



## SC Guidelines to Eliminate Child Marriages | Rajasthan | 06 Nov 2024

### Why in News?

Recently, the [Supreme Court](#) guidelines aiming for the complete eradication of [child marriages](#), have provided a significant boost to [civil society groups](#) in Rajasthan.

### Key Points

- **Prevalence of Child Marriages in Rajasthan:**
  - According to the [National Family Health Survey-5](#), 25.4% of women aged 20-24 in Rajasthan were married before reaching the legal age of 18.
- **Collective Effort to Eradicate Child Marriages by 2030:**
  - The **Just Rights for Children Alliance (JRCA)**, a [non-governmental organization](#), emboldened by the SC new guidelines, has pledged to intensify efforts on the ground.
  - They **aim to eradicate child marriages in Rajasthan by 2030** through collective action, including raising awareness in villages.
- **Supreme Court's Guidelines:**
  - The Supreme Court's guidelines place accountability on **village panchayats, school authorities, and child protection officers** for preventing child marriages.
  - The Court advised adopting a **“prevention, protection, and prosecution” model** to implement the [Prohibition of Child Marriage Act, 2006](#) effectively.
  - In 2024, the Rajasthan High Court mandated that village sarpanches, under the **Rajasthan Panchayati Raj Rules, 1996**, are responsible for restraining child marriages.
    - The court directed the **State government to inform and sensitise village leaders**, emphasizing their accountability if they fail to prevent child marriages in their communities.

### Prohibition of Child Marriage Act 2006

- The law seeks to prevent child marriages by making certain actions punishable and by appointing certain authorities responsible for the prevention and prohibition of child marriages.
- **Definitions under the Act:**
  - **“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**.
  - **“Child marriage”** means a marriage to which either of the contracting parties is a child.
  - **“Minor”** means a person who has not **attained his majority** under the provisions of the Majority Act, 1875. As per the Majority Act, 1875, **every person domiciled in India** attain the age of majority on his **completing the age of eighteen years**.
- Child marriage is an offence punishable with **rigorous imprisonment**, which may extend to 2 years, or with fine up to Rs.1 Lakh, or both. The offences under the Act are [cognisable and non-bailable](#).
- **Persons who can be punished under the Law include:**
  - Whoever performs, conducts or directs or abets any child marriage.
  - A male adult above 18 years marrying a child (Section 9).
  - Any person having charge of the child, including parent or guardian, any member of an organisation or association, promoting, permitting, participating in a child marriage.

