the Act and initiate prosecution before the competent Court.
 - (iii) It shall be the duty of the Child Marriage Prohibition Officer to collect evidence and assist the court for the effective prosecution of persons contravening the provisions of the Act.
 - (iv) The approach of the Child Marriage Prohibition Officer shall be primarily prevention of child marriage and he shall discharge his duties with due care, decorum, privacy and in such a manner to uphold the dignity and harmony of the child and the family relationship.
 - (v) In performance of his duties under the Act, the Child Marriage Prohibition Officer shall, except in case of emergency, consult an Advisory Body constituted here under in Rule 4. However, he shall take such decision as may be appropriate in accordance with the provisions of the Act.
- (3) The Child Marriage Prohibition Officer in collaboration with the concerned Government Department shall organize legal awareness camp in every district and sensitize the community about the provision of the Act and its harmful effects on the issue of child marriage.
 - (4) Every Child Marriage Prohibition Officers shall as specified in schedule 1, furnish a periodical return with statistics to the concerned Government Department at least once every year.
 - (5) The Child Marriage Prohibition Officer shall hold office for such period until he/she is transferred to another post, or he /she retires from Government services, whichever is earlier.

4. **Constitution of Advisory Body :**

- (1) The Government may constitute an Advisory Body to be associated with each Child Marriage Prohibition Officer for the purpose of advising and assisting him in the performance of his duties and discharge of his functions under this Act.
- (2) The Advisory Body shall consist of not more than five members from amongst prominent citizens like Office Bearer(s) of the Young Mizo Association (YMA), or of the Mizo Hmeichhe Insulikhawm Pawl (MHIP), or of the Mizo Upa Pawl (MUP) or of the Mizoram Kohhran Hruaita Committee (MKHC), or such respectable members of the locality with a record of social service, having knowledge of, or practical experience in, matters relating to rights belonging to the children, and at least two members shall be woman activists/workers known in the area within the jurisdiction of the Child Marriage Prohibition Officer.

5. **Information to the Child Marriage Prohibition Officer**

- (1) Any person who has reason to believe that an act of child marriage has been, or is likely to be solemnized, may give information about it, orally or in writing to the Child Marriage Prohibition Officer of the Police station of the concerned area. The officials other than the Child Marriage Prohibition Officer on receiving such information, shall furnish the same to the Child Marriage Prohibition Officer along with a report.

- (2) In case the information is given orally to the Child Marriage Prohibition Officer under such rule (1), he shall cause it to be reduced in writing and shall ensure that the same is signed by the person giving such information in case the informant is not in a position to furnish written information, or the information is given by post, through e-mail, telephonic call or the like, the Child Marriage Prohibition Officer will satisfy and keep a record of identity of the person giving such information.
- (3) On receiving such information, the Child Marriage Prohibition Officer shall take necessary action to prevent the child marriage from being solemnized and shall report the same to the Magistrate without delay for seeking appropriate order under the provisions of the Act.
6. **Disposal of Cases :** Every complaint/Prosecution/case under this Act shall be disposed of by the competent Court within ninety days from its receipt.

B.Sairengpuli,
Secretary to the Govt. of Mizoram,
Social Welfare Department.

Scheduled - I
(See Rule 3 (4))

Periodical Report regarding the statistics of the incidence of Child Marriage.

Sl No.	Name of the District	No. of complaint/ information received	Place & Date of Child Marriage performed	Name of person/ organization/ church who perform Child Marriage	No. of Child Marriage identified	No. of cases registered in court	Remark/ Status
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

28
323 H
Page
3046

The Orissa Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1402 CUTTACK, TUESDAY, SEPTEMBER 22, 2009 / BHADRA 31, 1931

WOMEN & CHILD DEVELOPMENT DEPARTMENT

NOTIFICATION

The 19th September 2009

S.R.O. No. 392/2009—In exercise of the powers conferred under Section 19 of the Prohibition of Child Marriage Act, 2006, (Act No. 6 of 2007), the State Government do hereby make the following rules, namely :—

1. Short title and commencement—(1) These rules may be called the Orissa Prohibition of Child Marriage Rules, 2009.

(2) They shall come into force on the date of their publication in the *Orissa Gazette*.

2. Definitions—(1) In these rules unless the context otherwise requires,—

(a) "Act" means the Prohibition of Child Marriage Act, 2006 (Act 6 of 2007);

(b) "Form" means Form appended to these rules;

(c) "Police Officer" means an officer in the State Police;

(d) "Section" means a Section of the Act;

(e) "State Government" means the Government of Orissa.

(2) The words and expressions used in these rules but not defined shall have the meanings respectively assigned to them in the Act.

✓ 3. Duties and functions of Child Marriage Prohibition Officer in addition to the duties and functions assigned to a Child Marriage Prohibition Officer under Clauses (a) to (g) of sub-section (3) of Section 16 of the Act, it shall be the duty of every Child Marriage Prohibition Officer—

(a) to act immediately upon any information of the solemnization of any child marriage that may be received through any mode of communication including writing or oral i.e. through a letter, telephone, telegram, e-mail, etc. or by any other means to initiate all necessary action;

(b) to furnish quarterly return and statistics to the Chief Child Marriage Prohibition Officer in Form I;

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(c) to file petition for annulling a child marriage in the district court, if the petitioner is a minor;

(d) to file petition before the district court to pay maintenance to the female contracting party of the marriage until her re-marriage; and

(e) to file petition to the district court for the custody and maintenance of children of the child marriage.

4. Method of appointment, duties and functions of Chief Child Marriage Prohibition Officer—(1) The State Government shall, by notification in the official Gazette, designate a senior officer of the Women and Child Development Department as the Chief Child Marriage Prohibition Officer to administer and co-ordinate the work relating to Child Marriage Prohibition throughout the State.

(2) The Chief Child Marriage Prohibition Officer shall co-ordinate the work of Child Marriage Prohibition Officers and shall be responsible for the proper performance of the Child Marriage Prohibition work in the State.

(3) The Chief Child Marriage Prohibition Officer shall be responsible for the preparation and submission of an Annual Report on the progress of implementation of the Act and related matters and such statistics as may be required from time to time by the State Government.

(4) In addition to the general duties of monitoring and supervision of the implementation of the provisions of the Act it shall be the duty of the Chief Child Marriage Prohibition Officer—

(a) to exercise general control, superintendence and direction over all the Child Marriage Prohibition Officers so far as the implementation of the Act and rules are concerned;

(b) to review periodically the functioning of Child Marriage Prohibition Officers across the State;

(c) to cause an annual status report on Child Marriage to be submitted to the State Government;

(d) to formulate schemes and programmes for creating awareness sensitizing the community and organize training to functionaries of the concerned departments;

(e) to discharge such other functions and duties as may be assigned to him by the State Government;

(f) to convene an annual review and strategy conference on prevention of child marriage; and

(g) to cause publication and circulation of the Act and rules in Oriya and English.

5. Nodal Officer—(1) The District Collector shall be the Nodal Officer at the district Level for the purpose of implementation of the Act.

(2) The District Collector shall periodically review the implementation of the Act within the respective district and take all necessary measures for the proper and effective implementation of the Act.

6. Procedure for conducting enquiry—(1) A complaint/information to the Child Marriage Prohibition Officer may be filed/given by any person in any form, written, phone, e-mail, etc;

(2) On receipt of a complaint/information under sub-rule (1) of this rule, the Child Marriage Prohibition Officer shall record it in Form II and conduct a brief enquiry;

(3) For the conduct of enquiry under sub-rule(2) of this rule, he shall have the powers of a Police Officer under the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), for the purpose of investigation, summoning of parties and witnesses, recording of statement, etc., for discharging his duties under the Act;

(4) Officers in charge of Police Station shall provide all such assistance to the Child Marriage Prohibition Officer in order to carry out his duties under the Act and rules; and

(5) Every Child Marriage Prohibition Officer shall submit his report in Form III to the concerned Judicial Magistrate of the First Class or the Chief Judicial Magistrate with his enquiry report.

7. Production of Document—It is the duty of the accused party to furnish the relevant document to the satisfaction of the court to prove that the none of the parties in the marriage is a child as defined in Clause (a) of Section 2 of the Act.

[No. 16217—G.O.(P)]

By order of the Governor

SUBHASHREE NANDA

Under-Secretary to Government

4
FORM I

[See Rule 3 (2) (b)]

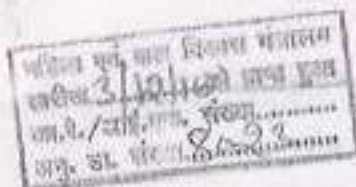
For the Quarter starting from.....to.....
Name of District.....

Name and address of the Child Marriage Prohibition Officer (with Phone No.) :

1. Total No. of complaints received :
2. Total No. of enquiry conducted :
3. Total No. of reports submitted to Courts :
4. Total No. of Injunction order received :
5. Total No. of violations made by parties :
6. Total No. of maintenance orders issued :
7. Total No. of punishment orders made :
8. Total No. of child marriage successfully prevented :
9. Total No. of residence orders made under Section 4 :
10. Total No. of awareness programmes conducted :
11. Total No. of review meetings of assistance conducted :
12. Any other information :

Signature of the
Child Marriage Prohibition Officer
(with date)

(Seal)



GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (WELFARE)

G.O.M.S.No.12/2010-Wel/(SWI-IV)

Puducherry, the 16.11.2010

NOTIFICATION

In exercise of the powers conferred by section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act No.6 of 2007), read with notification No.S.O.1274 (E) dated 30.05.2008 of Ministry of Home Affairs, New Delhi, the Lieutenant governor Puducherry hereby makes the following rules, namely:-

RULES1. SHORT TITLE AND COMMENCEMENT:-

1. These rules may be called the "Puducherry Prohibition of Child Marriage Rules, 2009".
2. They shall come into force on the date of their publication in the official gazette of Government of Puducherry.

