

In the Supreme Court of India  
Writ Petition (Civil) No. 382 of 2013

IN THE MATTER OF:

INDEPENDENT THOUGHT

.....Petitioner

Versus

UNION OF INDIA & ANR.

.....Respondent

AFFIDAVIT ON BEHALF OF THE RESPONDENT  
MINISTRY OF WOMEN AND CHILD DEVELOPMENT  
(UNION OF INDIA)

I Manoj Kumar Prabhat S/o Shri Dukhan Mahto aged about 45 years, working as Under Secretary with Ministry of Women and Child Development, Government of India having office at Shastri Bhawan, New Delhi do hereby solemnly affirm and declare on the basis of records as under:

1. That with reference to this writ petition, the Ministry of Women and Child Development has been informed through



*Manoj Kumar Prabhat*  
(मनोज कुमार प्रभात)  
(MANOJ KUMAR PRABHAT)  
अवर सचिव/Under Secretary  
महिला एवं बाल विकास मंत्रालय  
Ministry of Women & Child Dev.  
भारत सरकार/Govt. of India

D.No.4669/2013/SC/PIL(W), dated 10/08/17 (received in this Ministry on 17/08/17), from Assistant Registrar, Hon'ble Supreme Court of India marked to Union of India, Secretary, Ministry of Law and Justice, Department of Legislative Affairs and Union of India, Secretary, Ministry of Women and Child Development. The letter refers to Hon'ble Supreme Court order dated 09/08/2017, wherein the UOI was directed to inform the Hon'ble Court about number of Child Marriage Prohibition Officers (CMPOs) appointed under the provisions of Child Marriage Prohibition Act, 2006 and the number of prosecutions that have been instituted over the last three years.

2. That it is informed that in the order dated 09/08/2017 the above mentioned directions have been made to Union of India and there is no reference about Ministry of Women and Child Development.

3. That it is vide D.No.4669/2013/SC/PIL(W), dated 10/08/17 (received in this Ministry on 17/08/17), this Ministry was informed



*Minister*

and directed to furnish information related to number of CMPOs and prosecutions under Child Marriage Prohibition Act, 2006.

4. That it is informed that this Ministry has taken note of the directions of the Hon'ble Supreme Court and has requested States/UTs vide its letter No.25/116/2017-WW(I), dated 17/08/17 and 24/08/17 to provide the desired information. Letters annexed as **Annexure-A**.

5. That this Ministry is trying to seek the desired information from the concerned State Governments and UTs. Presently, this Ministry has received information from 10 States/UTs and the same is annexed as **Annexure-B**.

6. That the information related to cases registered/prosecutions held under Child Marriage Prohibition Act, 2006 as per information obtained from National Crime Records Bureau (NCRB) vide UO No.STT(200)/CII-data Supply/205/2017/ NCRB through Ministry of Home Affairs is Annexed as **Annexure-C**.



  
(मनोज कुमार प्रभात)  
(MANOJ KUMAR PRABHAT)  
अवर सचिव/Under Secretary  
महिला एवं बाल विकास मंत्रालय  
Ministry of Women & Child Dev.  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

7. That this Ministry has been making rigorous efforts to collect requisite complete information related to Child Marriage Prohibition Officers (CMPOs) under the Prohibition of Child Marriage Act, 2006 from all the States /UTs. Therefore, it is requested that this Ministry may be given six weeks time to furnish consolidated information.

*Manoj Kumar Prabhat*

DEPONENT

(मनोज कुमार प्रभात)  
(MANOJ KUMAR PRABHAT)  
अवर सचिव/Under Secretary  
महिला एवं बाल विकास मंत्रालय  
Ministry of Women & Child Dev.  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

Verification

I, the above named deponent do hereby verify that the contents of the foregoing affidavit are true to the best of my knowledge based on records and no part of it is false and nothing material has been concealed therefrom.

Verified at New Delhi, on 26<sup>th</sup> day of August, 2017.

