

AN EMPIRICAL SOCIO-LEGAL STUDY ON THE MINIMUM AGE OF MARRIAGE UNDER THE HINDU MARRIAGE ACT, 1955 BE UNIFORMLY FIXED AT TWENTY-ONE YEARS FOR BOTH MEN AND WOMEN

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Abstract

The minimum age prescribed for marriage under the Hindu Marriage Act, 1955 has emerged as a significant issue in contemporary family law, particularly in the context of constitutional equality, women's empowerment and social reform. While the law presently prescribes eighteen years as the minimum age for women and twenty-one years for men, the proposal to prescribe a uniform minimum age of twenty-one years for both sexes has generated considerable legal and public debate. Supporters contend that such a reform would strengthen gender equality, improve maternal and child health, encourage higher education and enhance the economic participation of women. Critics, however, argue that legislative intervention alone cannot address the underlying socio-economic causes of early marriage and that any increase in the legal age should not unduly restrict the autonomy of consenting adults.

Against this backdrop, the present study critically examines whether the existing legal distinction in the minimum age of marriage continues to be justified under the Hindu Marriage Act, 1955. The research adopts a socio-legal approach by integrating doctrinal analysis of statutory provisions, constitutional principles, judicial pronouncements and comparative legal developments with an empirical survey conducted among young adults. The study seeks to analyse the extent to which a uniform minimum marriage age is perceived as an instrument for promoting gender justice and social welfare while also assessing concerns relating to personal liberty and practical implementation. Rather than approaching the issue from a predetermined standpoint, the research evaluates competing legal and policy perspectives with the objective of determining whether reform of the existing law is both constitutionally desirable and socially sustainable. It is expected that the findings will contribute to the ongoing discourse on family law reform by offering evidence-based recommendations for balancing equality, individual autonomy and the larger public interest.

Keywords: Hindu Marriage Act, Minimum Age of Marriage, Gender Equality, Child Marriage, Women's Empowerment, Constitutional Law, Socio-Legal Study.

1. Introduction

Section 5(iii) of the Hindu Marriage Act, 1955 prescribes one of the essential conditions for a valid Hindu marriage by requiring that the bridegroom must have completed twenty-one years of age and the bride eighteen years at the time of marriage. This distinction reflects the historical socio-cultural context in which women were expected to marry earlier than men. However, rapid socio-economic transformation, increased access to higher education, greater participation of women in the workforce and the constitutional commitment to gender equality have prompted renewed debate regarding the continued justification for prescribing different minimum marriage ages for men and women.

The proposal to increase the minimum age of marriage for women has generated significant legal, constitutional and policy debate in India. The issue extends beyond family law and raises important questions concerning gender equality, individual autonomy, public health and women's empowerment. While supporters of the reform argue that increasing the marriage age would improve educational attainment, maternal health and economic participation, others contend that legislative intervention

alone cannot eliminate the socio-economic factors responsible for early marriages. The continuing debate demonstrates that determining an appropriate minimum marriage age requires balancing constitutional rights with legitimate social objectives. Although the legal aspects of marriage-age regulation have been extensively examined, comparatively limited empirical research has analysed the perceptions of young adults regarding the proposed reform. Most existing studies adopt a doctrinal approach by interpreting statutory provisions and constitutional principles, whereas little empirical evidence is available regarding the opinions of undergraduate students who are likely to be directly affected by future legislative changes. Understanding their perceptions is essential for assessing the practical acceptability and social implications of any proposed amendment. Against this backdrop, the present study adopts a doctrinal and empirical approach to examine the proposal to raise the minimum age of marriage for women under the Hindu Marriage Act, 1955. The doctrinal component analyses the statutory and constitutional framework governing marriage-age regulation, while the empirical component evaluates the perceptions of undergraduate students regarding the proposed amendment. By integrating legal analysis with primary empirical evidence, the study seeks to assess whether prescribing a uniform minimum marriage age of twenty-one years for both men and women would advance the objectives of gender equality, constitutional justice and social welfare.

