

No.F. 34(340)-DSWE/LA/2004  
™ GOVERNMENT OF TRIPURA  
-DbuAllpN SOCIAL WELFARE & SOCIAL EDUCATION) DEPARTMENT

Dated, Agartala, the ^LNovember, 2007

NOTIFICATION

In exercise of the powers conferred by Sub-Section (I) of Section 19 of the Prohibition of Child Marriage Act, 2006 (No.6 of 2007), the State Government hereby makes the following rules, namely: -

Short Title and Commencement. - (I) These rules may be called the  
Tripura Prohibition of Child Marriage Rules, 2007. \*

(2) They shall come into force on the date of their publication in the Official 'Gazette.

2, Definition. - In these rules, unless the context otherwise requires, -

- (a) " the Act" means The Prohibition of Child Marriage Act, 2006 (No, 6 of ■ 2007);
- (b) "child" means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age;
- (c) "child marriage".means a marriage to which either of the contracting parties is a child;
- (d) "contracting party\* in relation to a marriage, means either of the parties whose marriage is or about to be thereby solemnized;
- (e) "Child Marriage Prohibition Officer" includes the Child Marriage Prohibition Officer appointed under sub-section (I) of section 16;
- (f) "district court" means, in any area for which a Family Court established under section 3 of the Family Courts Act, 1984 exists, such- Family Court, and in any area lor which there is no Family Court, but a city civil court exists, that court and in any other area, the principal civil court of

includes any other civil court which may be specified by the state Government, by notification in the Official Gazette, as having jurisdiction in respect of the matters dealt with in the Act;

Form" means form annexed to these rules;

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"minor means a person who, under the provisions of the Majority Act, 1875 is to be

- (C) deemed not to have attained majority; The state government " means the Government of  
id) Tripura;

- (e) <sup>3</sup> ~~Method of Appointment, duties, functions and powers of the Child Marriage Prohibition~~

Officers , - (I) The State Government shall appoint Child Marriage Prohibition Officers in

every Sub-division in the state allotting specified area of jurisdiction, The appointment of

Child Marriage Prohibition Officers specifying their jurisdiction with the details of duties, functions, powers including the powers of Police Officers conferred of them under section 16 (4) of the Act, shall be notified in the official gazette and every such appointment shall take effect from the date of its notification.

(2) No person below the rank of Sub-Divisional Magistrate or holding equivalent post under the state government shall be appointed or entrusted with the duties of a Child Marriage Prohibition Officer.

(3) All Child Marriage Prohibition Officers shall discharge their duties with due care, decorum and in a manner to uphold the objects of the Act.

(4) The Child Marriage Prohibition Officers approach shall be primarily preventive for which they shall make constant endeavor to create awareness of the evil which results from child marriages and to sensitize the community on the issue of child marriage.

(5) Every Child Marriage Prohibition Officer shall hold at least one awareness camp every two months' within the area of his jurisdiction to sensitize the community on the issue of child marriage until otherwise directed by the state government by notification in official gazette, and the Sub-Divisional Medical Officer or any other Medical Officer nominated by him shall remain present in such camp as a resource person.

(6) The Child Marriage Prohibition Officers shall L \*  
 Director, Social Welfare & Social Edu^ti '  
 once every two months as to the number  
 the month, the number of child ma ' . are P<sup>33</sup> held by him\_ during in court under f •» ' 95 Contract8d J, number, of  
 petitions filed by him  
 in court under section 3 of the Art fnr <■ ACt decree of nullity of the child marriage, Lumber //  
 of applications/ complaints filed by him in nm J < 7 Jm in court for prosecution under the Act, I /  
 number of child marriages prevented and numhJ' \* u-u < 1  
 y P («vented and number of child marriages declared by court to be  
 null and void. i ' /

(7) The Director Social Welfare and Social Education Department shall consolidate the reports  
 received under the preceding rule and publish an annual bulletin for general information

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(8) The Sub-Divisional Police Officer of the concerned Sub Division shall assist every Child  
 Marriage Prohibition Officer in the discharge of his duties and functions and in the exercise of his  
 powers\* • ■" j. l

