

## Bill Summary

### The Prohibition of Child Marriage (Amendment) Bill, 2021

- The Prohibition of Child Marriage (Amendment) Bill, 2021 was introduced in Lok Sabha on December 21, 2021. The Bill amends the Prohibition of Child Marriage Act, 2006 to increase the minimum age of marriage of females.
- **Increasing the minimum age of marriage of females:** The Act provides that the minimum age of marriage is 21 years in case of males, and 18 years in case of females. The Bill increases the minimum age in case of females to 21 years. The Bill also amends certain other laws relating to marriage to increase the minimum age of marriage of females under those laws to 21 years. These are: (i) Indian Christian Marriage Act, 1872, (ii) Parsi Marriage and Divorce Act, 1936, (iii) Special Marriage Act, 1954, (iv) Hindu Marriage Act, 1955, and (v) Foreign Marriage Act, 1969.
- **Time period for filing petition to annul child marriage:** Under the Act, a child marriage is one where either of the parties to the marriage is a child (i.e., their age is less than the minimum age of marriage). The Act provides that a child marriage may be annulled by the party who was a child at the time of marriage. Such party may file a petition in a district court for a decree of nullity. The petition should be filed before such party completes two years of attaining majority (i.e., completes 20 years of age). The Bill amends this to allow such party to file the petition before completing five years of attaining majority (i.e., completes 23 years of age).
- Amendments relating to the increase of minimum age of marriage of females and time period for filing petition to annul child marriage shall come into force two years from the date of assent.
- **Overriding effect:** The Bill adds that that the provisions of the Act shall have an overriding effect over any other law, custom, usage or practice governing the parties to the marriage.

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