

Bill No. 95 of 2025

**THE PROHIBITION OF CHILD MARRIAGE (AMENDMENT)
BILL, 2025**

By

SHRI LAVU SRI KRISHNA DEVARAYALU, M.P.

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BILL

further to amend the Prohibition of Child Marriage Act, 2006.

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prohibition of Child Marriage (Amendment) Act, 2025.

Short title and
commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

6 of 2007. 2. In section 2 of the Prohibition of Child Marriage Act, 2006, hereinafter referred to as the principal Act,—

Amendment of
section 2.

(i) after clause (a), the following clause shall be inserted, namely:—

‘(aa) “Betrothal” means engagement or any other similar event or custom involving a mutual promise, agreement, or contract to marry;’;

(ii) after clause (b), the following clauses shall be inserted, namely:—

‘(ba) “Central Reporting Portal” means a portal created under section 16(C) of the Act;’;

(bb) “Child Welfare Committee” means a committee constituted under section 27 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

(iii) after clause (f), the following clauses shall be inserted, namely:—

‘(fa) “majority” means a person who, under the provisions of the Majority Act, 1875 is to be deemed to have attained majority.

(g) “Special Court” means a court designated as such under section 19A.

(h) “Special Juvenile Police Unit” means a unit of police designated as such for handling children under section 107 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

(i) “State Child Protection Society” means a society constituted under section 106 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

(j) “Support Person” has the same meaning as assigned to it in clause (f) of Rule 2 of the Protection of Children from Sexual Offences Rules, 2020.

(k) “Unit” means either a State Special Child Marriage Prohibition Unit or a District Special Child Marriage Prohibition Unit constituted under clause (a) of sub-section (1) of section 16B and clause (b) of sub-section (1) of section 16B.’.

3. In section 3 of the principal Act,

(a) in sub-section (1), after the existing proviso the following proviso shall be inserted, namely:

Provided further that where the female contracting party to the marriage is above eighteen years of age and the male party is below twenty one years of age, such marriage shall be voidable at the option of the female party; and

(b) in sub-section (3), for the words “two years of attaining majority”, the following words “three years or three years after attaining the age of twenty one years in case the petition is being filed by the male contracting party” shall be substituted.

4. For section 9 of the principal Act, the following section shall be substituted, namely:—

“9. (a) Whoever, being a male adult above eighteen years of age, contracts a marriage with a girl, who is a child, shall be punishable with imprisonment of either description for a term which shall not be less than five years and shall also be liable to fine:

Provided that where the girl contracting party to marriage is under fourteen years of age, then the male adult shall be punished with rigorous imprisonment for a term not less than seven years and shall also be liable to fine.”.

5. After section 9 of the principal Act, the following sections shall be inserted, namely:—

“9A. Any person who attempts to contract or solemnise a child marriage shall be punishable with imprisonment of either description for a term which shall not be less than three years and shall also be liable to fine.

Amendment of section 3.

Substitution of new section for section 9.

Punishment for male adult marrying a girl child.

Insertion of new sections 9A, 9B, 9C, 9D, 9E.

Attempt to contract or solemnise child marriage.

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2 of 2016.

10 9 of 1875.

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46 of 2023.	<p>9B. Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, any person, including the child, parent, guardian, whether lawful or unlawful, teacher, Panchayati Raj functionary, health worker or any other person in authority or care-giver, who has apprehension that an offence under this Act is likely to be committed or has knowledge that such an offence has been committed, he shall provide such information to police or Child Marriage Prohibition Officer, as the case may be.</p>	Reporting of offences.
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10	<p>9C. (1) Upon receiving a report from any person about the commission of an offence under this Act, the Special Juvenile Police Unit or local police shall follow the procedures laid down under Section 173 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for recording and registration of the First Information Report.</p>	Recording of information by police.
15	<p>(2) The Special Juvenile Police Unit or local police shall, without delay but within a period of twenty-four hours, report the matter to the Child Welfare Committee and the Special Court or where no Special Court has been designated, to the Court of Session, including need of the child for care and protection and steps taken in this regard.</p>	
20	<p>9D. Any person who fails to report the commission of an offence under sub-section (1), (2) of section 9, 9A, sub-section (1), (2) of section 10, sub-section (1), (2), (3), (4) of section 11, sub-section (10), (11) of section 13 shall be punishable,—</p>	Punishment for non-reporting.
25	<p>(a) if the person is a public servant, with imprisonment of either description for a term which may extend to one year and shall also be liable to a fine; or</p> <p>(b) in case of any other person, with imprisonment of either description for a term which may extend to six months or a fine:</p>	
	<p>Provided that no child shall be liable to any punishment or fine under this section.</p>	
30	<p>9E. (1) Any agreement, betrothal, engagement or contract to marry entered into, involving a child, shall be void <i>ab initio</i> and unenforceable under this Act and any other law for the time being in force.</p>	Betrothal of children to be void.
	<p>(2) A child, who is betrothed under sub-section (1), shall be deemed to be a "child in need of care and protection" under sub-section (14) of section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2015.”.</p>	
35	<p>6. For section 10 of the principal Act, the following section shall be substituted, namely:—</p>	Substitution of new section for section 10. Punishment for solemnising a child marriage.
40	<p>“10. Whoever performs, conducts, directs or abets any child marriage shall be punishable with rigorous imprisonment which may extend to five years and shall be liable to fine unless he proves that he had reasons to believe that the marriage was not a child marriage and has exercised due diligence in verifying the age of the parties:</p>	
45	<p>Provided that where the female contracting party to marriage is under fourteen years of age, then the offence shall be punished with rigorous imprisonment for a term not less than seven years and shall also be liable to a fine.”.</p> <p>7. For section 11 of the principal Act, the following section shall be substituted, namely:—</p>	Substitution of new section for section 11. Punishment for promoting or permitting solemnisation of child marriages.
	<p>“11. (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</p>	

