



**THE ADMINISTRATION OF UNION TERRITORY OF LADAKH
SOCIAL AND TRIBAL WELFARE DEPARTMENT**

NOTIFICATION

Ladakh, the _____ day of June, 2023

S.O _____ In exercise of the powers conferred by sub-section (1) of Section 19 of the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007), the Administration of Union territory of Ladakh hereby makes the following Rules. These Rules shall come into effect from the date of publication in Official Gazette after the approval of the Lieutenant Governor, UT of Ladakh, hence hereby published for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules shall be taken into consideration after the expiry of a period of **fifteen (15) days** from the date on which the copy is made available to the public;

Objection and suggestions, if any, may be addressed to Social & Tribal Welfare Dept., Old JNV Building, UT Secretariat, UT of Ladakh, or by email at stw-ladakh@ladakh.gov.in

The objections and suggestions which may be received from any person with respect to the said draft rules before the expiry of the period specified above, will be considered by the Administration of Union territory of Ladakh.

(Padma Angmo) IIS
Commissioner/Secretary
Social/Tribal Welfare Department
Union Territory of Ladakh.

1. **Short title:** These rules may be called the Ladakh Prohibition of Child Marriage Rules, 2023.

2. **Definition:** (1) In these rules, unless the context otherwise requires:

- (a) "Act" means the Prohibition of Child Marriage Act, 2006 (Central Act 6 of 2007);
- (b) "Administration" means the Administration of Union territory of Ladakh;

- (c) Form” means Form appended to these rules.
- (d) “Child Marriage Prohibition Officer” means persons appointed by the Administration of Union Territory of Ladakh as per section 16 (1) of the Act.
- (e) “Section” means a section of the Act.
- (f) “Nodal Officer” means an officer designated by the Administration of Union Territory of Ladakh to monitor and to co-ordinate with the Child Marriage Prohibition Officers;

(2) All other words and expressions used and not defined in these rules but defined in the Act shall have the same meanings assigned to them in the Act.

3. Method of appointment, duties and functions of Child Marriage Prohibition Officer.-

(1) The Administration shall, by notification in the official Gazette, appoint for the whole Union territory or such part thereof as may be specified in that notification, an officer or officers to be known as Child Marriage Prohibition Officers having jurisdiction over the areas specified in the notification.

(2) In appropriate cases, the Child Marriage Prohibition Officer himself/herself can take cognizance of an offence committed under this Act and vested with such powers of Police Officer and shall exercise such powers subject to such conditions and limitation as may be specified in notification by the Administration as per Act.

(3) In addition to the duties and functions assigned to a Child Marriage Prohibition Officer under clauses (a) to (g), sub-section (3) of section 16 of the Act, it shall be the duty of every Child Marriage Prohibition Officer—

- (a) to act immediately upon any information of solemnization of any child marriage that may be received through any mode of communication and initiate all necessary action;
- (b) to furnish quarterly return and statistics to the Chief Child Marriage Prohibition Officer and District Magistrate in **Form I**;
- (c) to file petition before a Judicial Magistrate First class/ Metropolitan Magistrate for obtaining information prohibiting a Child Marriage.
- (d) to file petition for annulling a child marriage in District Court in case any of the contracting party to the marriage is a minor;
- (e) to file petition before the District Court for maintenance and residence to the female contracting party of the Marriage until her remarriage;
- (f) to file petition before the District Court for the custody and maintenance of children of the child marriage.
- (g) To file petition under Section 3(2) of the Act along with the child.

4. Power of Child Marriage Prohibition Officer: In terms of Section 16 (4) of the Act, the Child Marriage Prohibition Officer are invested with the powers of Police Officer as prescribed in Section 156, 160, 161, 165 and 175 of Criminal Procedure Code subject to the condition that such powers are exercised by the said officer herself/ himself within her/ his jurisdiction for taking cognizance of offences prescribed under the Act.

5. Chief Child Marriage Prohibition Officer. - (1) The Director, Social & Tribal Welfare Department, shall be the Chief Child Marriage Prohibition Officer to administer and co-ordinate the work relating to Child Marriage Prohibition throughout the Union territory of Ladakh.

6. Duties and functions of Chief Child Marriage Prohibition Officer. - (1) The Chief Child Marriage Prohibition Officer shall co-ordinate the work of Child Marriage Prohibition Officers and shall be responsible for the proper performance of the Child Marriage Prohibition work in the State.

(2) The Chief Child Marriage Prohibition Officer shall be responsible for the preparation and submission of an Annual Report on the progress of implementation of the Act and related matters and such statistics as may be required from time to time by the Administration.

