

## Parents are behind child marriages, says SC

The Supreme Court on Thursday said it was unfortunate that parents drive their minor children into marriage, while noting that at least one in three marriages in rural areas involve girl children below the age of 18.

“It is a hard reality and is unfortunate that most of the child marriages happening in the country are done by parents of the girl child. However, to this, there are odd exceptions when a minor boy and girl fall in love and marry on their own,” a Bench of Justices M.B. Lokur and Deepak Gupta said.

The Bench is hearing a petition filed by NGO Independent Thought challenging the Exception 2 to Section 375 (rape) of the Indian Penal Code, which permits “intrusive sexual intercourse with a girl child aged between 15 and 18 only on the ground that she is married.”

The NGO, represented by advocate Gaurav Agarwal, said the statutory exception to rape was violative of right to life, personal liberty, equality and is discriminatory.

The Exception is part of the Criminal Law (Amendment) Act of 2013 and is contrary to the anti-child sex abuse law, Protection of Children from Sexual Offences Act of 2012 (POCSO).

Mr. Agarwal argued that the law “violates the health of not only the girl child concerned, but also generations to come.”

He said society must go forward and not get stuck with what was the social norm over 70 years ago.

END

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