*Manoj Kumar Prabhat*

DEPONENT

(मनोज कुमार प्रभात)  
(MANOJ KUMAR PRABHAT)  
अवर सचिव/Under Secretary  
महिला एवं बाल विकास मंत्रालय  
Ministry of Women & Child Dev.  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi



Certified that the above affidavit was made before me and the deponent was present before me and the contents of the affidavit are true to the best of my knowledge and belief.

26 AUG 2017

Annexure - 1

Most Urgent  
Court Matter

No.25/116/2017-WW(I)  
Government of India  
Ministry of Women & Child Development  
(Women Welfare Division)

A-Wing, Room No. 313  
Shastri Bhavan, New Delhi-1  
Dated : 17<sup>th</sup> August, 2017

To,

The Chief Secretary/Principal Secretary  
(All the States/UTs)

Subject : Writ Petition(Civil) No.382/2013 Independence Thought Vs. Union of India  
- Reg.

Sir/Madam,

1. I am directed to refer to Writ Petition (Civil) No.382/2013 in the case of Independence Thought Vs. Union of India (copy enclosed). The Hon'ble Supreme Court, while hearing the said W.P. has desired to know the number of Child Marriage Prohibition Officer that have been appointed in the country under the Provision of the Child Marriage Prohibition Act, 2006 and the number of Prosecutions that have been instituted over the last three year under this Act. In addition to this, it has also been requested to furnish the number of prosecutions that have been instituted over the last three years under this Act.

2. In view of above, it is requested to furnish the requisite information to this Ministry at the earliest so that a consolidated response may be submitted before the Hon'ble Supreme Court.

3. This may be treated as *urgent*.

Yours faithfully,



(M. K. Prabhat)

Encl. As above.

Under Secretary, to the Government of India  
Tel. : 011-23381970



**ANNEXURE B****Statement showing the number of Child Marriage Prohibition Officers**

Sl. No	State/UT	No. of Child Marriage Prohibition Officers
1.	Haryana	21
2.	Punjab	82 (SDMs are appointed as CMPOs)
3.	Uttarakhand	13 (District Programme Officers)
4	Tamilnadu	32 (District Social Welfare Officers
5.	Telangana	19,202 (District Collector) Revenue Divisional Officer, Sub-collector, Child Development Project Officers, Tehsildars, ICDS Supervisors, Panchayat Secretaries, Village Administrative Officers- Revenue Department).
6.	Chandigarh	3 (SDMs)
7.	Madhya Pradesh	51 (DMs)
8.	Uttar Pradesh	75 (DPOs/CDPOs)
9.	Jharkhand	264 (BDOs)
10.	Chattisgarh	247 (DPOs, DWCDO, CDPOs)

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पूर्व ब्लॉक -7 , रामाकृष्णा पुरम / East Block-7, R K Puram  
नई दिल्ली- 110 066 / New Delhi- 110 066

Subject: Data on the Prohibition of Child Marriage Act, 2006 - reg.

Ministry of Home Affairs may please refer their D.O. No. 10/13/2013-Judicial Cell-I dated 11<sup>th</sup> August, 2017 on the above mentioned subject. :

In this connection, State/UT-wise cases registered, persons arrested, cases chargesheeted, persons chargesheeted, cases convicted and persons convicted under the Prohibition of Child Marriage Act, 2006 during 2014-2016 is enclosed as Annexure - I.

It is mentioned that data on health of girls who are married at the age of 15 to 18 years and number of Child Marriage Prohibition Officers that have been instituted under this Act is not maintained by the Bureau separately.

This issues with the approval of Director, NCRB.

(एम. राजकुमार\ M. Rajakumar)

कनिष्ठ स्टाफ अधिकारी/Jr. Staff Officer

Ph: 011-26177378

Email: [stac@ncrb.nic.in](mailto:stac@ncrb.nic.in)

Dr. R.K. Mitra, Joint Secretary (Judicial), Ministry of Home Affairs, NDCC-II Building Jai Singh Road, New Delhi.