(3) In addition to the general duties of monitoring and supervision of the implementation of the provisions of the Act it shall be the duty of the Chief Child Marriage Prohibition Officer -

- (a) to exercise general control, superintendence and direction over all the Child Marriage Prohibition Officers so far as the implementation of the Act and rules are concerned;
- (b) to review periodically the functioning of Child Marriage Prohibition Officers across the UT;
- (c) to cause an annual status report on Child Marriage to be submitted to the Administration;
- (d) to formulate schemes and programmes for creating awareness sensitizing the community and organize training to functionaries of the concerned departments;
- (e) to discharge such other functions and duties as may be assigned to him by the Administration;
- (f) to convene an annual review and strategy conference on prevention of child marriage;

7. Nodal Officer. - (1) The District Collector shall be the Nodal Officer at the district Level for the purpose of implementation of the Act.

(2) The District Collector shall periodically review the implementation of the Act within the respective district and take all necessary measures for the proper and effective implementation of the Act.

8. Procedure for conducting enquiry. - (1) A complaint/information to the Child Marriage Prohibition Officer may be filed/given by any person in any form, written, phone, e-mail, etc.;

(2) On receipt of a complaint/information under Sub-rule (1) of this rule, the Child Marriage Prohibition Officer shall record it in **Form II** and conduct a brief enquiry;

(3) For the conduct of enquiry under Sub-rule (2) of this rule, he shall have the powers of a Police Officer under the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), for the purpose of investigation, summoning of parties and witnesses, recording a statement, etc., for discharging his duties under the Act;

(4) Officers in charge of Police Station shall provide all such assistance to the Child Marriage Prohibition Officer in order to carry out his duties under the Act and rules; and

(5) Every Child Marriage Prohibition Officer shall submit his report in **Form III** to the concerned Judicial Magistrate of the First Class or the Chief Judicial Magistrate with his enquiry report.

9. Production of Document. - It is the duty of the accused party to furnish the relevant document to the satisfaction of the Court to prove that the none of the parties in the marriage is a child as defined in Clause (a) of Section 2 of the Act.

10. Panchayat Core Committee: The District Magistrate shall ensure that in every Panchayat, a Committee comprising of the following persons is constituted to assist the Child Marriage Prohibition Officer:

Sarpanch	: Chairperson
Supervisor, Mission Poshan (ICDS)	: Convener
Village Level Worker/ Secretary Panchayat	: Member
Head Master of the nearest school/Senior Teacher (where there is no Head Master)	: Member
One Women Ward Member (If more than one Women Ward Member, the Senior most by age)	: Member

BY ORDER AND IN THE NAME OF THE LT GOVERNOR OF LADAKH

COMMISSIONER SECRETARY

Form I

[See Rule 3 (3) (b) of the Ladakh Prohibition of Child Marriage Rules, 2023]

For the Quarter starting from..... to

Name of District.....

Name and address of the Child Marriage Prohibition Officer (with Phone No.)

1. Total No. of complaints received :
2. Total No. of enquiry conducted :
3. Total No. of reports submitted to Courts :
4. Total No. of Injunction order received :
5. Total No. of violations made by parties :
6. Total No. of maintenance orders issued :
7. Total No. of punishment orders made :
8. Total No. of child marriage successfully prevented.
9. Total No. of residence orders made under Section 4 :
10. Total No. of awareness programmes conducted :
11. Total No. of review meetings of assistance conducted :
12. Any other information:

(Seal)

Signature of the Child
Marriage Prohibition Officer
(with date)

Form II

[See Rule 8(2) of the Ladakh Prohibition of Child Marriage Rules, 2023]

Child Marriage Information Report

1. Name and address of the Complainant
(with Phone No.) :

2. Name and address of the accused (with phone No.) :

(1)

(2)

3. Particulars of the report -

(a) Age and date of birth of the child:

(b) Address :

(c) Present residence :

(d) Occupation :

(e) Education :

(f) Name and address of parents :

(g) Name and address of employer, if any :

(h) Any other relevant information :

4. Short Summary on the circumstances of the Child Marriage :

5. Any other information :

Signature of the Child
Marriage Prohibition Officer
(with date)

(Seal)

Form III

[See Rule 8(5) of the Ladakh Prohibition of Child Marriage Rules, 2023]

Report of Child Marriage Prohibition Officer

Summary of First Information :

Relief required*

1. Under Section 3 of the Act :

2. Under Section 4 of the Act :

3. Under Section 5 of the Act :

4. Under Section 13 of the Act :

Signature of the Child
Marriage Prohibition Officer
(with date)

(Seal)

List of enclosures :

1. Age certificate if any :

2. Copy of complaint if any :

3.

*[Add separate sheet if required]