2. DEFINITION:-

1. In these rules, unless the context otherwise requires

- (a) "Act" means the prohibition of Child Marriage Acts, 2006 (Central Act No.6 of 2007)
- (b) "Complaint" or "Petition" means any allegation made orally or in writing by any person or organization or police to the Child Marriage Prohibition Officer.
- (c) "Form" means Form appended to these rules.
- (d) "Government" means the administrator appended under article 239 of the Constitution for the Government of Puducherry.
- (e) "Prohibition Officer" means persons appointed by the Government of Puducherry as per Section 16(1) of the act.
- (f) "Police Officer" means an officer not below the rank of a station House Officer in the Police Dept. of the Government of Puducherry.
- (g) "Section" means a section of the Act.
- (h) "Nodal Officer" means an officer designated by the Government of Puducherry to monitor and to co-ordinate with the Child Marriage Prohibition Officers.

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to file in the
Government of
Puducherry

2. All other words and expressions used in the rules but not defined here in above, shall have the same meanings as assigned to them in the Act.

3. DUTIES OF CHILD MARRIAGE PROHIBITION OFFICER

1. In appropriate cases, the Child Marriage Prohibition Officer himself/herself can take cognizance of an offence committed under this Act and vested with such powers of Police Officer and shall exercise such powers subject to such conditions and limitation as may be specified in notification by the Government of Puducherry as per Act.
2. In addition to the duties and functions assigned to a Child Marriage Prohibition Officer under clauses (a) to (g) sub-section (3) of section 10 of the Act, it shall be the duty of every Child Marriage Prohibition Officer:-

- a. to act immediately upon any information of the solemnization of any child marriage that may be received through any mode of communication and initiate all necessary action.
- b. to file petition before the District Court for issue of orders under section 3,4,5,6 of the Act.
- c. on receipt of a complaint/information it shall be recorded it in Form I and conduct a brief enquiry.
- d. to furnish quarterly report to the Nodal Officer in Form II.

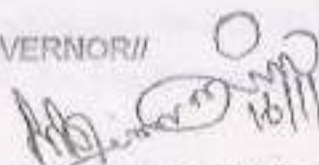
4. PROCEDURE FOR FILING COMPLAINTS:-

1. A complaint/information to the Child Marriage Prohibition Officer may be lodged by any person in any form such as written, phone, E-mail etc.
2. On receipt of the complaint / information under sub-rule (1) of this rule, the Child Marriage Prohibition Officer shall record it in Form I and conduct a brief enquiry.
3. All Station House Officers shall provide all such assistance to Child Marriage Prohibition Officer in order to carry out the duties under the Act and Rules.

6. DUTIES OF NODAL OFFICERS :-

1. The Nodal Officer shall be collect the quarterly report from the Child Marriage Prohibition Officers in Form II and send a consolidated report to the Government.
2. The Nodal Officer shall monitor the function of the Child Marriage Prohibition Officers Periodically.

//BY ORDER OF THE LIEUTENANT - GOVERNOR//



(K.GALIAPEROUMAL N.A.B.C.)
UNDER SECRETARIAT TO GOVT. (WELFARE)

To

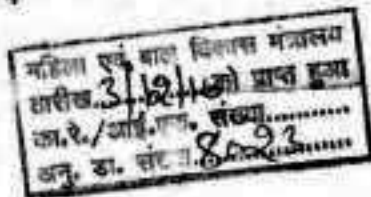
The Director,

Department of Stationary & Printing,

Puducherry - with a request to publish the G.O. in the next issue of Official Gazette and send 200 copies for record.

Copy to:

1. The P.S. to His Excellency to Lieutenant Governor, Puducherry.
2. The P.S. to Hon'ble Chief Minister / All Ministers, Puducherry.
3. The P.S. to Hon'ble Speaker / Dy. Speaker.
4. The P.S. to Chief Secretary, Puducherry.
5. The P.S. to All Secretaries to Govt., Puducherry.
6. The All Heads of Departments.
7. The Director, Department of Women and Child Development, Puducherry.
8. The Inspector General of Police, Puducherry.
9. The Home Department, Puducherry.
10. The Director, DH&FWS, Puducherry.
11. The Director, Social Welfare Department, Puducherry.
12. The Director, Adi-Dravidar Welfare Department, Puducherry.
13. The Secretary to Government of India, Ministry of Women and Child Development, New Delhi.
14. All Protection Officers, Puducherry / Karaikal / Mahe / Yanam.
15. The Finance Department, Puducherry.
16. The Principal Accountant General (Audit-I), Chennai.
17. The Deputy Accountant General (Audit-I), Puducherry.
18. The Central Records Branch, Puducherry.
19. Stock file.
20. Spare.



**GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (WELFARE)**

~~~~~

G.O.M.S.No.12/2010-Wel/(SW-IV)

Puducherry, the 16.11.2010

**NOTIFICATION**

US(CP) /

In exercise of the powers conferred by section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act No.6 of 2007), read with notification No.S.O.1274 (E) dated 30.05.2008 of Ministry of Home Affairs, New Delhi, the Lieutenant governor Puducherry hereby makes the following rules, namely:-

**RULES**

**1. SHORT TITLE AND COMMENCEMENT:-**

1. These rules may be called the "Puducherry Prohibition of Child Marriage Rules, 2009".
2. They shall come into force on the date of their publication in the official gazette of Government of Puducherry.

**2. DEFINITION:-**

1. In these rules, unless the context otherwise requires

- (a) "Act" means the prohibition of Child Marriage Acts, 2006 (Central Act No.6 of 2007)
- (b) "Complaint" or "Petition" means any allegation made orally or in writing by any person or organization or police to the Child Marriage Prohibition Officer.
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- (e) "Prohibition Officer" means persons appointed by the Government of Puducherry as per Section 16(1) of the act.
- (f) "Police Officer" means an officer not below the rank of a station House Officer in the Police Dept. of the Government of Puducherry.
- (g) "Section" means a section of the Act.
- (h) "Nodal Officer" means an officer designated by the Government of Puducherry to monitor and to co-ordinate with the Child Marriage Prohibition Officers.

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concerned  
Dept.



2. All other words and expressions used in the rules but not defined here in above, shall have the same meanings as assigned to them in the Act.

### **3. DUTIES OF CHILD MARRIAGE PROHIBITION OFFICER**

1. In appropriate cases, the Child Marriage Prohibition Officer himself/herself can take cognizance of an offence committed under this Act and vested with such powers of Police Officer and shall exercise such powers subject to such conditions and limitation as may be specified in notification by the Government of Puducherry as per Act.
2. In addition to the duties and functions assigned to a Child Marriage Prohibition Officer under clauses (a) to (g) sub-section (3) of section 16 of the Act, it shall be the duty of every Child Marriage Prohibition Officer:-
  - a. to act immediately upon any information of the solemnization of any child marriage that may be received through any mode of communication and initiate all necessary action.
  - b. to file petition before the District Court for issue of orders under section 3,4,5,6 of the Act.
  - c. on receipt of a complaint/information it shall be recorded it in Form I and conduct a brief enquiry.
  - d. to furnish quarterly report to the Nodal Officer in Form II.

### **4. PROCEDURE FOR FILING COMPLAINTS:-**

1. A complaint/information to the Child Marriage Prohibition Officer may be lodged by any person if any form such as written, phone, E-mail etc.
2. On receipt of the complaint / information under sub-rule (1) of this rule, the Child Marriage Prohibition Officer shall record it in Form I and conduct a brief enquiry.
3. All Station House Officers shall provide all such assistance to Child Marriage Prohibition Officer in order to carry out the duties under the Act and Rules.

5. **DUTIES OF NODAL OFFICERS :-**

1. The Nodal Officer shall be collect the quarterly report from the Child Marriage Prohibition Officers in Form II and send a consolidated report to the Government.
2. The Nodal Officer shall monitor the function of the Child Marriage Prohibition Officers Periodically.

//BY ORDER OF THE LIEUTENANT – GOVERNOR//

(K.CALIAPEROUMAL N.A.B.C.)  
UNDER SECRETARIAT TO GOVT. (WELFARE)

To

The Director,

Department of Stationary & Printing,

Puducherry – with a request to publish the G.O. in the next issue of Official Gazette and send 200 copies for record.

**Copy to:**

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**Form I**  
**[See rule 4(2)(c)]**  
**Child Marriage Information Report**

1. Name and Address of the Complainant (with Phone No.) :
2. Name and Address of the accused (with Phone No.) :
3. Particulars of the report :
  - (a) Age and date of birth :
  - (b) Address :
  - (c) Present residence :
  - (d) Occupation :
  - (e) Education :
  - (f) Name and address of parents :
  - (g) Name and address of employer, if any :
  - (h) Another relevant information :
4. Short summary of the circumstances of the child marriage :
5. Any other information :

Signature of the Child Marriage Prohibition  
Officer with Date.

(Seal)

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## Form II

[See rule 4(2)(d)]

Quarterly report under the Prohibition of Child Marriage Act, 2006

For the quarter starting form.....

Name of the District:

Name and address of the Child Marriage  
Prohibition Officer (with Phone No.)

1. Total No. of complaints received :
2. Total No. of enquiries conducted :
3. Total No. of reports submitted to Courts :
4. Total No. of Injunction Order received :
5. Total No. of violations made by parties :
6. Total No. of maintenance orders issued :
7. Total No. of punishment orders made :
8. Total No. of Child Marriage successfully  
prevented :
9. Total No. of residence orders made  
under section 4 :
10. Total No. of awareness programmes  
conducted :
11. Total No. of review meetings of  
assistance conducted :
12. Any other information :

Signature of the Child Marriage Prohibition  
Officer with Date.

(Seal)



43

Directorate of Social Security and Women & Child Development, Punjab,  
SCO No. 102-103, Sector: 34-A, Chandigarh.  
Ph. No. 0172-2602726, 2608746, Fax No. 2664533

To

Additional Secretary, Govt. of India,  
Ministry of Women and Child Development,  
Shastri Bhawan, New Delhi-110 001.

No. JJA-5(SS)2014/ 11854  
Dated, Chandigarh: 22-4-2014

**Subject: Regarding the Punjab Prohibition of Child Marriage Rules 2012.**

Please refer to your D.O. No.10-7/2008-CM, dated 02.04.2014 on the subject cited above.

The State Government has been notified the Rules under the Prohibition of Child Marriage Act, 2006 vide their letter No. 1/28/2005-1SS/3300, dated 02.11.2012 in regional language and copy of the same is enclosed for your kind information please.

*[Signature]*  
Deputy Director

*950/US(CM)14*  
*21/5/14*

*91/CM/14*  
*02-05-14*

ਪੰਜਾਬ ਸਰਕਾਰ  
ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ ਅਤੇ ਦਿਸਤਰੀ ਤੇ ਬਾਲ ਵਿਕਾਸ ਵਿਭਾਗ  
(ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ ਬਾਖਾ)  
ਨੋਟੀਫਿਕੇਸ਼ਨ

ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ: 02.11.2012

ਨੰ:1/28/2005-1ਸਸ/3300 ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਐਕਟ, 2006 (ਕੇਂਦਰੀ ਐਕਟ 2007 ਦਾ 6)  
ਦੀ ਧਾਰਾ 19 ਦੀ ਉਪਧਾਰਾ (1) ਅਧੀਨ ਦਿੱਤੇ ਅਪਰਿਧਿਆਰਾਂ ਦੀ ਵਰਤੋਂ ਕਰਦਿਆਂ, ਅਤੇ ਇਸ ਸਬੰਧਤ ਸਾਰੇ ਹੋਰ  
ਅਪਰਿਧਿਆਰ ਜੋ ਇਸ ਨੂੰ ਯੋਗ ਬਣਾਉਂਦੇ ਹਨ ਐਕਟ ਦੀ ਉਪਬੰਧਾ ਦੀ ਪਾਲਣਾ ਕਰਦੇ ਹੋਏ ਪੰਜਾਬ ਦੇ ਰਾਜਪਾਲ  
ਨਿਮਨ ਲਿਖਤ ਨਿਯਮ ਬਣਾਕੇ ਖੁਸ਼ੀ ਮਹਿਸੂਸ ਕਰ ਰਹੇ ਹਨ ਅਰਥਾਤ:

ਨਿਯਮ:

1. ਸੰਖੇਪ ਸਿਰਲੇਖ ਅਤੇ ਆਰੰਭ:-

- (ੳ) ਇਨ੍ਹਾਂ ਨਿਯਮਾਂ ਨੂੰ ਪੰਜਾਬ ਦੇ ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਨਿਯਮ 2012 ਕਿਹਾ ਜਾਵੇਗਾ।
- (ਅ) ਇਹ ਸਰਕਾਰੀ ਡਾਕੂਮੈਂਟ ਵਿੱਚ ਪ੍ਰਕਾਸ਼ਿਤ ਹੋਣ ਦੀ ਮਿਤੀ ਤੋਂ ਲਾਗੂ ਹੋਵੇਗਾ।

2. ਪਰਿਭਾਸ਼ਾ:-

ਇਨ੍ਹਾਂ ਨਿਯਮਾਂ ਵਿੱਚ ਜਦੋਂ ਤੱਕ ਕਿ ਪ੍ਰਸੰਗ ਵਿੱਚ ਹੋਰਵੇਂ ਨਾ ਲੋੜੀਂਦਾ ਹੋਵੇ:

- (ੳ) 'ਐਕਟ' ਤੋਂ ਭਾਵ ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਐਕਟ, 2006 ਦਾ (ਕੇਂਦਰੀ ਐਕਟ 2007 ਦਾ 6)
- (ਅ) 'ਸ਼ਿਕਾਇਤ' ਦਾ ਮਤਲਬ ਉਹੀ ਹੋਵੇਗਾ ਜੋ ਜਾਬਤਾ ਫੌਜਦਾਰੀ ਸਿਧਾਂਤ, 1973 (ਕੇਂਦਰੀ ਐਕਟ, 1974 ਦਾ 2) ਵਿੱਚ ਦਿੱਤਾ ਗਿਆ ਹੈ।
- (ੲ) 'ਫਾਰਮ' ਦਾ ਮਤਲਬ ਉਹ ਫਾਰਮ ਜੋ ਇਨ੍ਹਾਂ ਨਿਯਮਾਂ ਨਾਲ ਨੱਥੀ ਹੈ।
- (ਸ) 'ਪਰਖ ਅਵਸਰ' ਦਾ ਮਤਲਬ ਉਹੀ ਹੋਵੇਗਾ ਜੋ ਅਪਰਾਧ ਐਕਟ 1958 (ਕੇਂਦਰੀ ਐਕਟ 1958 ਦਾ 20) ਵਿੱਚ ਦਿੱਤਾ ਗਿਆ ਹੈ।

3. ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਵਸਰ ਦੁਆਰਾ ਕੀਤੇ ਜਾਣ ਵਾਲੇ ਅਤਿਰਿਕਤ ਕਾਰਜ ਮਨਾਹੀ ਐਕਟ ਦੀ ਧਾਰਾ 16 ਦੀ ਧਾਰਾ 16 (3) (ਕ) ਉਪਧਾਰਾ (3) ਦੇ ਖੰਡ (ੳ) (ਅ) (ੲ) (ਸ) (ਹ) ਅਤੇ (ਕ) ਦੀ ਧਾਰਾ ਅਧੀਨ ਦਿੱਤੇ ਗਏ ਕਾਰਜਾਂ ਤੋਂ ਇਲਾਵਾ ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਵਸਰ ਨਿਮਨ ਅਤਿਰਿਕਤ ਕਾਰਜ ਕਰੇਗਾ, ਅਰਥਾਤ:-

- (ੳ) ਇਸ ਐਕਟ ਦੇ ਮੰਤਵ ਲਈ ਉਹ ਇਕ ਰਜਿਸਟਰ ਤਿਆਰ ਕਰੇਗਾ ਜਿਸ ਵਿੱਚ ਸਾਰੀਆਂ ਸ਼ਿਕਾਇਤਾਂ, ਜਾਂਚ, ਪੜਤਾਲਾਂ ਅਤੇ ਉਸ ਦੇ ਸਿੱਟੇ ਅਤੇ ਫਾਰਮ-1 ਵਿੱਚ ਇਸ ਨਾਲ ਸਬੰਧਤ ਹੋਰ ਜਾਣਕਾਰੀ ਰਿਕਾਰਡ ਕਰੇਗਾ ਅਤੇ ਹਰੇਕ ਵਿਅਕਤੀਗਤ ਕੇਸ ਨਾਲ ਸਬੰਧਤ ਰਿਕਾਰਡ ਦੀ ਅਲੱਗ ਫਾਇਲ ਤਿਆਰ ਕਰੇਗਾ।
- (ਅ) ਉਹ ਆਪਣੀਆਂ ਜ਼ਿੰਮੇਵਾਰੀਆਂ ਉਚਿਤ ਸਾਵਧਾਨੀ, ਸ਼ਿਸਟਾਚਾਰ ਅਤੇ ਗੁਪਤ ਤਰੀਕੇ ਨਾਲ ਨਿਭਾਏਗਾ ਅਤੇ ਪਰਿਵਾਰਿਕ ਸਬੰਧਤਾਂ ਦੀ ਆਪਸੀ ਮੰਦਭਾਵਨਾ ਅਤੇ ਮੇਲ ਮਿਲਾਪ ਦਾ ਧਿਆਨ ਰੱਖੇਗਾ।



- (ੳ) ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰਾਂ ਦੀ ਪਹੁੰਚ ਸੁਰੂਆਤ ਵਿੱਚ ਸੁਝਾਓ ਦੇਣ ਵਾਲੀ ਰੋਕਥਾਮ ਵਾਲੀ, ਅਤੇ ਉਪਚਾਰੀ ਰੂਪ ਵਿੱਚ ਹੋਣੀ ਚਾਹੀਦੀ ਹੈ, ਅਤੇ ਜਦੋਂ ਹੋਰ ਸਾਰੇ ਉਪਾਅ ਬੇਅਸਰ ਹੋ ਜਾਣ ਤਾਂ ਉਹ ਆਖੀਰ ਵਿੱਚ ਕਾਨੂੰਨੀ ਕਾਰਵਾਈ ਲਈ ਸ਼ਿਵਾਰਸ਼ ਕਰੇਗਾ।
- (ਸ) ਉਹ ਸ਼ਿਕਾਇਤ ਦੀ ਪੜਤਾਲ ਕਰੇਗਾ ਅਤੇ ਜੇਕਰ ਉਸ ਨੂੰ ਇਹ ਵਾਸਿਬ ਲੱਗਿਆਂ ਤਾਂ ਉਹ ਪੜਤਾਲ ਕਰੇਗਾ ਅਤੇ ਉਹ ਅਪਣੇ ਦਫਤਰ ਜਾਂ ਅਪਣੀ ਸੁਵਿਧਾ ਅਨੁਸਾਰ ਤੇ ਸਬੰਧਤ ਧਿਰਾਂ ਨੂੰ ਅਸੁਵਿਧਾ ਜਾਂ ਤਕਲੀਫ ਦਿੱਤੇ ਬਿਨਾਂ ਇਸ ਨਾਲ ਸਬੰਧਤ ਗਵਾਹੀ, ਜਬਾਨੀ ਜਾਂ ਲਿਖਤੀ ਰੂਪ ਧਿਰਾਂ ਤੋਂ ਲਵੇਗਾ।