4. Procedure for Investigation and prosecution of offence? - (1) On receipt of the information that  
 a child marriage in contravention of this Act has been arranged or about to be solemnized, the  
 Child. Marriage Prohibition Officer shall immediately file an application to the Sub-Divisional  
 Judicial Magistrate or the Chief Judicial Magistrate, as the case, may be, for injunction for  
 prevention of such marriage. Such applications may also be made by any person having personal  
 knowledge or reason to believe and a non-governmental organization having reasonable  
 information relating to the likelihood of or solemnization of child marriage or marriages. ; :

(2) The Child Marriage Prohibition Officer. on receipt of Information about the solemnization  
 of child marriage shall conduct an on the =pot investigation end codec, evldence.'either oral or in  
 writing, from the contacting part, or witnesses or he can

fix up a data and hear the contracting party and  
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(4) The witnesses detained by the Child Marriage Prohibition Officer In'hil for the purpose of investigation shall be entitled to travelling and diet expends at the rate office  
admissible to witnesses appearing in court. // I'H

(5) The Child Marriage Prohibition Officer, may, for the purpose of investigation intimate or serve notices to the contracting party' and witnesses In Form 2 of the date, time and place of recording evidence and hearing. <'

(6) . Any person disobeying the notice for appearing as a witness when called upon to do so by order in writing delivered or tendered to him, shall be deemed to have committed an offence punishable under section 187 of the Indian Penal Code (45 of 1860).

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(7) A report in all cases investigated by the Child Marriage Prohibition Officer, when there is a prima facie finding as to the commission of an offence, alongwith the statement recorded, all other connected documents of the proceedings and a brief account of his findings shall be submitted to the competent Judicial Magistrate for prosecuting the offenders. This report shall be deemed to be a report under section 173 of Code of Criminal Procedure, 1973 (Act 2 of 1974).

#### 5. Limitation and Conditions subject to which a Child Marriage Prohibition Officer may exercise the powers of Police Officej.

(1) Save and except the provisions of Chapters V of the Code of Criminal procedure, namely. the power of arrest a person without warrant, the Child Marriage Prohibition Officers shall have the powers of a police officer, under the Code for the purpose of Investigation. \*\*\*■>  
Judicial Magistrate.

**Tripura Gazette, Extraordinary Issue, December 5, 2007 A. D.**

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(2) Whenever the Child Marriage Prohibition Officer has reasonable grounds for believing that an offence punishable under this Act has been or is being or is about to be committed within his jurisdiction and that the search of any premises with warrant cannot be made without undue delay, he may, after sending the grounds of his belief to the District Magistrate—then march such premises without a warrant

(3) Before making a search wider sub-section (2), the Child Marriage Prohibition Officer shall call upon two or more residents of the locality in which the place to be searched is situated, to attend and witness the search, and may issue an order in writing

(4) If any person, without reasonable cause, refuses or neglects, to attend and witness a search under this rule, when called upon to do so by an order in writing delivered or tendered to him, he shall be deemed to have committed an offence punishable under Section 137 of the Indian Penal Code (45 of 1860).

6. Declaration of Child Marriage Prohibition Officer as Public Servant

Every Child Marriage Prohibition Officer shall be deemed to be a public servant within the meaning of 21 of the Indian Penal Code, 1860

6. Protection of Action taken in good faith? /- "

No suit or legal proceeding shall lie against the Child Marriage Prohibition Officer, and any police officer or a person assisting him in respect of anything which is in good faith done or intended to be done in pursuance of the Act or the Rules.

7. Interpretation.

If any question arises relating to the interpretation of these rules, the same shall be referred to the state government

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By order of the Governor,  
**i SA J ^4** a/u/t,}  
,  
Under Secretary to the  
Government of Tripura.

**Tripura Gazette, Extraordinary Issue, December 5, 2007 A. D.**

PART-IA- Orders and Notifications by the Government of India, Statutory Notifications of the Election Commission of India and other Election Notifications published for General information. Orders and Notifications which have originally been published in the "Gazette of India" are only re-published.

**MINISTRY OF WOMEN AND CHILD DEVELOPMENT**

**NOTIFICATION**

New Delhi, the 30th October, 2007.

S.O. 1850 (E).— In exercise of the powers conferred by Sub-section (3) of Section 1 of the Prohibition of Child Marriage Act, 2006 (6 of 2007), the Central Government hereby appoints the 1st day of November, 2007, as the date on which the said Act shall come into force.