The study contributes to the existing discourse on marriage-law reform by combining doctrinal legal analysis with empirical evidence from undergraduate students. The findings are expected to assist legislators, policymakers and researchers in evaluating the constitutional validity, social acceptability and practical implications of raising the minimum age of marriage for women under the Hindu Marriage Act, 1955.

2. Review of Literature

2.1 Books

2.1.1 Mulla's Principles of Hindu Law

Mulla provides a comprehensive exposition of Hindu matrimonial law and explains the statutory conditions governing a valid Hindu marriage under the Hindu Marriage Act, 1955. The commentary discusses the legal significance of Section 5(iii), which prescribes the minimum age of marriage, and examines the consequences of non-compliance with statutory conditions. However, it does not critically evaluate the proposal to prescribe a uniform minimum marriage age for men and women.

Finding: The work explains the existing legal position but offers limited analysis of contemporary marriage-age reforms.

2.1.2 Paras Diwan's Modern Hindu Law

Paras Diwan traces the historical development of Hindu matrimonial law and analyses legislative reforms concerning child marriage, validity of marriage and matrimonial rights. The author discusses the Child Marriage Restraint Act, 1929, the Hindu Marriage Act, 1955 and the Prohibition of Child Marriage Act, 2006. However, the discussion is primarily doctrinal and does not assess public perception regarding the proposed increase in the minimum age of marriage.

Finding: The work provides doctrinal analysis but lacks empirical evaluation of marriage-age reforms.

2.1.3 M. P. Jain's Indian Constitutional Law

Jain examines constitutional principles governing equality, non-discrimination and personal liberty under Articles 14, 15 and 21 of the Constitution of India. The commentary explains the doctrine of reasonable classification and judicial standards for testing legislative validity. These constitutional principles provide the framework for examining whether prescribing different minimum marriage ages for men and women satisfies constitutional requirements.

Finding: The work establishes the constitutional framework but does not examine the issue specifically in the context of marriage-age reform.

2.1.4 Kusum's Family Law Lectures

Kusum analyses the relationship between family law and constitutional values, emphasising gender justice and legislative reforms affecting matrimonial law. The work discusses statutory provisions governing marriage and highlights the need for balancing legal reform with changing social realities. Nevertheless, it does not incorporate empirical evidence relating to public opinion on increasing the minimum age of marriage.

Finding: The work supports legal reform conceptually but does not evaluate stakeholder perceptions.

2.2 Research Articles

2.2.1 Marriage Age Reform and Gender Equality

Recent scholarly studies examine the proposal to raise the minimum age of marriage for women primarily from the perspective of gender equality, women's empowerment and constitutional justice. Most authors argue that a uniform marriage age promotes equality and educational advancement, while others caution that legislative reform should be accompanied by broader socio-economic measures.

Finding: Existing studies largely support reform but remain focused on doctrinal analysis.

2.2.2 Child Marriage and Women's Welfare

Several research articles analyse the relationship between early marriage, maternal health, educational attainment and economic participation. The literature consistently identifies delayed marriage as contributing to improved health outcomes and greater educational opportunities for women. However, these studies rarely examine the legal acceptability of increasing the statutory marriage age.

Finding: Previous research highlights the social benefits of delayed marriage but provides limited legal analysis.

2.2.3 Constitutional and Legal Debate

Scholars have debated whether prescribing different minimum marriage ages for men and women is compatible with constitutional guarantees of equality and non-discrimination. While many support legislative reform on constitutional grounds, others argue that personal autonomy and social realities should also be considered when determining the appropriate age of marriage.

Finding: The literature reflects divergent constitutional perspectives but lacks empirical validation.