- (ਹ) ਉਹ ਫਾਰਮ-2 ਵਿੱਚ ਡਾਇਰੈਕਟਰ ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ ਅਤੇ ਇਸਤਰੀ ਤੇ ਬਾਲ ਵਿਕਾਸ ਨੂੰ ਤਿਆਰੀ ਰਿਪੋਰਟ ਭੇਜੇਗਾ ਅਤੇ ਫਾਰਮ-3 ਵਿੱਚ ਸ਼ਿਕਾਇਤ ਦੀ ਸੁਣਵਾਈ ਲਈ ਗਵਾਹਾਂ ਦੀ ਮਿਤੀ, ਸਮਾਂ ਅਤੇ ਥਾਂ ਸਬੰਧੀ ਧਿਰਾਂ ਨੂੰ ਸੂਚਿਤ ਕਰੇਗਾ। ਹਰੇਕ ਸ਼ਿਕਾਇਤ ਦੀ ਪ੍ਰਾਪਤੀ ਦੀ ਮਿਤੀ ਤੋਂ ਇਕ ਮਹੀਨੇ ਦੇ ਅੰਦਰ ਅੰਦਰ ਜਾਂਚ ਕਰੇਗਾ।
- (ਕ) ਕਿਸੇ ਵੀ ਸ਼ਿਕਾਇਤ ਦੀ ਜਾਂਚ ਦੇ ਮੰਤਵ ਲਈ ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰ ਕੋਈ ਵੀ ਉਚਿਤ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਸਬੰਧਤ ਖੇਤਰ ਦੇ ਪਰਖ ਅਫਸਰ ਦੀ ਸਹਾਇਤਾ ਅਤੇ ਸੇਵਾਵਾਂ ਲੈ ਸਕਦਾ ਹੈ। ਜਦੋਂ ਅਤੇ ਜਿਥੇ ਵੀ ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰ ਨੂੰ ਉਸ ਸੂਚਨਾ ਦੀ ਲੋੜ ਹੋਵੇਗੀ ਤਾਂ ਪਰਖ ਅਫਸਰ ਉਚਿਤ ਸੂਚਨਾ ਫਾਰਮ-3 ਵਿੱਚ ਪ੍ਰਦਾਨ ਕਰੇਗਾ।
- (ਖ) ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰ ਭਾਵੇਂ ਇਨ੍ਹਾਂ ਨਿਯਮਾਂ ਅਧੀਨ ਆਪਣੇ ਕਾਰਜ ਅਤੇ ਡਿਊਟੀਆਂ ਨਿਭਾਉਂਦੇ ਸਮੇਂ ਕਿਸੇ ਵੀ ਪੁਲਿਸ ਅਫਸਰ ਦੀ ਸਹਾਇਤਾ ਲੈ ਸਕਦਾ ਹੈ।

#### 4. ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰ ਦੇ ਕਾਰਜਾਂ ਦੀਆਂ ਸੀਮਾਵਾਂ ਅਤੇ ਸ਼ਰਤਾਂ:-

ਇਸ ਐਕਟ ਦੇ ਅਨੁਸਾਰ ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰ ਨੂੰ ਵੱਜਦਾਰੀ ਪ੍ਰਕਿਰਿਆ ਦੀ ਸੰਘਤਾ 1973 ਦੇ 12ਵੇਂ ਅਧਿਆਇ ਦੀ ਧਾਰਾ 16 (4) ਅਨੁਸਾਰ ਪੁਲਿਸ ਅਫਸਰਾਂ ਵਾਂਗ ਜਾਂਚ ਪੜਤਾਲ, ਧਿਰਾਂ ਨੂੰ ਸੰਮਨ ਭੇਜਣ ਅਤੇ ਗਵਾਹਾਂ ਦੇ ਬਿਆਨ ਰਿਕਾਰਡ ਕਰਨ, ਸਬੰਧਤ ਵਿਅਕਤੀਆਂ ਅਤੇ ਧਿਰਾਂ ਦੇ ਖਿਲਾਫ ਕੇਸਾਂ ਦੀ ਰਜਿਸਟਰੇਸ਼ਨ ਕਰਨ ਦੇ ਅਥਰਿਟਾਰ ਦਿੰਦਾ ਹੈ। ਇਹ ਰਿਪੋਰਟਾਂ ਅਪਰਾਧੀ ਨੂੰ ਕਾਨੂੰਨੀ ਤੌਰ ਤੇ ਸਜ਼ਾ ਦੇਣ ਲਈ ਇਕ ਮਹੱਤਵਪੂਰਨ ਗਵਾਹੀ ਦੇ ਤੌਰ ਤੇ ਮੰਨੀਆਂ ਜਾਣਗੀਆਂ। ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰ ਨੂੰ ਇਸ ਐਕਟ ਅਤੇ ਨਿਯਮਾਂ ਅਧੀਨ ਆਪਣੀਆਂ ਜ਼ਿੰਮੇਵਾਰੀਆਂ ਨਿਭਾਉਂਦੇ ਹੋਏ ਪੁਲਿਸ ਸਹਾਇਤਾ ਪ੍ਰਾਪਤ ਕਰਨ ਦੇ ਅਥਰਿਟਾਰ ਦਿੱਤੇ ਗਏ ਹਨ ਅਤੇ ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰ ਨੂੰ ਇਸ ਐਕਟ ਦੇ ਨਿਯਮਾਂ ਅਧੀਨ ਇਸ ਸਹਾਇਤਾ ਲਈ ਲਿਖਤੀ ਬੇਨਤੀ ਦੀ ਜ਼ਰੂਰਤ ਨਹੀਂ ਹੈ।

#### 5. ਅਪਰਾਧੀਆਂ ਤੇ ਕਾਨੂੰਨੀ ਕਾਰਵਾਈ ਕਰਨ ਦੀ ਪ੍ਰਕ੍ਰਿਆ:-

ਇਸ ਐਕਟ ਅਧੀਨ ਪ੍ਰਤੱਖ ਰੂਪ ਵਿੱਚ ਅਪਰਾਧ ਦੇ ਹੋਣ ਦੀ ਸਬਿਤੀ ਵਿੱਚ ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰ ਵਲੋਂ ਤਫਤੀਸ਼ ਕੀਤੀਆਂ ਗਈਆਂ ਸ਼ਿਕਾਇਤਾਂ ਦੇ ਸਾਰੇ ਮਾਮਲਿਆਂ ਵਿੱਚ ਅਪਰਾਧੀਆਂ ਤੇ ਕਾਨੂੰਨੀ ਕਾਰਵਾਈ ਕਰਨ ਲਈ ਅਧਿਕਾਰ ਖੇਤਰ ਰਿਪੋਰਟ ਅਤੇ ਦਰਜ਼ ਕੀਤੇ ਗਏ ਬਿਆਨ ਸਮੇਤ ਜੋ ਕਿ ਹੋਰ ਜਾਂਚ ਪੜਤਾਲ ਅਤੇ ਉਸ



ਦੀਆਂ ਲੱਭਤਾਂ ਦੇ ਨਿਚੋੜ ਨਾਲ ਜੁਡੀਸ਼ੀਅਲ ਮੈਜਿਸਟਰੇਟ ਪਹਿਲੇ ਦਰਜੇ ਨੂੰ ਪੇਸ਼ ਕਰੇਗਾ। ਇਹ ਰਿਪੋਰਟ ਜਾਬਤਾਂ ਫੌਜਦਾਰੀ ਪ੍ਰੀਕਿਰਿਆ ਦੀ ਸੰਘਤਾ 1973 ਦੀ ਧਾਰਾ 173 ਤਹਿਤ ਦਿੱਤੀ ਗਈ ਰਿਪੋਰਟ ਸਮਝੀ ਜਾਵੇਗੀ।

#### 6. ਵਿਆਖਿਆ :-

ਜੇਕਰ ਇਨ੍ਹਾਂ ਨਿਯਮਾਂ ਦੀ ਵਿਆਖਿਆ ਨਾਲ ਸਬੰਧਤ ਕੋਈ ਸਵਾਲ ਪੈਦਾ ਹੁੰਦਾ ਹੈ ਤਾਂ ਇਸ ਬਾਰੇ ਵਿੱਚ ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ ਅਤੇ ਇਸਤਰੀ ਤੇ ਬਾਲ ਵਿਕਾਸ ਵਿਭਾਗ ਵਿੱਚ ਰਾਜ ਸਰਕਾਰ ਦੁਆਰਾ ਫੈਸਲਾ ਲਿਆ ਜਾਵੇਗਾ।

ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ  
25-10-2012

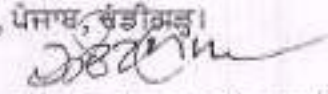
ਤਿਲਕ ਆਰ. ਸਾਰੰਗਲ,  
ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ,  
ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ ਅਤੇ ਇਸਤਰੀ ਤੇ ਬਾਲ  
ਵਿਕਾਸ ਵਿਭਾਗ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ।

ਪਿੱਠ ਐਕਟ ਨੰ: 1/28/2005-1ਸਸ/ 3301-11

ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ 02-11-2012

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਹੇਠ ਲਿਖਿਆਂ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਹਿਤ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ:-

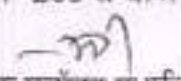
1. ਮਾਨਯੋਗ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ।
2. ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ/ਰਾਜਪਾਲ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ।
3. ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ ਟੂ ਮਾਨਯੋਗ ਮੁੱਖ ਮੰਤਰੀ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ।
4. ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਗ੍ਰਹਿ ਮਾਮਲੇ ਅਤੇ ਨਿਆਂ ਵਿਭਾਗ, ਚੰਡੀਗੜ੍ਹ।
5. ਡਾਇਰੈਕਟਰ ਜਨਰਲ ਆਫ ਪੁਲਿਸ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ।
6. ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਚੰਡੀਗੜ੍ਹ।
7. ਡਾਇਰੈਕਟਰ, ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ ਅਤੇ ਇਸਤਰੀ ਤੇ ਬਾਲ ਵਿਕਾਸ ਵਿਭਾਗ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ।
8. ਸਮੂਹ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਪੰਜਾਬ ਰਾਜ।
9. ਕਾਨੂੰਨੀ ਮਸ਼ੀਰ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ।
10. ਨਿੱਜੀ ਸਕੱਤਰ/ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ ਮੰਤਰੀ, ਪੰਜਾਬ।
11. ਨਿੱਜੀ ਸਕੱਤਰ/ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ।

  
ਅਧੀਨ ਸਕੱਤਰ ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ

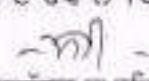
ਪਿੱਠ ਐਕਟ ਨੰ: 1/28/2005-1ਸਸ/

ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ

ਇੱਕ ਉਤਾਰਾ ਕੋਟਰੋਲਰ, ਪ੍ਰਿੰਟਿੰਗ ਅਤੇ ਸਟੇਸ਼ਨਰੀ ਵਿਭਾਗ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ ਨੂੰ ਸਮੇਤ ਦੋ ਵਾਧੂ ਤਸਦੀਕ ਕੀਤੀਆਂ ਕਾਪੀਆਂ ਦੇ ਭੇਜ ਕੇ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਇਸ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੂੰ ਪੰਜਾਬ ਸਰਕਾਰ ਗਜ਼ਟ (ਸਧਾਰਨ) ਵਿੱਚ ਪ੍ਰਕਾਸ਼ਿਤ ਕਰਵਾਇਆ ਜਾਵੇ ਅਤੇ ਇਸ ਦੀਆਂ 200 ਕਾਪੀਆਂ ਇਸ ਵਿਭਾਗ ਨੂੰ ਭੇਜਣ ਦੀ ਖੋਚਲ ਕੀਤੀ ਜਾਵੇ।

  
ਅਧੀਨ ਸਕੱਤਰ ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ

ਇੱਕ ਉਤਾਰਾ ਆਮ ਰਾਜ ਪ੍ਰਬੰਧ ਵਿਭਾਗ (ਮੰਤਰੀ ਮੰਡਲ ਮਾਮਲੇ ਸ਼ਾਖਾ) ਨੂੰ ਉਨ੍ਹਾਂ ਦੇ ਐ.ਵਿ.ਪੱ ਨੰ: 1/181/2012-1ਕੈਬਨਿਟ/3953, ਮਿਤੀ 05.10.2012 ਦੇ ਹਵਾਲੇ ਵਿੱਚ ਸੂਚਨਾ ਹਿਤ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ।

  
ਅਧੀਨ ਸਕੱਤਰ ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ

ਸੇਵਾ ਵਿਖੇ,

ਸੁਪਰਡੈਂਟ, ਆਮ ਰਾਜ ਪ੍ਰਬੰਧ ਵਿਭਾਗ  
(ਮੰਤਰੀ ਮੰਡਲ ਮਾਮਲੇ ਸ਼ਾਖਾ)।

ਐ.ਵਿ.ਪੱਤਰ ਨੰ: 1/28/2005-1ਸਸ/

ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ



ਵਾਰਮ ਨੰ: 1

ਨਿਯਮ 3(ਉ) ਵੇਖੋ

ਸ਼ਿਕਾਇਤਾਂ ਦਾ ਰਜਿਸਟਰ

| ਲੜੀ<br>ਨੰ: | ਸ਼ਿਕਾਇਤ<br>ਕਰਤਾ ਦਾ ਨਾਂ<br>ਅਤੇ ਪਤਾ | ਬੱਚੇ<br>ਨਾਲ<br>ਰਿਸ਼ਤਾ | ਨਿਸ਼ਚਿਤ<br>ਜਾਂ ਕੀਤੇ<br>ਵਿਆਹ ਦੀ<br>ਮਿਤੀ | ਸ਼ਿਕਾਇਤ<br>ਪ੍ਰਾਪਤੀ<br>ਦੀ ਮਿਤੀ | ਸੁਣਵਾਈ<br>ਦੀ ਮਿਤੀ | ਨਿਪਟਾਰੇ<br>ਦੀ<br>ਕਿਸਮ | ਅਵਸਰ ਦੇ<br>ਹਸਤਾਖਰ | ਟਿਪਣੀ |
|------------|-----------------------------------|-----------------------|----------------------------------------|-------------------------------|-------------------|-----------------------|-------------------|-------|
| 1          | 2                                 | 3                     | 4                                      | 5                             | 6                 | 7                     | 8                 | 9     |

ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਧਿਕਾਰੀ



ਵਾਰਮ ਨੰ: II

ਨਿਯਮ 3 (3) ਵੇਖੋ

ਤਿਮਾਹੀ ਪ੍ਰਗਤੀ ਰਿਪੋਰਟ

| ਲੜੀ<br>ਨੰ. | ਸ਼ਿਕਾਇਤ<br>ਕਰਤਾ ਦਾ ਨਾਂ<br>ਅਤੇ ਪਤਾ | ਸ਼ਿਕਾਇਤ<br>ਦੀ ਕਿਸਮ | ਰਜਿਸਟਰੇਸ਼ਨ<br>ਦੀ ਮਿਤੀ | ਕੀਤੀ<br>ਕਾਰਵਾਈ | ਨਿਪਟਾਰੇ<br>ਦਾ<br>ਬੇਰਵਾ | ਅਧਿਕਾਰੀ ਦੇ<br>ਹਸਤਾਖਰ ਸਮੇਤ<br>ਮਿਤੀ | ਟਿਪਣੀ |
|------------|-----------------------------------|--------------------|-----------------------|----------------|------------------------|-----------------------------------|-------|
| 1          | 2                                 | 3                  | 4                     | 5              | 6                      | 7                                 | 8     |

ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਧਿਕਾਰੀ



ਫਾਰਮ ਨੰ: III

ਨਿਯਮ 3 (ਕ) ਵੇਖੋ

**ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਧਿਕਾਰੀ ਅੱਗੇ ਪੇਸ਼ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਦੀ ਸੂਚਨਾ**

ਸੇਵਾ ਵਿਖੇ

(ਉਸ ਵਿਅਕਤੀ ਦਾ ਨਾਮ)

ਜਿਸ ਦੇ ਖਿਲਾਫ਼ ਸ਼ਿਕਾਇਤ ਪ੍ਰਾਪਤ ਕੀਤੀ ਹੈ ਅਤੇ ਪਤਾ

ਨੰਬਰ

ਮਿਤੀ

ਕਿਉਂਕਿ ਤੁਹਾਡੀ ਹਾਜ਼ਰੀ, ਸੂਚਨਾ ਇਕੱਤਰ ਕਰਨ ਲਈ ਅਤੇ ਸ਼ਿਕਾਇਤ ਦੇ ਹੋਰ ਗਵਾਹੀ

ਲਈ

(ਅਪਰਾਧ ਦਾ ਸੰਖੇਪ ਦਿੱਤਾ ਜਾਵੇ) ਜ਼ਰੂਰੀ ਹੈ, ਇਸ ਲਈ ਤੁਸੀਂ ਵਿਆਕਰੀਗਤ ਤੌਰ ਤੇ

ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਫਸਰ ਅੱਗੇ ਮਿਤੀ

ਨੂੰ

ਸਮੇਂ ਤੇ

ਇਸ ਥਾਂ ਤੇ ਦਫਤਰ ਵਿੱਚ ਪੇਸ਼ ਹੋਣ ਲਈ ਲੋੜੀਂਦੇ ਹੋ।

ਮਿਤੀ

ਦਿਨ

2012

ਬਾਲ ਵਿਆਹ ਮਨਾਹੀ ਅਧਿਕਾਰੀ

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220  
208

Government of Rajasthan  
Home (Gr.-13) Department

No. F. 6(29)Home-13/2007

Jaipur, dated: 24-10-2007

**:- Notification :-**

In exercise of powers conferred under sub-section (1) of section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007), the State Government hereby makes the following rules for carrying out the purpose of the said Act, namely :-

1. **Short title and commencement.**- (1) These rules may be called the Rajasthan Prohibition of Child Marriage Rules, 2007.

(2) They shall come into force from the date on which the Prohibition of Child Marriage Act, 2006 comes into force in the State of Rajasthan.

2. **Definitions.**- (1) In these rules, unless the context otherwise requires-

(a) "Act" means the Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007);

(b) "Child Marriage Prohibition Officer" means an Officer appointed as such by the State Government under section 16 of the Act; and

(c) "Section" means section of the Act.

(2) The words and expressions used in these rules but not defined shall have the meanings as assigned to them in the Act.

3. **Action for prevention of Child Marriage.**- As soon as it comes to the notice of Child Marriage Prohibition Officer through a complaint or otherwise that a child marriage is going to be solemnised, he shall immediately take appropriate action for prevention of the solemnisations of the child marriage.

*Amr*  
24.10.07



221  
209

4. Action against child marriage :- The Child Marriage Prohibition Officer shall inspect from time to time record of the Marriage Registration Officer (appointed under the instructions issued by the Home Department, Government of Rajasthan on 22.05.2006 for Compulsory Registration of Marriages), if from such inspection or otherwise he finds that child marriage is solemnised or is to be solemnised in violation of the Act, he shall take appropriate action under the Act.

