

1. Who is a child?

A male person under 21 years of age and a female under 18 years of age are children as per law.

2. What is child marriage?

Marriage to which either of the parties is a child.

3. Who is punished for committing an offence of child marriage?

Any person who performs, conducts, directs or abets any child marriage is punishable as per law.

4. Who can file a complaint?

A complaint can be filed by any person who believes/has personal information that a child marriage is taking place. For eg., school teachers, doctors, parent/guardian of a child, a non-governmental organization, village elders, neighbors, village level workers etc.

5. What is a void and a voidable marriage?

A void marriage one that is invalid from the beginning. It is presumed that the marriage never existed by law and hence, a void marriage does not require termination.

In a voidable marriage, the marriage is not void or does not cease to exist unless and until either of the spouses decide to end it. Hence, the procedure to terminate a marriage needs to be followed to end a voidable marriage.

For example, a Hindu marriage between a bridegroom above 21 years and the bride above 18 years of age at the time of the marriage is voidable which means that the marriage is recognized by law unless and until it is legally terminated by the spouse who was a child at the time of the marriage.

6. When is a child marriage void?

A child marriage is void when a child is

- (a) Taken without the permission of the child's lawful guardian; or
- (b) Compelled to move from any place; or
- (c) Sold for the purpose of marriage and is made to marry another person or
- (d) If the minor is married and then subsequently is sold or trafficked or used for immoral purposes.

A marriage of a minor child is void in such circumstances. This means that the marriage is illegal and is not recognized as lawful in the eyes of law.

7. Who can legally terminate a child marriage?

A child marriage can be legally terminated by the spouse who was a child at the time of the marriage by filing a petition for annulment of the child marriage.

8. Can a minor file a petition for annulment of marriage?

Yes, a minor can file the petition through his or her guardian or next friend along with the Child Marriage Prohibition Officer.

9. Is there an age limit for filing the annulment petition?

Yes, the petition should be filed at any time before the child filing the petition completes two years as an adult i.e. 20 years of age.

10. Where to file a complaint?

- You can approach the Child Marriage Prohibition Officer (or)
- File a complaint in the nearest police station (or)
- Complain to the Judicial Magistrate of the First Class.

11. Who is a Child Marriage Prohibition Officer?

The Child Marriage Prohibition Officer is appointed by the State Government to prevent child marriages.

12. How to get a child marriage annulled?

A person who was a child at the time of the marriage can get the marriage annulled by approaching the District Court to pass a decree of nullity.

13. Who is a Child Marriage Prohibition Officer in Kadapa and Chittoor districts?

The Collector is the CMPO at the district level, RDOs (revenue division officer) at the divisional level, tahsildars at the mandal level and ICDS (Integrated Child Development Services) officials and panchayat secretaries at the village level.