2.3 Government Reports

2.3.1 Report of the Task Force on Age of Motherhood (Jaya Jaitly Committee)

The Task Force examined the legal, medical, educational and socio-economic implications of increasing the minimum age of marriage for women. The Committee recommended raising the age to twenty-one years to improve maternal health, nutritional status, educational attainment and women's participation in the workforce. These recommendations formed the basis of the Prohibition of Child Marriage (Amendment) Bill, 2021.

Finding: The report strongly supports legislative reform based on health and developmental considerations.

2.3.2 Prohibition of Child Marriage (Amendment) Bill, 2021

The proposed amendment sought to establish a uniform minimum marriage age of twenty-one years for women. The Bill was intended to promote gender equality and harmonise personal laws with constitutional principles. Although it stimulated extensive public and academic debate, it has not yet been enacted.

Finding: The proposed reform initiated significant policy debate but remains pending legislative approval.

2.4 Research Gap

The review of existing literature demonstrates that considerable attention has been devoted to the statutory framework governing marriage age, constitutional principles of equality and legislative

proposals relating to marriage-age reform. However, the majority of studies remain doctrinal in nature and focus primarily on legal interpretation or policy analysis. Very limited empirical research has examined the perceptions of undergraduate students regarding the proposal to increase the minimum age of marriage for women under the Hindu Marriage Act, 1955. Furthermore, existing studies rarely integrate constitutional analysis with empirical evidence obtained from the population most likely to be affected by future legislative reforms. The present study addresses this gap by combining doctrinal legal analysis with empirical data to evaluate the legal, constitutional and social acceptability of prescribing a uniform minimum marriage age of twenty-one years for women.

3. Research Methodology

3.1 Data Collection

The present study adopts a socio-legal research methodology, integrating both doctrinal and empirical approaches to examine whether the minimum age of marriage under the Hindu Marriage Act, 1955 should be uniformly fixed at twenty-one years for both men and women.

The doctrinal component of the study involves an analytical examination of the legal framework governing the minimum age of marriage in India. Primary sources of data include the Constitution of India, the Hindu Marriage Act, 1955, the Prohibition of Child Marriage Act, 2006, and relevant judicial pronouncements of the Supreme Court of India. Secondary sources comprise standard textbooks on Hindu and Family Law, peer-reviewed journal articles, government reports, committee reports, and publications of national and international organisations. A comparative analysis of the legal position relating to the minimum age of marriage in selected countries has also been undertaken to understand international practices and their relevance to the Indian legal system.

The empirical component of the research is based on primary data collected through a structured questionnaire prepared using Google Forms. The questionnaire consisted of demographic questions, awareness-based questions and nine perception statements measured on a five-point Likert scale. The perception statements assessed respondents' views regarding the proposal to prescribe a uniform minimum age of marriage for both men and women, with reference to women's education, financial independence, prevention of child marriage, maternal and child health, employment opportunities and gender equality. The survey was administered to undergraduate students, who constitute the study population, to assess their awareness of the existing legal provisions and their perceptions regarding the proposal to prescribe a uniform minimum age of twenty-one years for both men and women.

A convenience sampling technique was adopted for selecting the respondents due to accessibility and time constraints. Participation in the survey was voluntary, and respondents were informed that their identities would remain confidential and that the information collected would be used solely for academic research.

The collected data were classified, coded and analysed using appropriate statistical techniques. Descriptive statistics, including frequency distribution, percentages, mean and standard deviation, were used to summarise the responses. The Chi-square test was employed to examine the association between selected demographic variables and the respondents' perceptions regarding the proposed reform. The findings have been presented through tables and interpreted in the light of the existing legal framework, constitutional principles and comparative legal perspectives to arrive at meaningful conclusions.

3.2 Objectives of the Study

3.2.1 To assess the level of awareness among undergraduate students regarding the existing legal age of marriage under the Hindu Marriage Act, 1955 and the Government's proposal to prescribe a uniform minimum age of twenty-one years for both men and women.

3.2.2 To evaluate the overall perception of undergraduate students regarding the proposal to prescribe a uniform minimum age of marriage with reference to women's education, financial independence, prevention of child marriage, maternal and child health, employment opportunities and gender equality.