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, shall be punished with imprisonment of either description for a term which shall not be less than five years and shall also be liable to fine.

(2) For the purposes of sub-section (1) of section 11, where the female contracting party to marriage is under fourteen years of age, then the person having charge of the female child shall be punished with rigorous imprisonment for a term not less than seven years and shall also be liable to fine: 5

Provided that 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. 10

(3) Whoever attends or participates in any child marriage shall be punishable with rigorous imprisonment for a term which may extend upto one year and shall also be liable to fine. 15

(4) For the purposes of sub-section (3), where the female contracting to marriage is under fourteen years of age, the same shall be punishable with a rigorous imprisonment for a term which may extend upto two years and with fine:

Provided that no woman shall be punishable with imprisonment under this section.”. 20

8. After section 11 of the principal Act, the following sections shall be inserted, namely:—

“11A.(1) In any proceeding under this Act where the female contracting party, who is a child, alleges a sexual offence, or seeks annulment of marriage under section 3, the court shall appoint a support person and extend the facility of NGOs experts and professional in accordance with section 39 of the Protection of Children from Sexual Offences Act, 2012. 25
32 of 2012.

(2) The non-governmental organisations, professional and experts support person shall render assistance to the female contracting party through the process of investigation and trial, or any other person assisting the child in the pre-trial or trial process in respect of an offence under the Act, annulment of marriage, access to medical, psychosocial support, compensation or any other entitlements, rights, services provided therein. 30

11B. (1) Notwithstanding anything contained in this Act or any other law for the time being, no court shall take cognisance of an offence under this Act in respect of a child marriage solemnised prior to the date of commencement of this Act, unless the complaint is filed by,— 35

“(a) the female contracting party to the marriage, or

(b) a Child Marriage Prohibition Officer, based on reasonable information indicating continuous harm, coercion, or risk to the child. 40

(2) The complaint under clause (a) or clause (b) of sub-section (1) may be filed at any time, but before the child filing the petition completes three years of attaining majority:

Provided that the Court may, after hearing the child or the Child Marriage Prohibition Officer, as the case may be, and for reasons to be recorded in writing, take cognisance of any offence under this Act, after the expiry of the three years under sub-section (2), if it is satisfied on the facts and in the circumstances of 45

Insertion of
new section
11A.
Provision of
support person
in cases of
sexual offence.

Limitation on
retrospective
prosecution
of child
marriages.

the case that the delay has been properly explained or that it is necessary to do in the interest of justice.

(3) Nothing in this section shall restrict the right of the child to approach the Court for the purpose of annulment of the marriage under sub-section (3) of section (3).”.

9. In section 13 of the principal Act for sub-section (10), the following sub-sections shall be substituted, namely:

Amendment of section 13.

“(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 shall not be less than five years and shall also be liable to fine:

Provided that no woman shall be punishable with imprisonment.

(10A) For the purpose of sub-section (10), where the female contracting party to marriage is under fourteen years of age, then it shall be punished with rigorous imprisonment for a term not less than seven years and shall also be liable to fine.”.

10. After section 15 of the principal Act, the following sections shall be inserted, namely:—

Insertion of new section 15A. Compensation.

“15A. (1) The District Legal Services Authority may, in appropriate cases, on an application filed by or on behalf of the child or on the recommendation of the court, grant interim compensation to meet the needs of the child for relief or rehabilitation, at any stage after the registration of the First Information Report. Such interim compensation paid to the child shall be adjusted against the final compensation, if any.