5. Functions of Child Marriage Prohibition Officer :- (1) The Child Marriage Prohibition Officer on receipt of any complaint or otherwise having got an information about solemnisation of a marriage in violation of the Act, shall take appropriate action under section 4, 5 and 13 of the Act.

(2) The Child Marriage Prohibition Officer for creating awareness of the evil which results from child marriage and to sensitise the community on the issue of child marriage, may seek assistance of any respectable member of the locality, an officer of the Gram Panchayat or Municipality, an officer of the Government/Public Undertaking or an office bearer of Non-Govt.-Organization.

(3) The Child Marriage Prohibition Officer shall furnish the return in form appended to these rules in the first week of every quarter of the year to the District Magistrate.

By order of the Governor,

*V.S. Singh*  
24.10.07

(V.S. Singh)

Principal Secretary to Government  
Home Department

SIKKIM  
GOVERNMENT GAZETTE



EXTRAORDINARY  
PUBLISHED BY AUTHORITY

|         |        |                                 |         |
|---------|--------|---------------------------------|---------|
| Gangtok | Friday | 21 <sup>st</sup> December, 2007 | No. 548 |
|---------|--------|---------------------------------|---------|

GOVERNMENT OF SIKKIM  
LAW DEPARTMENT  
GANGTOK

No. 1086/2007

Date: 04.12.2007

**NOTIFICATION**

The following Notification of Ministry of Law & Justice (Legislative Department) published in the Gazette of India, Extraordinary Part II, Section 3 dated 11th January, 2007 is hereby republished for general information:-

**THE PROHIBITION OF CHILD MARRIAGE ACT, 2006**

ACT No. 6 of 2007  
(10th January, 2007)

Enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:-

**Short title, extent and commencement.**

1. Short title, extent and commencement.-(1) This Act may be called the Prohibition of Child Marriage Act, 2006.

(2) It extends to the whole of India except the State of Jammu and Kashmir; and it applies also to all citizens of India without and beyond India.

Provided that nothing contained in this Act shall apply to the Union territory of Pondicherry.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different States; and any reference, in any provision to the commencement of this Act shall be construed in relation to any State or union territory to the coming into force of that provision in that State.

**Definitions.**

2. In this Act, unless the context otherwise requires,-

- (a) "child" means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age;
- (b) "child marriage" means a marriage to which either of the contracting parties is a child.



- (c) "contracting party", in relation to a marriage, means either of the parties whose marriage is or is about to be thereby solemnised;
- (d) "Child Marriage Prohibition Officer" includes the Child Marriage Prohibition Officer appointed under sub-section (1) of section 16;
- (e) "district court" means, in any area for which a Family Court established under section 3 of the Family Courts Act, 1984 exists, such Family Court, and in any area for which there is no Family Court but a city civil court exists, that court and in any other area, the principal civil court of original jurisdiction and includes any other civil court which may be specified by the State Government, by notification in the Official Gazette, as having jurisdiction in respect of the matters dealt with in this Act;
- (f) "minor" means a person who, under the provisions of the Majority Act, 1875 is to be deemed not to have attained his majority.

**Child marriages to be voidable at the option of contracting party being a child.**

3. Child marriages to be voidable at the option of contracting party being a child. - (1) Every child marriage, whether solemnised before or after the commencement of this Act, shall be voidable at the option of the contracting party who was a child at the time of the marriage:  
Provided that a petition for annulling a child marriage by a decree of nullity may be filed in the district court only by a contracting party to the marriage who was a child at the time of the marriage.
- (2) If at the time of filing a petition, the petitioner is a minor, the petition may be filed through his or her guardian or next friend along with the Child Marriage Prohibition Officer.
- (3) The petition under this section may be filed at any time but before the child filing the petition completes two years of attaining majority.
- (4) While granting a decree of nullity under this section, the district court shall make an order directing both the parties to the marriage and their parents or their guardians to return to the other party, his or her parents or guardian, as the case may be, the money, valuables, ornaments and other gifts received on the occasion of the marriage by them from the other side, or an amount equal to the value of such valuables, ornaments, other gifts and money:  
Provided that no order under this section shall be passed unless the concerned parties have been given notice to appear before the district court and show cause why such order should not be passed.

**Provision for maintenance and residence to female contracting party to child marriage. -**

4. - Provision for maintenance and residence to female contracting party to child marriage. -
  - (1) While granting a decree under section 3, the district court may also make an interim or final order directing the male contracting party to the child marriage, and in case the male contracting party to such marriage is a minor, his parent or guardian to pay maintenance to the female contracting party to the marriage until her remarriage.
  - (2) The quantum of maintenance payable shall be determined by the district court having regard to the needs of the child, the lifestyle enjoyed by such child during her marriage and the means of income of the paying party.
  - (3) The amount of maintenance may be directed to be paid monthly or in lump sum.

- (4) In case the party making the petition under section 3 is the female contracting party, the district court may also make a suitable order as to her residence until her remarriage.

#### Custody and maintenance of children of child marriages

5. **Custody and maintenance of children of child marriages.** - (1) Where there are children born of the child marriage, the district court shall make an appropriate order for the custody of such children.
  - (2) While making an order for the custody of a child under this section, the welfare and best interests of the child shall be the paramount consideration to be given by the district court.
  - (3) An order for custody of a child may also include appropriate directions for giving to the other party access to the child in such a manner as may best serve the interests of the child, and such other orders as the district court may, in the interest of the child, deem proper.
  - (4) The district court may also make an appropriate order for providing maintenance to the child by a party to the marriage or their parents or guardians.
6. **Legitimacy of children born of child marriages.** - Notwithstanding that a child marriage has been annulled by a decree of nullity under section 3, every child begotten or conceived of such marriage before the decree is made, whether born before or after the commencement of this Act, shall be deemed to be a legitimate child for all purposes.
7. **Power of district court to modify orders issued under section 4 or section 5.** - The district court shall have the power to add to, modify or revoke any order made under section 4 or section 5 and if there is any change in the circumstances at any time during the pendency of the petition and even after the final disposal of the petition.
8. **Court to which petition should be made.** - For the purpose of grant of reliefs under sections 3, 4 and 5, the district court having jurisdiction shall include the district court having jurisdiction over the place where the defendant or the child resides, or where the marriage was solemnised or where the parties last resided together or the petitioner is residing on the date of presentation of the petition.
9. **Punishment for male adult marrying a child.** - Whoever, being a male adult above eighteen years of age, contracts a child marriage shall be punishable with rigorous imprisonment which may extend to two years or with fine which may extend to one lakh rupees or with both.
10. **Punishment for solemnising a child marriage.** - Whoever performs, conducts, directs or abets any child marriage shall be punishable with rigorous imprisonment which may extend to two years and shall be liable to fine which may extend to one lakh rupees unless he proves that he had reasons to believe that the marriage was not a child marriage.