3.2.3 To examine whether the demographic characteristics and awareness of undergraduate students are significantly associated with their overall perception regarding the proposal to prescribe a uniform minimum age of marriage.

3.3 Hypotheses

H₀₁: Undergraduate students are not adequately aware of the existing legal age of marriage under the Hindu Marriage Act, 1955 and the Government's proposal to prescribe a uniform minimum age of twenty-one years for both men and women.

H₀₂: Undergraduate students possess a positive overall perception regarding the proposal to prescribe twenty-one years as the minimum age of marriage for both men and women.

H₀₃: There is a significant association between the demographic characteristics and awareness of undergraduate students and their overall perception regarding the proposal to prescribe a uniform minimum age of marriage.

4. Analysis and Interpretation of Data

The empirical component of the present study is based on responses collected from 148 undergraduate students through a structured Google Form questionnaire. The responses were coded, classified and analysed using descriptive statistical techniques. The demographic profile of the respondents is presented first, followed by an assessment of their awareness regarding the existing legal provisions relating to the minimum age of marriage under the Hindu Marriage Act, 1955 and the Government's proposal to prescribe a uniform minimum age of twenty-one years for both men and women.

4.1 Demographic Profile of Respondents

Table 4.1 Age-wise Distribution of Respondents

Age Group	Frequency	Percentage
Below 18 years	7	4.7
18–21 years	131	88.5
Above 21 years	10	6.8
Total	148	100.0

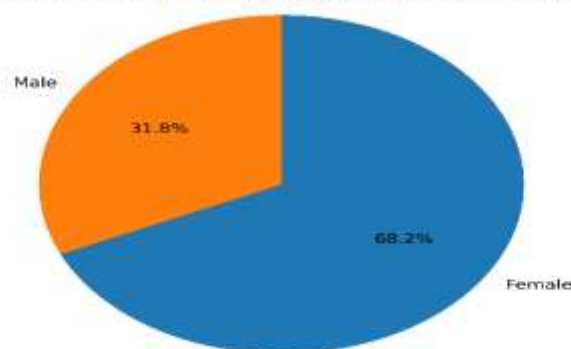
Interpretation

Table 4.1 reveals that a substantial majority of the respondents (88.5%) belonged to the **18–21 years** age group. Only 4.7% were below eighteen years of age, while 6.8% were above twenty-one years. Since the respondents largely fall within the age group directly affected by the proposed reform relating to the minimum age of marriage, their opinions are particularly relevant for the present study.

Table 4.2 Gender-wise Distribution of Respondents

Gender	Frequency	Percentage
Male	47	31.8
Female	101	68.2
Total	148	100.0

Figure 4.1. Gender Distribution of Respondents (N = 148)



Interpretation

The survey comprised 101 female respondents (68.2%) and 47 male respondents (31.8%). Although female respondents constitute a larger proportion of the sample, the participation of both genders enables a comparative analysis of perceptions relating to the proposed uniform minimum age of marriage.

Table 4.3 Educational Qualification of Respondents

Educational Qualification	Frequency	Percentage
Undergraduate	137	92.6
Graduate	6	4.1
Postgraduate	4	2.7
Other	1	0.6
Total	148	100.0

Interpretation

As expected, the respondents predominantly comprised undergraduate students (92.6%), which is consistent with the scope and limitation of the study. A small number of graduates (4.1%), postgraduates (2.7%) and respondents from other educational backgrounds (0.6%) also participated in the survey.

4.2 Awareness of Respondents

Table 4.4 Awareness of the Existing Legal Age of Marriage

Response	Frequency	Percentage
Yes	140	94.6
No	8	5.4
Total	148	100.0

Interpretation

An overwhelming majority of respondents (94.6%) were aware that the present legal age of marriage under the Hindu Marriage Act, 1955 is eighteen years for women and twenty-one years for men. Only 5.4% indicated that they were unaware of the existing legal provisions. This suggests a high level of legal awareness among the respondents regarding the current statutory position.