(2) The procedure for making an application, assessment of the quantum of interim compensation, and disbursal shall be in the manner as may be prescribed.

11. In section 16 of the principal Act,—

Amendment of section 16.

(a) in sub-section (1), for the words “the whole state”, the words “every district” shall be substituted;

(b) in sub-section (2), after the words “Child Marriage Prohibition Officer”, the words “Child Marriage Prevention Coordinator appointed under sub-section (1) of section 16A,” shall be inserted; and

(c) in sub-section (3), after clause (f), insert following clause:

(fa) to keep record of all child marriages, and rehabilitation status of such children and upload the same on the Central Reporting Portal, as may be prescribed.

12. After section 16 of the principal Act, the following sections shall be inserted, namely:—

Insertion of new sections 16A, 16B, 16C and 16D.

“16A.(1) The State Government shall, by notification in the Official Gazette, appoint officers, in such numbers and for such parts of a district as may be prescribed, to be known as the Child Marriage Prevention Coordinator, who shall have jurisdiction over the area or areas specified in the notification.

Child Marriage Prevention Coordinator.

(2) It shall be the duty of the Child Marriage Prevention Coordinator—

(a) to assist the Child Marriage Prohibition Officer in discharging his functions and duties under this Act;

(b) maintaining records of all child marriages within their jurisdiction;

- (c) monitoring the rehabilitation status of the victims;
- (d) updating the Central Reporting Portal established under Section 16C of the Act;
- (e) to discharge such other functions and duties as may be assigned to him by the State Government.

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Special Child
Marriage
Prohibition
Unit.

16B. (1) The State Government shall, by notification in the Official Gazette, establish,-

(a) a State-Level Special Child Marriage Prohibition Unit for oversight, coordination, capacity building and grievance redressal for the Child Marriage Prohibition Officer, to be chaired/headed by the Secretary of the State Department dealing with children; and

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(b) a District-Level Special Child Marriage Prohibition Unit, in every district where more than one Child Marriage Prohibition Officer has been appointed, for local-level oversight, coordination, capacity building, and grievance redressal for Child Marriage Prohibition Officers headed by the District Magistrate or an officer not below the rank of Additional District Magistrate, as designated by the State Government.

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(2) The composition, functions, powers, and procedures of the State-Level Special Child Marriage Prohibition Unit and the District-Level Special Child Marriage Prohibition Units established under sub-section (1) shall be such as may be prescribed.

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Disciplinary
action for
wilful neglect
of duty.

16C. Any public servant, including a Child Marriage Prohibition Officer, functionaries of Panchayati Raj Institution, who, having knowledge of a child marriage likely to be solemnised or already solemnised, wilfully fails to take timely action shall be liable to disciplinary proceedings and such wilful neglect shall be deemed an offence under clause (c) of section 199 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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Central
Reporting
Portal.

16D. The Central Government shall create a national online portal for reporting and monitoring child marriage cases, in such manner as may be prescribed.

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Insertion of
new sections
19A and 19B.

13. After section 19 of the principal Act, the following sections shall be inserted, namely:—

Designation
of Special
Courts.

19A.(1) For the purposes of providing a speedy trial, the State Government shall, in consultation with the Chief Justice of the High Court, by notification in the Official Gazette, designate for each district a Court of Session to be a Special Court to try the offences under the Act.

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(2) If a Court of Session is already notified as a Children's Court under the Commissions for Protection of Child Rights Act, 2005 or under any other law, it shall be deemed to be the Special Court for the purposes of this Act:

Provided that if the offence falls under the Protection of Children from Sexual Offences Act, 2012, the case shall be triable by the Special Court designated under the said Act.

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(3) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 or the Commission for Protection of Child Rights Act, 2005, all offences under this Act shall be triable by the Special Court or the Children's Court, as the case may be.

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(4) The Special Courts shall ensure speedy trials and disposal of cases within six months from the date of filing of the charge sheet.

(5) Where any offence under this Act is committed by a child, such child shall be dealt with under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015.

(6) If any question arises in any proceeding before the Special Court whether a person is a child or not, such a question shall be determined by the Special Court after satisfying itself about the age of such person, and it shall record in writing its reasons for such determination.

(7) No order made by the Special Court shall be deemed to be invalid merely by any subsequent proof that the age of persons determined by it under sub-section (2) was not the correct age of that person.

19B. The State Government shall, by notification in the Official Gazette, empower the Special Juvenile Police Units, constituted under the Juvenile Justice (Care and Protection of Children) Act, 2015, to investigate and manage cases of child marriage in accordance with the provisions of the Act.”.

Special
Juvenile
Police Units.

