

—:: कार्यालय प्रधान जिला एवं सत्र न्यायाधीश, उज्जैन (म.प्र.) ::—

पृष्ठां.क्र० 13140/एक-6-2/11

118 DEC 2024
उज्जैन, दिनांक दिसम्बर, 2024

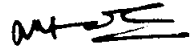
प्रतिलिपि :-

1.

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(समस्त न्यायिक अधिकारीगण जिला उज्जैन)

माननीय उच्च न्यायालय म०प्र० जबलपुर द्वारा Child Marriages के संबंध में माननीय उच्चतम न्यायालय द्वारा जारी एडवाइजरी बाबत प्रेषित ज्ञापन पृष्ठा. क्रमांक सी/7986 दिनांक 20.11.24 की प्रति मय Government of India Ministry of Law & Justice Department of Justice New Delhi के ज्ञापन क्रं. 15011 दिनांक 12.11.2024 व Government of India Ministry of Women & Child Development New Delhi के ज्ञापन दिनांक 05.11.2024 की प्रति सहित सूचनार्थ, पालनार्थ प्रेषित।

संलग्न : उपरोक्तानुसार


प्रधान जिला एवं सत्र न्यायाधीश,
उज्जैन (म.प्र.)

HIGH COURT OF MADHYA PRADESH: JABALPUR


Endorsement no. C/2986
III-2-5/2024

Jabalpur, dated 20/11/2024

The copy of Advisory on Hon'ble Supreme Court's Directions for Magistrates to prevent Child Marriages containing letter File No. 15011/22/2024-Jus-II/9732 dated 12.11.2024 of Joint Secretary to the Government of India, Department of Justice, New Delhi along with the letter dated 05.11.2024 of the Secretary, Ministry of Child and Women Development, Government of India, New Delhi is forwarded to;

1. The Principal District and Sessions Judges, (All in the State), with a request to kindly circulate the Advisory to all concerned Magistrate(s) within your jurisdiction for information and necessary compliance.


 20.11.2024
 RITURAJ SINGH CHOUHAN
 REGISTRAR District Establishment

S
 20/11/24


21 NOV 2024
 17205

No. 15011/22/2024-Jus-II/9732
Government of India
Ministry of Law & Justice
Department of Justice

Jaisalmer House, 26 Mansingh Road.
New Delhi-110011.

Date: 12 November, 2024

To,

Registrars General of High Courts
(As per list attached)

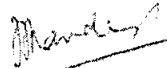
Subject: Advisory on Hon'ble Supreme Court's Directions for Magistrates to Prevent Child Marriages

Madam/Sir,

This is with reference to the Ministry of Women and Child Development (M/o. WCD) letter dated 5.11.2024 (copy enclosed), with regard to the Hon'ble Supreme Court's judgment in *Writ Petition (C) No. 1234 of 2017, Society for Enlightenment and Voluntary Action & Anr. Vs Union of India & Ors.* The judgment emphasizes the importance of judicial measures in strengthening the enforcement of *The Prohibition of Child Marriage Act, 2006 (PCMA)*.

2. This Department is issuing this advisory to the High Courts to facilitate the implementation of two key judicial actions outlined by the Supreme Court, as given below:
 - I. **Suo Motu Injunctions by Magistrates:** Magistrates are encouraged to issue *Suo Motu* injunctions to prevent the solemnization of child marriages. Particular focus should be on dates regarded as 'auspicious days' for mass weddings, as these are commonly associated with a heightened risk of child marriages.
 - II. **Judicial Action for Child Protection:** Magistrates are advised to actively use their judicial authority to prevent child marriages and ensure the protection of minors in accordance with the provisions of the PCMA.
3. It is requested to circulate this advisory to all concerned Magistrates within your jurisdiction, reinforcing the importance of vigilance and judicial intervention in preventing child marriages. The Supreme Court has underlined the judiciary's essential role in safeguarding children, and it is crucial that these directives be implemented effectively.
4. Your prompt attention and cooperation in this critical matter will be highly appreciated.

Yours sincerely,


(P. P. Pandey) 12/11/2024

Joint Secretary to the Government of India

अनिल मलिक, आई ए एस
सचिव

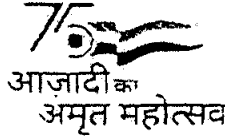
Anil Malik, I.A.S.
Secretary

Ph. 011-23333586, 23386721

Cell. 011-23381495

E-mail: secy.wcd@nic.in

D.O.No. 16/7/2018- WW



भारत सरकार
महिला एवं बाल विकास मंत्रालय
राजस्वी भवन, नई दिल्ली-110 001

Government of India
Ministry of Women & Child Development

5th November, 2024

Dear Chief Secretary/ Administrator,

I would like to draw your attention to the judgement dated 18th October, 2024 (copy enclosed) of the Hon'ble Supreme Court of India in Writ Petition (C) No. 1234 of 2017 titled "Society for Enlightenment and Voluntary Action & Anr. Vs Union of India & Ors" wherein petitioners had sought directions for effective implementation of 'The Prohibition of Child Marriage Act, 2006 (PCMA)'.

2. The Hon'ble Court while passing the directions in the said petition noted that PCMA as a social legislation will succeed only through the collective efforts of all the stakeholders to address the issue within a broader social framework which emphasizes the need for multi-sectoral coordination. Therefore, it necessitates the enhancement of reporting mechanisms, expansion of public awareness campaigns, and investment in the training and capacity-building of law enforcement officers and related actors. It is also crucial to regularly monitor the implementation of the Act, conduct evaluations to identify gaps and establish feedback mechanisms to continually refine and improve responses to child marriage. A copy of the action points in the judgment along with the responsible/competent authorities to take action on those points is attached as Annexure.

3. The Ministry of Women and Child Development will shortly hold consultations with all the Central line Ministries and States /UTs to ideate on the way forward. Therefore, you may kindly consider this as an advance information to prepare a strategy and Action plan in respect of your respective States/ UTs, for reducing the incidence of Child Marriages so that we may collectively ensure the well-being, survival and holistic development of all girls in our country to enable them to contribute to nation building in an effective way.

4. I, therefore, request you to kindly issue necessary directions to all the officials concerned for implementation and compliance of the orders of the Hon'ble Supreme Court in letter and spirit. I also request that feedback on the way forward may kindly be provided to this Ministry by 18.11.2024 at email id women-welfare1@gov.in under the Subject heading "Feedback on Way Forward for Bal Vivah Mukh Bharat Initiative."

With Regards

Yours sincerely,

Encl: As above.

Sd/-

(Anil Malik)

Chief Secretaries/ Administrators of all States/ UTs.

Copy to:

Addl. Chief Secretary/Principal Secretary/ Secretary, Women and Child Development/ Social Welfare Department of all States/ UTs.

Sd/-

(Anil Malik)

Copy for similar action to:

1. Secretaries to Government of India of Ministry/ Department of (i) School Education and Literacy, (ii) Higher Education, (iii) Home Affairs, (iv) Justice, (v) Panchayati Raj, (vi) Rural Development, (vii) Health and Family Welfare, (viii) Social Justice and Empowerment, (ix) Empowerment of Persons with Disabilities, (x) Tribal Affairs, (xi) Minority Affairs, (xii) Skill Development and Entrepreneurship.
2. The Member Secretary, NALSA.
3. The Member Secretary, NCPDR.

(Anil Malik)