Table 4.5 Awareness of the Government's Proposal to Increase the Marriage Age of Women

Response	Frequency	Percentage
Yes	132	89.2
No	16	10.8
Total	148	100.0

Interpretation

The findings indicate that 89.2% of the respondents were aware of the Government's proposal to prescribe twenty-one years as the minimum age of marriage for women, whereas only 10.8% were unaware of the proposal. This demonstrates that the issue has received considerable public attention among undergraduate students.

Analysis

The demographic profile indicates that the study primarily reflects the opinions of undergraduate students between the ages of eighteen and twenty-one years, which is appropriate given that they constitute the group most directly affected by any future reform relating to the minimum age of marriage. The relatively high proportion of female respondents provides valuable insight into the

perceptions of a group that would be directly impacted by any amendment increasing the minimum age of marriage for women.

The findings relating to awareness are noteworthy. More than nine out of every ten respondents were aware both of the existing legal position and of the Government's proposal for reform. Such a high level of awareness enhances the reliability of the subsequent opinion-based responses, as the respondents were generally informed about the legal issue under consideration. It also suggests that debates concerning the minimum age of marriage have reached young people through educational institutions, social media and other sources of information.

These observations provide an appropriate foundation for analysing respondents' perceptions regarding the desirability of prescribing a uniform minimum age of twenty-one years for both men and women, which is discussed in the subsequent section.

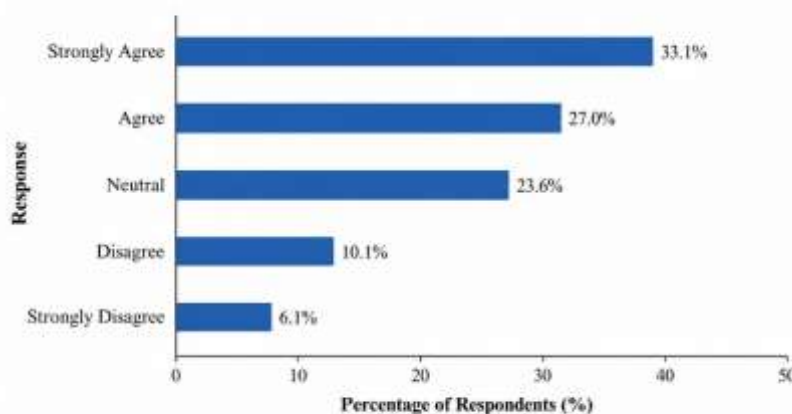
4.3 Perception of Undergraduate Students Regarding the Proposal to Prescribe a Uniform Minimum Age of Marriage

The respondents were requested to express their opinion on various statements relating to the proposal to prescribe twenty-one years as the minimum age of marriage for both men and women. Their responses were recorded on a five-point Likert scale ranging from "Strongly Agree" to "Strongly Disagree". The results are presented below.

Table 4.6 Opinion on Prescribing the Same Minimum Marriage Age for Men and Women

Response	Frequency	Percentage
Strongly Agree	49	33.1
Agree	40	27.0
Neutral	35	23.6
Disagree	15	10.1
Strongly Disagree	9	6.1

Figure 4.6. Respondents' Opinion on Prescribing the Same Minimum Marriage Age for Men and Women (N = 148)



Source: Primary data collected by the researcher (2026).