11. **Punishment for promoting or permitting solemnisation of child marriages.** - (1) Where a child contracts a child marriage, any person having charge of the child, whether as parent or guardian or any other person or in any other capacity, lawful or unlawful, including any member of an organisation or association of persons



who does any act to promote the marriage or permits it to be solemnised, or negligently fails to prevent it from being solemnised, including attending or participating in a child marriage, shall be punishable with rigorous imprisonment which may extend to two years and shall also be liable to fine which may extend up to one lakh rupees:

provided that no woman shall be punishable with imprisonment.

(2) For the purposes of this section, it shall be presumed, unless and until the contrary is proved, that where a minor child has contracted a marriage, the person having charge of such minor child has negligently failed to prevent the marriage from being solemnised.

12. Marriage of a minor child to be void in certain circumstances. - Where a child, being a minor-

- (a) is taken or enticed out of the keeping of the lawful guardian; or
- (b) by force compelled, or by any deceitful means induced to go from any place; or
- (c) is sold for the purpose of marriage; and made to go through a form of marriage or if the minor is married after which the minor is sold or trafficked or used for immoral purposes, such marriage shall be null and void.

13. Power of court to issue injunction prohibiting child marriages. - (1) Notwithstanding anything to the contrary contained in this Act, if, on an application of the Child Marriage Prohibition Officer or on receipt of information through a complaint or otherwise from any person, a Judicial Magistrate of the first class or a Metropolitan Magistrate is satisfied that a child marriage in contravention of this Act has been arranged or is about to be solemnised, such Magistrate shall issue an injunction against any person including a member of an organisation or an association of persons prohibiting such marriage.

(2) A complaint under sub-section (1) may be made by any person having personal knowledge or reason to believe, and a non-governmental organisation having reasonable information, relating to the likelihood of taking place of solemnisation of a child marriage or child marriages.

(3) The Court of the Judicial Magistrate of the first class or the Metropolitan Magistrate may also take suo motu cognizance on the basis of any reliable report or information.

(4) For the purposes of preventing solemnisation of mass child marriages on certain days such as Akshaya Tritiya, the District Magistrate shall be deemed to be the Child Marriage Prohibition Officer with all powers as are conferred on a Child Marriage Prohibition Officer by or under this Act.

(5) The District Magistrate shall also have additional powers to stop or prevent solemnisation of child marriages and for this purpose, he may take all appropriate measures and use the minimum force required.

(6) No injunction under sub-section (1) shall be issued against any person or member of any organisation or association of persons unless the Court has previously given notice to such person, members of the organisation or association of persons, as the case may be, and has offered him or them an opportunity to show cause against the issue of the injunction.

Provided that in the case of any urgency, the Court shall have the power to issue an interim injunction without giving any notice under this section.

(7) An injunction issued under sub-section (1) may be confirmed or vacated after giving notice and hearing the party against whom the injunction was issued.



- (8) The Court may either on its own motion or on the application of any person approved, rescind or alter an injunction issued under sub-section (1).
- (9) Where an application is received under sub-section (1), the Court shall afford the applicant an early opportunity of appearing before it either in person or by an advocate and if the Court, after hearing the applicant rejects the application wholly or in part, it shall record in writing its reasons for so doing.
- (10) Whoever knowing that an injunction has been issued under sub-section (1) against him disobeys such injunction shall be punishable with imprisonment of either description for a term which may extend to two years or with fine which may extend to one lakh rupees or with both:  
Provided that no woman shall be punishable with imprisonment.
14. **Child marriages in contravention of injunction orders to be void.**— Any child marriage solemnised in contravention of an injunction order issued under section 13, whether interim or final, shall be void ab initio.
15. **Offences to be cognizable and non-bailable.**— Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under this Act shall be cognizable and non-bailable.
16. **Child Marriage Prohibition Officers.**— (1) The State Government shall, by notification in the Official Gazette, appoint for the whole State, or such part thereof as may be specified in that notification, an officer or officers to be known as the Child Marriage Prohibition Officer having jurisdiction over the area or areas specified in the notification.
- (2) The State Government may also request a respectable member of the locality with a record of social service or an officer of the Gram Panchayat or Municipality or an officer of the Government or any public sector undertaking or an officer bearing of any non-governmental organisation to assist the Child Marriage Prohibition Officer and such member, officer or office bearer, as the case may be, shall be bound to act accordingly.
- (3) It shall be the duty of the Child Marriage Prohibition Officer—
- (a) to prevent solemnisation of child marriages by taking such action as he may deem fit;
  - (b) to collect evidence for the effective prosecution of persons contravening the provisions of this Act;
  - (c) to advise either individual cases or counsel the residents of the locality generally not to indulge in promoting, helping, aiding or allowing the solemnisation of child marriages;
  - (d) to create awareness of the evil which results from child marriages;
  - (e) to sensitize the community on the issue of child marriages;
  - (f) to furnish such periodical returns and statistics as the State Government may direct; and
  - (g) to discharge such other functions and duties as may be assigned to him by the State Government.
- (4) The State Government may, by notification in the Official Gazette, subject to such conditions and limitations, invest the Child Marriage Prohibition Officer with such powers of a police officer as may be specified in the notification and the Child Marriage Prohibition Officer shall exercise such powers subject to such conditions and limitations, as may be specified in the notification.
- (5) The Child Marriage Prohibition Officer shall have the power to move the Court for an order under sections 4, 5 and 13 and along with the child under section 3.



17. Child Marriage Prohibition Officers to be public servants. The Child Marriage Prohibition Officers shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.
18. Protection of action taken in good faith:- No suit, prosecution or other legal proceedings shall lie against the Child Marriage Prohibition Officer in respect of anything in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.
19. Power of State Government to make rules. - (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.  
(2) Every rule made under this Act shall, as soon as may be after it is made, be laid before the State Legislature.
20. Amendment of Act No. 25 of 1955. - In the Hindu Marriage Act, 1955, in section 18, for clause (a), the following clause shall be substituted, namely:-  
"(a) in the case of contravention of the condition specified in clause (iii) of section 5, with rigorous imprisonment which may extend to two years or with fine which may extend to one lakh rupees, or with both".
21. Repeal and savings. - (1) The Child Marriage Restraint Act, 1929 is hereby repealed.  
(2) Notwithstanding such repeal, all cases and other proceedings pending or continued under the said Act at the commencement of this Act shall be continued and disposed of in accordance with the provisions of the repealed Act, as if this Act had not been passed.

K. N. CHATURVEDI,  
Secy. to the Govt. of India.

R.K. PURKAYASTHA (SSJS)  
LB-cum-Secretary  
Law Department

File No. 11(256)/LW/RC/2007



# TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 350]

CHENNAI, WEDNESDAY, DECEMBER 30, 2009  
Margazhi 15, Thiruvalluvar Aandu-2040

## Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc.,  
issued by Secretariat Departments.

### NOTIFICATIONS BY GOVERNMENT

#### SOCIAL WELFARE AND NUTRITIOUS MEAL PROGRAMME DEPARTMENT

#### THE TAMIL NADU PROHIBITION OF CHILD MARRIAGE RULES, 2009.

[G.O. (Ms.) No. 169, Social Welfare and Nutritious Meal Programme (SW5) 30th December 2009.]

No. SRO A-44(a)/2009.