14. After section 20 of the principal Act, the following sections shall be inserted, namely: —

Insertion of new
sections 20A
and 20B.

“20A. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force, and, in case of any inconsistency, the provisions of this Act shall have overriding effect on the provisions of any such law to the extent of the inconsistency.

Act not in
derogation of
any other law.

20B. (1) The National Commission for Protection of Child Rights constituted under section 3, or as the case may be, the State Commission for Protection of Child Rights constituted under section 17, of the Commissions for Protection of Child Rights Act, 2005 shall, in addition to the functions assigned to them under that Act, also monitor the implementation of the provisions of this Act in such manner as may be prescribed.

Monitoring of
implementation
of Act.

(2) The National Commission or, as the case may be, the State Commission, referred to in sub-section (1), shall, while inquiring into any matter relating to any offence under this Act, have the same powers as are vested in it under the Commissions for Protection of Child Rights Act, 2005.

(3) The National Commission or, as the case may be, the State Commission, referred to in sub-section (1), shall, also include, its activities under this section, in the annual report referred to in section 16 of the Commissions for Protection of Child Rights Act, 2005.

STATEMENT OF OBJECTS AND REASONS

India has committed to ending child marriage by 2030 through the Sustainable Development Goals (SDGs). Yet every minute, three girl child get married in India; however, only three cases are registered every day.

Child marriage continues to violate the fundamental rights of children in the country. It disproportionately affects girls by undermining their health, education, safety, and development. Despite the Prohibition of Child Marriage Act, 2006, which legally prohibits child marriages in the country, enforcement challenges, definitional ambiguities, and procedural gaps continue.

Therefore, there is an urgent need to amend the Prohibition of Child Marriage Act, 2006, to ensure effective prevention, prohibition and prosecution of child marriage cases. The proposed Bill is an attempt to fill in all systemic gaps in enforcement and reaffirm the State's commitment to end child marriage in all its present forms.

The Bill, *inter-alia*, seeks to provide for:—

- (a) Graded punishments based on the culpability of the offending parties.
- (b) Introduces the concern of betrothals in the Act and makes them void *ab initio*.
- (c) Proposes procedural safeguards such as appointment of support persons, and establishment of a fund for rehabilitation and compensation for the victims of child marriage.
- (d) Mandatory appointment of exclusive, full-time Child Marriage Prohibition Officers (CMPOs) in every district and local regions thereof; appointment of Child Marriage Protection Coordinators to assist the CMPOs in discharging their duties.
- (e) Creation of exclusive Special Courts for time-bound trials.
- (f) Integration of Special Juvenile Police Units into the child marriage framework to strengthen child-sensitive investigation.
- (g) Introduces a digital Central Reporting Portal to allow early reporting and prompt intervention.

Hence this Bill.

NEW DELHI;
July 7, 2025

LAVU SRI KRISHNA DEVARAYALU

FINANCIAL MEMORANDUM

Clause 12 of this Bill vide proposed section 16D provides for creation of a national online portal for reporting and monitoring child marriage cases by the Central Government. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. The expenditure related to the State Government shall be borne from the consolidated fund of the respective State. However, in case of Union Territory, the expenditure shall be met from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees one hundred crore per annum from the Consolidated Fund of India.

A non-recurring expenditure of rupees five hundred crore is also likely to be involved.

ANNEXURE
EXTRACT FROM THE PROHIBITION OF CHILD MARRIAGE ACT, 2006
(ACT NO. 6 OF 2007)

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Child marriages to be voidable at the option of contracting party being a child.	<p>3. (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:</p> <p>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.</p>				
	(2) *	*	*	*	*
	<p>(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.</p>				
	*	*	*	*	*
Punishment for male adult marrying a child.	<p>9. 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.</p>				
	*	*	*	*	*
Punishment for solemnising a child marriage.	<p>10. 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.</p>				
	*	*	*	*	*
Punishment for promoting or permitting solemnisation of child marriages.	<p>11. (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:</p> <p>Provided that no woman shall be punishable with imprisonment.</p> <p>(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.</p>				
	*	*	*	*	*
Power of court to issue injunction prohibiting child marriages..	13. (1) *	*	*	*	*
	(2) *	*	*	*	*
	(3) *	*	*	*	*
	(4) *	*	*	*	*
	(5) *	*	*	*	*
	(6) *	*	*	*	*
	(7) *	*	*	*	*

(8) * * * * *

(9) * * * * *

(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.

16. (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.

Child
Marriage
Prohibition
Officers.

(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 office bearer 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.

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further to amend the Prohibition of Child Marriage Act, 2006.

(Shri Lavu Sri Krishna Devarayalu, M.P.)