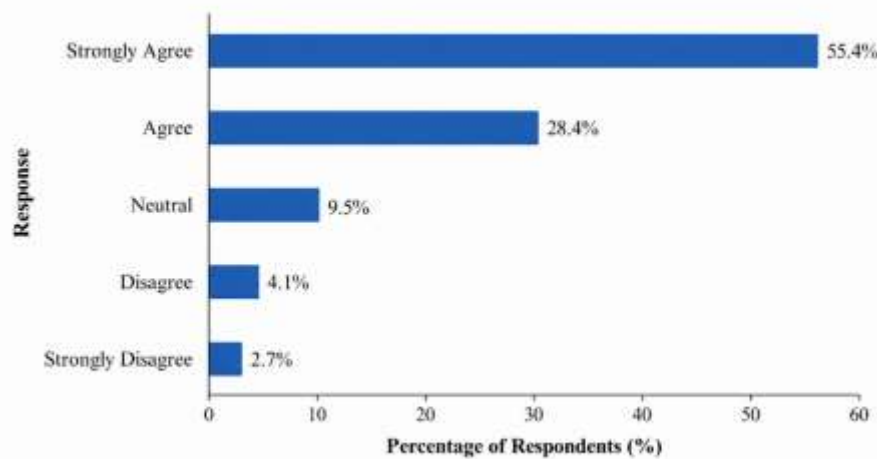
Interpretation

A majority of the respondents (60.1%) either agreed or strongly agreed that the minimum legal age of marriage should be the same for men and women. Nearly one-fourth (23.6%) remained neutral, while only 16.2% disagreed or strongly disagreed. These findings indicate a favourable perception towards prescribing a uniform minimum age of marriage.

Table 4.7 Opinion that Women Should Complete Higher Education Before Marriage

Response	Frequency	Percentage
Strongly Agree	83	56.1
Agree	45	30.4
Neutral	15	10.1
Disagree	5	3.4
Strongly Disagree	0	0.0
Total	148	100.0

Figure 4.7. Respondents' Opinion that Women Should Complete Higher Education Before Marriage (N = 148)



Source: Primary data collected by the researcher (2026).

Interpretation

An overwhelming majority of respondents (86.5%) believed that women should complete higher education before marriage. Only 3.4% disagreed, while no respondent strongly disagreed. This reflects a strong preference for educational attainment prior to marriage.

Table 4.8 Opinion that Men Should Become Financially Independent Before Marriage

Response	Frequency	Percentage
Strongly Agree	86	58.1
Agree	45	30.4
Neutral	15	10.1
Disagree	1	0.7
Strongly Disagree	1	0.7
Total	148	100.0

Interpretation

Nearly nine out of ten respondents (88.5%) agreed that men should attain financial independence before marriage. This suggests that respondents associate marriage with economic preparedness and responsibility.

Table 4.9 Opinion that Increasing the Marriage Age Will Reduce Child Marriage

Response	Frequency	Percentage
Strongly Agree	68	45.9
Agree	50	33.8
Neutral	21	14.2

Disagree	7	4.7
Strongly Disagree	2	1.4
Total	148	100.0

Interpretation

A substantial majority (79.7%) believed that increasing the legal age of marriage would contribute to reducing child marriage. Only 6.1% disagreed with this proposition, indicating broad confidence in the preventive role of the law.

Table 4.10 Opinion that Increasing the Marriage Age Will Improve Women's Health

Response	Frequency	Percentage
Strongly Agree	50	33.8
Agree	59	39.9
Neutral	35	23.6
Disagree	3	2.0
Strongly Disagree	1	0.7
Total	148	100.0

Interpretation

Almost three-fourths of the respondents (73.7%) believed that delaying marriage would improve women's health. Less than 3% disagreed, suggesting that respondents recognise the relationship between age at marriage and maternal well-being.