In exercise of the powers conferred by sub-section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007), the Governor of Tamil Nadu hereby makes the following Rules, namely:—

1. Short title.—These rules may be called the Tamil Nadu Prohibition of Child Marriage Rules, 2009.

2. Definition.—(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007);

(b) "State Government" means the Government of Tamil Nadu;

(2) Words and Expressions used and not defined in these rules but defined in the Act shall have the meaning respectively assigned to them in the Act.

3. Duties and Functions of Child Marriage Prohibition Officer.—In addition to the duties and functions assigned to the Child Marriage Prohibition Officer under sub-section (3) of Section 16 of the Act, it shall be the duty of every Child Marriage Prohibition Officer—

(a) to act immediately upon any information of solemnization of any child marriage that may be received through any mode of communication including written or oral i.e. through a letter, telephone, telegram, e-mail etc. or by any other means and forthwith initiate all necessary action;

(b) to furnish quarterly return and statistics to the Commissioner of Social Welfare in Form I;

(c) to file petition for annulling a child marriage in District Court in case the petitioner is a minor;

(d) to file petition before the District Court to pay maintenance to the female contracting party of the Marriage until her remarriage;

(e) to file petition before the District Court for the custody and maintenance of children of the child marriage.



4. Filing of the case.—Any person in the best interest of the child, may also file a petition through Child Marriage Prohibition Officer.

5. Panchayat Level Core Committee.—A Committee with the following persons to assist the Child Marriage Prohibition Officer—

|                                                                                    |               |
|------------------------------------------------------------------------------------|---------------|
| Panchayat President                                                                | : Chairperson |
| Extension Officer (Social Welfare)                                                 | : Convener    |
| Village Administrative Officer                                                     | : Member      |
| Secretary, Panchayat Level Federation of Self Help Groups                          | : Member      |
| Head Master / Senior Teacher (where there is no Head Master)                       | : Member      |
| One Women Ward Member (If more than one Women Ward Member, the Senior most by age) | : Member      |

## FORM - I

(See rule -3)

## Child Marriage Incident Report

## 1. Details of the complainant / Party to the child marriage:

- (1) Name of the complainant / Party to the child marriage:
- (2) Age:
- (3) Present Address:
- (4) Phone Number, if any:

## 2. Details of respondents:

| Sl.No. | Name | Address | Tel. No. |
|--------|------|---------|----------|
|        |      |         |          |
|        |      |         |          |

## 3. Details of Marriage:

| Sl.No. | Date, Place and Time of Child Marriage | Performer |
|--------|----------------------------------------|-----------|
|        |                                        |           |
|        | Priest                                 | Relative  |

## 4. List of documents attached:

| Name of document                                                         | D |
|--------------------------------------------------------------------------|---|
| Birth Certificate                                                        |   |
| Doctor's Certificate for age verification                                |   |
| List of money, Ornaments, valuables, gifts given at the time of marriage |   |

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## TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

3

5. Order that need to be obtained under the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007):

| Sl.No. | Orders                                   | Yes/No |
|--------|------------------------------------------|--------|
| 1.     | Prohibitory injunction under Section 13. |        |
| 2.     | Annulment order under Section 3.         |        |
| 3.     | Residence order under Section 4(4).      |        |
| 4.     | Maintenance order under Section 4(1).    |        |
| 5.     | Custody order under Section 5.           |        |
| 6.     | Restriction order under Section 3(4).    |        |
| 7.     | Any other Order.                         |        |

6. Assistance needed:

| Sl.No. | Assistance available                           | Yes/No |
|--------|------------------------------------------------|--------|
| 1.     | Counsellor                                     |        |
| 2.     | Police Assistance                              |        |
| 3.     | Assistance for initiating Criminal Proceedings |        |
| 4.     | Shelter home                                   |        |
| 5.     | Medical Facilities                             |        |
| 6.     | Legal Aid                                      |        |

Place .....

Date .....

(Counter signature of Pri)

Name .....

Address .....

P. RAMA MOHANA RAO,  
Principal Secretary to Government





# TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 351]

CHENNAI, WEDNESDAY, DECEMBER 30, 2009  
Margazhi 15, Thiruvalluvar Aandu-2040

## Part II—Section 2

Notifications or Orders of interest to a section of the public  
issued by Secretariat Departments.

### NOTIFICATIONS BY GOVERNMENT

SOCIAL WELFARE AND NUTRITIOUS MEAL PROGRAMME DEPARTMENT

APPOINTMENT OF THE CHILD MARRIAGE PROHIBITION OFFICER UNDER THE PROHIBITION OF  
CHILD MARRIAGE ACT, 2006.

[G.O. (Ms.) No. 169, Social Welfare and Nutritious Meal Programme (SWNS) 30th December 2009]

No. II(2)/SWNMP/725(a)/2009.

In exercise of the powers conferred by sub-sections (1) and (4) of section 16 of the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007), the Governor of Tamil Nadu hereby appoints the District Social Welfare Officer of each District as the Child Marriage Prohibition Officer. He shall have jurisdiction over the District concerned. Such Child Marriage Prohibition Officers are vested with the following powers:—

- (1) Preliminary enquiry
- (2) Enquiry about the age of the child - not only the marriage but other ceremonies relating to marriage (like betrothal etc)
- (3) To assist the Police during arrest of the offender and during search and seizure.
- (4) To assist the Police during confiscation of the vehicles used for marriage, sealing the place, etc.
- (5) In the case of bogus certificate issued by any authority or person such authority or person shall be charged as abettors in this case.
- (6) In case, accused being a public servant it should be informed to his Superior Officer.
- (7) To implement the orders passed under Section 3, 4 and 5 of the said Act.
- (8) Interim or permanent maintenance order can be enforced by this Officer.
- (9) Confession made before this Officer may be admissible in evidence.

P. RAMA MOHANA RAO,  
Principal Secretary to Government

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Government of Tripura  
Education ( Social Welfare & Social Education) Department  
Tripura Agartala.

Dated, Agartala, the 28<sup>th</sup> August, 2008.

✓ To  
The Secretary  
Ministry of Women & Child Development  
Government of India  
Shastri Bhavan, New Delhi-110001

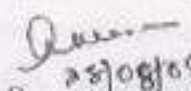
cm Subject:- Framing of Rules based on the Prohibition of Child Marriage  
Act, 2006.

Sir,

I am directed to invite a reference to your D.O.No.9.10-5/2008-CM  
dt.22.07.2008 on the above subject and to enclose herewith a copy of the  
Gazette Notification containing the Rules framed and brought into force in  
the state for your kind perusal and needful.

Encl: As stated.

Yours faithfully

  
Joint Secretary to the  
Government of Tripura.



NOTICE OF THE GOVERNMENT OF TRIPURA  
GOVERNMENT OF TRIPURA  
EDUCATION, SOCIAL WELFARE & SOCIAL EDUCATION DEPARTMENT

Dated: Agartala, the 27th November, 2007

NOTIFICATION

In pursuance of the powers conferred by Rule 50(1) of the Tripura Rules of 1954, the Government of Tripura hereby notifies the following rules, namely:-

1. Chief Title and Commencement. (1) These rules may be called the Prohibition of Child Marriage Rules, 2007.  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions. - In these rules, unless the context otherwise requires:-  
(a) "the Act" means The Prohibition of Child Marriage Act, 2006 (No. 5 of 2007);  
(b) "child" means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age;  
(c) "child marriage" means a marriage in which either of the contracting parties is a child;  
(d) "contracting party" in relation to a marriage, means either of the parties whose marriage is so about to be solemnized;  