(F. No. 10-5/2007-CM J  
P. BOLIN A, Jt. Secy.

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Printed at the Tripura Government Press, Agartala.

Government of Tripura  
Education (Social Welfare & Social Education) Department  
Malancha, Ujan Abhoynagar  
Agartala, West Tripura

No F.87 (2-16)/DSWE/CW/2003/  
the1/2012

Dated. Agartala,

### NOTIFICATION

In exercise of the powers conferred under Section 16 of The Prohibition of Child Marriage Act, 2006 ( No. 6 of 2007), the State Government hereby appoints the following Sub-Divisional Magistrates in the newly created Sub-Divisions as Child Marriage Prohibition Officers to exercise their functions within the areas as specified below:-

Sl. No.	Name of the Sub-Division	Designation of the Officer	Areas of the jurisdiction
1	2	3	4
1.	Mohanpur	Sub-Divisional Magistrate, Mohanpur.	Mohanpur Sub-Division.
2.	Jirania	Sub-Divisional Magistrate, Jirania.	Jirania Sub-Division.
3.	Panisagar	Sub-Divisional Magistrate, Panisagar.	Panisagar Sub-Division.
4.	Kumarghat	Sub-Divisional Magistrate, Kumarghat.	Kumarghat Sub-Division.
5.	Jampuijala	Sub-Divisional Magistrate, Jampuijala.	Jampuijala Sub-Division.
6.	Karbook	Sub-Divisional Magistrate, Karbook.	Karbook Sub-Division.

O 2 The Child Marriage Prohibition Officers (SDMs) hereby appointed shall, in addition to their functions and duties laid down in the Probation of Child Marriage Act, 2006 and Rules made by the State Government there under, discharge the following duties, namely:- (i) to prevent solemnization of child marriage by taking such action as he may deem fit;

to collect evidence for the effective prosecution of persons contravening the provisions of this Act;

to advise either individual cases or counsel the residents of the locality generally not to indulge in promoting, helping, aiding or allowing the solemnization of child marriage;

to create awareness of the evil which results from child marriage, to sensitize the community on the issue of child marriages, to furnish such periodical returns and statistics as the State Government may direct, and

(iv)

(v)

(vi)

Contd.

Mb\* to discharge such other functions and duties as may

State Government,

assigned to him by the

K The Child Marriage Prohibition Officers shall have the power to move the  
Order under sections 4, 5 and 13 and along with the child under section 3 of  
of Child Marriage Act, 2006 of Child Marriage Act, 2006

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4 Save and except the provisions of Chapters V of the Code of Criminal Procedure namely, the power  
of arrest of a person without warrant, the Child Marriage Prohibition Officers shall have the powers of a  
police officer under the said Code for the purpose of investigation and submission of  
report before the competent Judicial Magistrate. This report shall be deemed to be a report under  
section 173 of Code of Criminal Procedure, 1973 (Act 2 of 1974)

This is issued in continuation of Notification No.F.34(340)/DSWE LA/2004 dated 2/  
November, 2007.

This will come into force from the date of issue of this notification.

By order of Governor

(N.C. Sinha)

Principal Secretary to the

Government of Tripura

Copy to -

1. The Principal Secretary to the Chief Minister, Govt, of Tripura, Agartala.
2. The Office of all Hon'ble Ministers, Govt, of Tripura, Agartala.
3. The Chief Secretary, Government of Tripura, Agartala.
4. The Director General of Police, Govt, of Tripura, Agartala.
5. The Director General of Police, Govt, of Tripura, Agartala.

PA to the Principal Secretary, SW & SE Department, Govt, of Tripura,

Agartala All District Magistrate & Collectors, Govt, of Tripura .....

7 The Director, SW & SE, Govt, of Tripura, Agartala.

8 All Sub-Divisional Magistrate, Govt, of Tripura .....

9 All Branch Officer, Directorate of SW & SE, Govt, of Tripura, Agartala

10. The Manager, Tripura Government Press. Tripura, Agartala with

request to publish the same in extra-ordinary issue of

Tripura Gazette.

(N.C. Sinha) 10/7/12

Principal Secretary to the

Government of Tripura



Published by Authority

**EXTRAORDINARY** ISSUE

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~ c.no Notmcai.ions by the Government of Tripura  
i it: High Court. Government Treasury etc.