Table 4.11 Opinion that Increasing the Marriage Age Will Improve Child Health

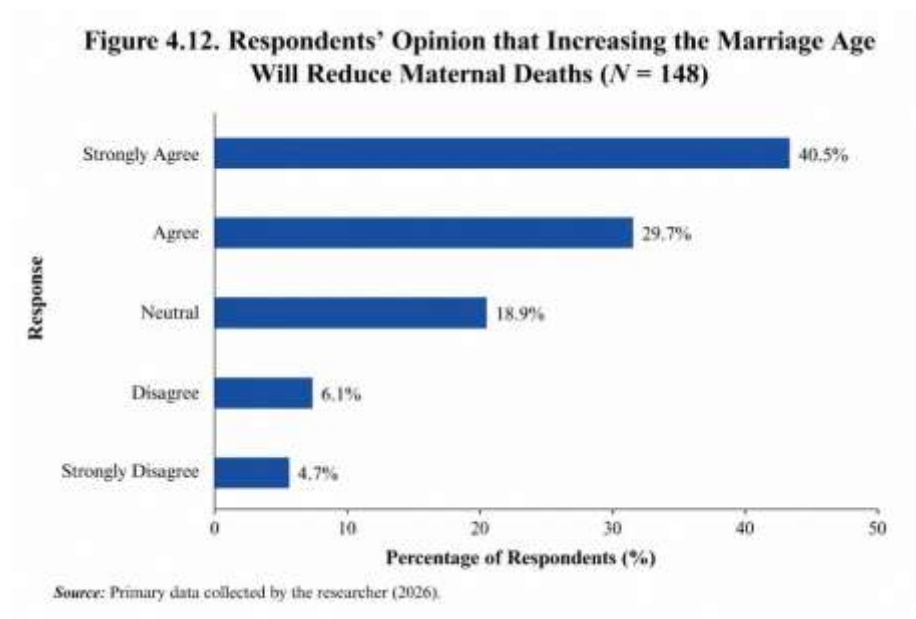
Response	Frequency	Percentage
Strongly Agree	42	28.4
Agree	67	45.3
Neutral	30	20.3
Disagree	5	3.4
Strongly Disagree	4	2.7
Total	148	100.0

Interpretation

A total of 73.7% of respondents agreed that increasing the marriage age would improve child health. This indicates a widespread belief that delayed marriage contributes to healthier pregnancies and improved outcomes for children.

Table 4.12 Opinion that Increasing the Marriage Age Will Reduce Maternal Deaths

Response	Frequency	Percentage
Strongly Agree	61	41.2
Agree	50	33.8
Neutral	27	18.2
Disagree	10	6.8
Strongly Disagree	0	0.0
Total	148	100.0



Interpretation

Three-fourths of the respondents (75.0%) believed that increasing the age of marriage would reduce deaths of women during pregnancy and childbirth. This finding reflects awareness of the public health benefits associated with delaying early marriage.

Table 4.13 Opinion that Increasing the Marriage Age Will Enhance Women's Employment Opportunities

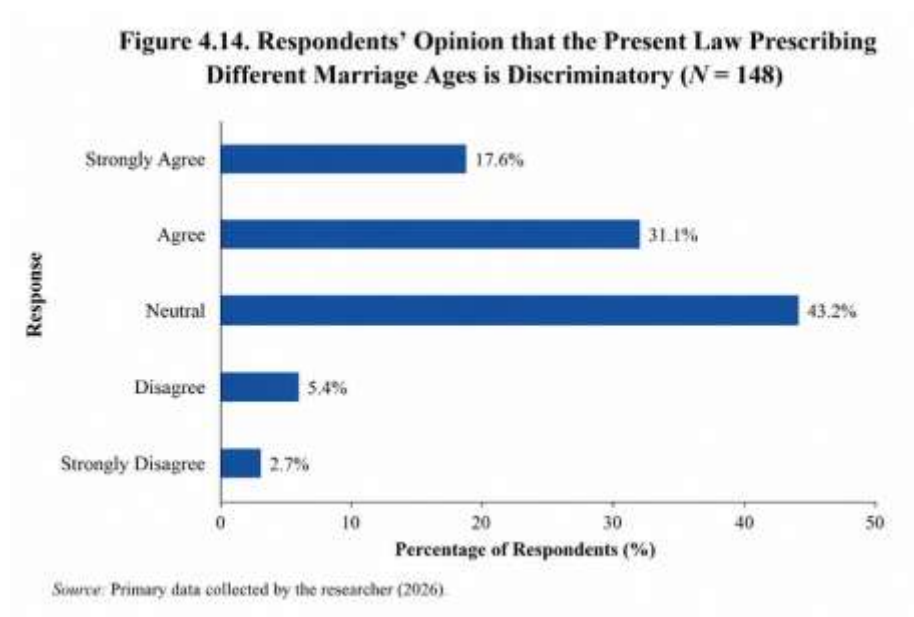
Response	Frequency	Percentage
Strongly Agree	62	41.9
Agree	56	37.8
Neutral	25	16.9
Disagree	5	3.4
Strongly Disagree	0	0.0
Total	148	100.0

