

Chhattisgarh Child Marriage Prohibition Rules, 2007

CHHATTISGARH

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Rule

CHHATTISGARH-CHILD-MARRIAGE-PROHIBITION-RULES-2007 of 2007

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Chhattisgarh Child Marriage Prohibition Rules, 2007Published vide Notification S. No. F 4-1/2008/WCD/50 (1), dated 9th January, 2008, C.G. Rajpatra (Asadharan), dated 9-1-2008 at pages 10 (1-2)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 rules, 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 "Complaint" shall have the same meaning as assigned and defined in the Code of Criminal Procedure, 1973 (Act 2 of 1974) 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 of organizing the function of the Child Marriage through appropriate action.(b)Collect the evidences for effective legal action against the persons violating the provisions of the Act.(c)Advice 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 therein and thereafter send the grounds of such belief to the District Magistrate.(b)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, 1860 (Act 45 of 1860).

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 probation 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.