U.O. No. STT(200)/CII-data Supply/205/2017/NCRB

Dated:14.08.2017



State/UT-wise cases registered (CR), persons arrested (PAR), cases chargesheeted (CS), persons chargesheeted (PCS), cases convicted (CV) and persons convicted (PCV) under the Prohibition of Child Marriage Act, 2006 during 2014-2016\*

Annexure - I

Sl.	State/UT	2014						2015						2016*					
		CR	PAR	CS	PCS	CV	PCV	CR	PAR	CS	PCS	CV	PCV	CR	PAR	CS	PCS	CV	PCV
1	Andhra Pradesh	16	34	9	30	0	0	15	54	13	31	0	0	19	46	10	39	1	2
2	Assam	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Bihar	4	4	2	2	0	0	14	12	2	2	0	0	23	31	3	3	0	0
4	Chhattisgarh	10	10	5	5	2	2	0	0	0	0	0	0	0	0	0	0	0	0
5	Goa	2	4	2	4	0	0	6	12	6	12	0	0	8	21	7	21	0	0
6	Gujarat	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Haryana	16	76	20	92	2	9	9	47	8	43	4	16	12	53	11	51	3	8
8	Himachal Pradesh	15	16	8	15	2	6	14	21	8	17	1	1	14	25	13	27	0	0
9	Himachal Pradesh	4	18	4	22	0	0	1	4	0	0	0	0	0	2	1	6	0	0
10	Jammu & Kashmir	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11	Karnataka	1	1	1	1	0	0	1	4	1	4	0	0	4	4	3	4	0	0
12	Kerala	44	66	23	63	1	3	35	99	29	75	0	0	51	139	37	118	1	1
13	Kerala	19	41	18	38	0	0	13	11	8	9	1	2	8	10	12	11	0	0
14	Madhya Pradesh	15	58	15	58	3	4	9	30	7	30	5	17	9	32	10	32	0	0
15	Madhya Pradesh	14	72	7	53	0	0	24	78	25	98	0	0	16	59	10	51	0	0
16	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20	Madhya Pradesh	0	0	0	0	0	0	1	1	1	1	0	0	15	16	7	14	0	0
21	Madhya Pradesh	2	3	0	0	0	0	5	12	4	5	0	0	12	36	8	36	0	0
22	Madhya Pradesh	5	20	4	19	1	12	6	22	5	23	0	0	0	0	0	0	0	0
23	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24	Madhya Pradesh	47	133	32	84	1	5	77	183	57	168	3	11	55	151	35	101	4	18
25	Madhya Pradesh	13	42	8	22	0	0	15	47	15	47	0	0	19	49	18	53	0	0
26	Madhya Pradesh	1	2	1	2	0	0	2	6	2	6	0	0	1	1	0	0	0	0
27	Madhya Pradesh	10	33	9	33	2	7	4	10	3	6	1	6	3	10	2	9	0	0
28	Madhya Pradesh	0	0	0	0	0	0	1	5	1	5	0	0	1	1	1	1	0	0
29	Madhya Pradesh	37	74	50	59	1	1	40	35	43	72	0	0	41	38	40	43	0	0
30	Madhya Pradesh	37	74	50	59	1	1	40	35	43	72	0	0	41	38	40	43	0	0
31	Madhya Pradesh	275	707	218	602	15	49	292	693	238	654	15	53	319	734	231	630	10	35
32	Madhya Pradesh	0	0	0	0	0	0	1	9	0	0	0	0	1	2	2	11	0	0
33	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
34	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
35	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
36	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
37	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
38	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
39	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
40	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
41	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
42	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
43	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
44	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
45	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
46	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
47	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
48	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
49	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
50	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
51	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
52	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
53	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
54	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
55	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
56	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
57	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
58	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
59	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
60	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
61	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
62	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
63	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
64	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
65	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
66	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
67	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
68	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
69	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
70	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
71	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
72	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
73	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
74	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
75	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
76	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
77	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
78	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
79	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
80	Madhya Pradesh	0	0	0	0	0	0												