NO.F.34 (340VDSWE.LA/2004  
GOVERNMENT OFTRIPURA  
tDUCAf^N (OJUAL WELFARE & SOCIAL EDUCATION) DEPARTMENT  
TRIPURA: AGARTALA.

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**NOTIFICATION**

In exercise of the powers conferred under Section 16 of The Prohibition of Child Maniage Act, 2006 (No.6 of 2007), the Slate Government hereby appoints the following ofltcers as Child-Marriage Prohibition Officers to exercise their functions within the areas as specified herein below: \_\_\_\_\_\*

SL No.	Name of the Sub-Division.	Design mien of the Officer.	Area of Jurisdiction
1.	Dharmanagar	Sub-Divisional Magistrate. Dhnnnanngar	Dharmanagar Sub-Division
	Kanchanpur.	Sub-Di visional Magi str ate. Kanchnnpur, '	Kanchanpijr Sub-Division
Li.	Kailashahsir.	S ub - Di visi onal Magistrate, ' Kailas hahar.	Kailashaliar Sub-Di vis ion
•H.	'LongLaiai Vidic} .	Sub-Divisional Magistiatc. Longlarai Vullut .	Lnnngtnrai Valle) Sub-Division
□ -	Gandacharra.	Sub-Divisiona l Mngisti ate. <u>Gandacharra</u> .	Gan da chai ia Sub-Division
I G.	Ambassa.	Sub-Divisional Magirdiale. <u>An thus -xa.</u>	Atnbassa Snb-IJivision
7.	<b>Kama Ip ur</b>	Sub-Divisiioial Magisti ate. Kamalpur	Kninnlpur Sub-Division
S.	Tcliavnura.	Sub-Divisional Magistrate, <u>Tcliamura</u> .	Tcliamura Sub-Division
9.	Khowai	Sub-Divisional Magistrate. Khc-.vai	Khoivat Sub-Division
10.	Sadar	Sub-Divisional Magistrate. Sadar	Sadar Sub-Division
11.	Bishalgarh	Sub-Divisional Magistrate, Bishalparh	Bishalgarh Sub-Division
1 2.	Sonrimura.	Sub-Divisional Ma gin if ate, Spun mm a.	Sonamura Sub-Division
13.	Udaipur.	Sub-Divisional Magistiate. Udaipur.	Udaipur Sub-Division
14.	Amarpur.	Sub-Divisional Magistrate. Amarpur,	Amarpur Sub-Division
15.	Santirbazar.	Sub-Divisional Magistiatc. Santirbazar,	Santirbazar Sub-Division
16.	Bclonia,	Sub-Dii is iuna l Magi st rate. Belon :i	Bclonia Sub-Division
~7~	Sabi oom.	Sub-Di visional fl agist rate. Mabrixim	Sabromn Sub-Division

The Child Marriage Prohibition Office™  
n.ncuons and duties laid down in The Prohibition of Child Marriage Act, 2006  
by the State Government there

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"> uiscnargc the following duties, namely

- (i) to prevent solemnization of child marriage by taking such action as he may deem fit ;
- (ii) to collect evidence for the effective prosecution of persons contravening the provisions of this Act;
- (iii) to advise either individual cases or counsel the residents of the locality generally not to indulge in promoting, helping, aiding or allowing the solemnization of child marriages;
- (iv) to create awareness of the evil which results from child marriages ;
- (v) to . sensitize the community on the issue of child marriages ; to furnish such periodical returns and statistics as the State Government may direct ; and
- (vi) to discharge such other functions and duties as may be assigned to him by the State Government;
- (vii)

3. The Child Marriage Prohibition Officers shall have the power to move the court for an order under section 4, and along with the child under section 3 of the Prohibition of Child Marriage Act, 2006.

And save and except the provisions of Chapters V of the Code of Criminal Procedure, namely the power of arrest of a person without warrant, the Child Marriage Prohibition Officers shall have the powers of a police officer under the said Code for the purpose of investigation and submission of report before the competent Judicial Magistrate. This report shall be deemed to be a report under section 173 of Code of Criminal Procedure, 1973 (Act 2 of 1974).

5 This will take effect from the date of its publication in Official Gazette.

By order of the Governor,

Government of Tripura.  
Under Secretary to the