

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.3504
TO BE ANSWERED ON 16.03.2018

PRE-NUPTIAL AGREEMENTS

3504. SHRI PRASUN BANERJEE :
SHRIMATI POONAM MAHAJAN:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether the Government is considering the viability of providing legal recognition to pre-nuptial agreements with the objective of promoting and strengthening gender justice in the country and to prevent male non-resident Indians deserting their wives;
- (b) if so, the details thereof including the salient aspects of pre-nuptial agreements;
- (c) whether the Indian Contract Act, 1872 currently renders such pre-nuptial agreements as void; and
- (d) if so, the details thereof and the time frame by which the Government plans to amend the Indian Contract Act and other existing laws?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(DR. VIRENDRA KUMAR)

- (a) & (b): The conceptualisation of pre-nuptial agreements in India by Ministry of Women and Child Development is only a concept yet being discussed in this Ministry and Stakeholders about ramifications, legal validity of a pre-nuptial agreement taking into account matrimonial alliances in the Indian context.
- (c) & (d): There is no such proposal under consideration to amend Indian Contract Act, 1872 and other existing laws.