(e) "Chief Marriage Prohibition Officer" means the Chief Marriage Prohibition Officer appointed under sub-section (3) of section 16;  
(f) "District Court" means, in any area for which a Family Court established under section 3 of the Family Courts Act, 1984 exists, such Family Court, and in any area for which there is no Family Court but a city civil court exists, that court and in any other area, the principal civil court of

original jurisdiction and includes any other civil court which may be specified by the State Government, by notification in the Official Gazette, as having jurisdiction in respect of the matters dealt with in the Act.

- (c) "Form" means form annexed to these rules;
- (d) "minor" means a person who, under the provisions of the Majority Act, 1875 is to be deemed not to have attained majority;
- (e) The "state government" means the Government of Tripura;

**3 Method of Appointment, duties, functions and powers of the Child Marriage Prohibition Officers.** - (1)

The State Government shall appoint Child Marriage Prohibition Officers in every Sub-division in the state allotting specified area of jurisdiction. The appointment of Child Marriage Prohibition Officers specifying their jurisdiction with the details of duties, functions, powers including the powers of Police Officers conferred on them under section 16 (4) of the Act, shall be notified in the official gazette and every such appointment shall take effect from the date of its notification.

(2) No person below the rank of Sub-Divisional Magistrate or holding equivalent post under the state government shall be appointed or entrusted with the duties of a Child Marriage Prohibition Officer.

(3) All Child Marriage Prohibition Officers shall discharge their duties with due care, decorum and in a manner to uphold the objects of the Act.

(4) The Child Marriage Prohibition Officers approach shall be primarily preventive for which they shall make constant endeavor to create awareness of the evil which results from child marriages and to sensitize the community on the issue of child marriage.

(5) Every Child Marriage Prohibition Officer shall hold at least one awareness camp every two months within the area of his jurisdiction to sensitize the community on the issue of child marriage until otherwise directed by the state government by notification in official gazette, and the Sub-Divisional Medical Officer or any other Medical Officer nominated by him shall remain present in such camp as a resource person.

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(2) Whenever the Child Marriage Prohibition Officer has reasonable grounds for believing that an offence punishable under this Act has been or is being or is about to be committed within his jurisdiction and that the search of any premises with warrant cannot be made without undue delay, he may, after sending the grounds of his belief to the District Magistrate search such premises without a warrant.

(3) Before making a search under sub-section (2), the Child Marriage Prohibition Officer shall call upon two or more residents of the locality in which the place to be searched is situated, to attend and witness the search, and may issue an order in writing

(4) If any person, without reasonable cause, refuses or neglects, to attend and witness a search under this rule, when called upon to do so by an order in writing delivered or tendered to him, shall be deemed to have committed an offence punishable under Section 187 of the Indian Penal Code (45 of 1860).

5. Declaration of Child Marriage Prohibition Officer as public servant.

Every Child Marriage Prohibition Officer shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860.

6. Protection of Action taken in good faith.

No suit or legal proceeding shall lie against the Child Marriage Prohibition Officer, and any police officer or a person assisting him in respect of anything which is in good faith done or intended to be done in pursuance of the Act or the Rules.

7. Interpretation.

If any question arises relating to the interpretation of these rules, the same shall be referred to the state government.

By order of the Governor,

Sajal Das *gub* 13/11/07  
Under Secretary to the  
Government of Tripura.

Registered No. WB/SC-247

No. WB/DTP/Pt.I/CPS/2008/54



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PART I- Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

## GOVERNMENT OF WEST BENGAL

Department of Women & Child Development  
and Social Welfare

### NOTIFICATION

No. 4163-5W Dt. 11.11.2008.- In exercise of the power conferred by section 19 of the Prohibition of Child Marriage Act, 2006 (6 of 2007), the Governor is pleased hereby to make the following rules, namely:-

#### Rules

1. **Short title and commencement.** - (1) These rules may be called the West Bengal Prohibition of Child Marriage Rules, 2008.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definition.** - (1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Prohibition of Child Marriage Act, 2006 (6 of 2007);

(b) "Child Marriage Prohibition Officer" means the Child Marriage Prohibition Officer appointed under the Act;

(f) "State Government" means the Government of West Bengal in the Department of Women and Child Development and Social Welfare.

(2) Words and expressions used and not defined in these rules but defined in the Act, shall have the same meanings as respectively assigned to them in the Act.

3. **Assistance to Child Marriage Prohibition Officer.** - The State Government shall provide all necessary assistance, which shall be necessary for the purposes of the Act, to the Child Marriage Prohibition Officer including the assistance from the police to enable him to discharge his duties efficiently.

4. **Information to Child Marriage Prohibition Officer.** - (1) If any person has reason to believe that -

(a) a child marriage is about to take place, or

(b) there is likelihood of taking place of any child marriage or child marriages,

he may give information of such marriage to the Child Marriage Prohibition Officer orally or in writing.

(2) Every information relating to the child marriage or child marriages, if given orally to the Child Marriage Prohibition Officer, shall be reduced to writing by him or under his direction, and be read over to informant, and every such information, whether given in writing or reduced to writing, as aforesaid, shall be signed by the person given it.

Provided that in case the person giving the information is not desirous to disclose his identity, the Child Marriage Prohibition Officer shall request the identity of the



person and shall keep a record of such identity with due regard to confidentiality of such person,

(3) A copy of the information as recorded under sub-rule (2) shall be given, free of cost, to the person giving the information, who shall acknowledge the receipt.

**5. Assistance of Child Marriage Prohibition Officer.** - An aggrieved person, or child in question, or any other person, who seeks to file a petition or complaint under section 3 or section 13 of the Act in the court, may seek the assistance of the Child Marriage Prohibition Officer.

**6. Duties of Child Marriage Prohibition Officer.** - Save as otherwise provided in sub-section (3) of section 16 of the Act, it shall be duty of the Child Marriage Prohibition Officer -

- (a) to assist contracting party or other concerned person in getting legal aid from the Legal Aid Services Authority concerned;
- (b) to maintain record of information, status of complaint and disposal;
- (c) to sensitize the community against child marriage;
- (d) to advise and counsel aggrieved and concerned persons as and when sought for by them;
- (e) to obtain assistance from the Superintendent of Police of the concerned district or any officer sub-ordinate to him at any stage of proceedings.

**7. Action of Child Marriage Prohibition Officer in case of emergency.** - If the Child Marriage Prohibition Officer receives a reliable information by any means that a child marriage is about to be solemnized and there is no scope to move the court for obtaining an injunction, he shall bring the matter to the notice of the District Magistrate, and the District Magistrate shall stop or prevent solemnization of such marriage by exercising the power conferred under sub-section (5) of section 13 of the Act.

**8. Liaison with police.** - The Child Marriage Prohibition Officer shall, in association with the police authority of the concerned district,-

- (a) advise the contracting party, lawful guardian, person solemnizing the child marriage or others attending or participating the child marriage to desist from the child marriage;
- (b) communicate with concerned local authorities at panchayat level to prevent child marriage;
- (c) execute the court order.

By order of the Governor,

R. Tempo

Secy. to the Govt. of West Bengal.