Interpretation

Nearly four-fifths of the respondents (79.7%) agreed that increasing the legal age of marriage would enhance women's employment opportunities. This suggests that respondents perceive delayed marriage as facilitating higher education, skill development and workforce participation.

Table 4.14 Opinion that the Present Law Prescribing Different Marriage Ages is Discriminatory

Response	Frequency	Percentage
Strongly Agree	20	13.5
Agree	48	32.4
Neutral	67	45.3
Disagree	7	4.7
Strongly Disagree	6	4.1
Total	148	100.0



Interpretation

The largest proportion of respondents (45.3%) adopted a neutral position on whether the existing law prescribing different marriage ages is discriminatory. While 45.9% agreed or strongly agreed that the present law is discriminatory, only 8.8% disagreed. The high proportion of neutral responses suggests that many undergraduate students may not have formed a definite opinion on the constitutional implications of the existing legal framework.

Analysis

The descriptive analysis reveals a generally favourable attitude among undergraduate students towards prescribing a uniform minimum age of marriage for both men and women. The strongest consensus emerged on the importance of higher education for women (86.5%) and financial independence for men (88.5%) before marriage. A substantial majority also believed that increasing the legal age of marriage would reduce child marriage, improve women's health, improve child health, reduce maternal mortality and enhance women's employment opportunities.

However, respondents displayed greater uncertainty regarding whether the existing legal distinction between the marriage ages of men and women is discriminatory. The high proportion of neutral responses indicates that, although students support the social objectives underlying the proposed reform, many may not be fully aware of its constitutional dimensions. This finding provides an important context for the inferential statistical analysis presented in the subsequent section.

4.4 Reliability Analysis

The perception of respondents regarding the proposal to prescribe a uniform minimum age of marriage was measured using **nine** Likert-scale statements (Questions 4–13 available in the dataset). Before computing an overall perception score, the internal consistency of the scale was examined using **Cronbach's Alpha**.

Table 4.15 Reliability Statistics

Particular	Value
Number of Items	9
Number of Respondents	148
Cronbach's Alpha	0.795

Interpretation

The obtained Cronbach's Alpha of 0.795 indicates good internal consistency of the perception scale. Since the Alpha coefficient exceeds the acceptable threshold of 0.70, the items may be considered reliable for measuring respondents' overall perception regarding the proposal to prescribe a uniform minimum age of marriage. Accordingly, a Composite Perception Score was computed for each respondent.

4.5 Composite Perception Score

Each response was assigned numerical values as follows:

- Strongly Agree = 5
- Agree = 4
- Neutral = 3
- Disagree = 2
- Strongly Disagree = 1

The scores obtained on all perception statements were added to obtain a Composite Perception Score (CPS).

The observed scores ranged from 24 to 45.

Since the distribution of scores was concentrated within a narrow range, respondents were classified using quartiles, which is statistically more appropriate than using arbitrary score ranges.

Table 4.16 Distribution of Composite Perception Score

Perception Level	Score Range	Frequency	Percentage
Low	≤ 33	38	25.7
Moderate	34–41	80	54.1
High	≥ 42	30	20.3
Total		148	100.0

Interpretation

More than half of the respondents (54.1%) exhibited a moderate perception towards prescribing a uniform minimum age of marriage. One-fourth (25.7%) demonstrated a relatively low perception, whereas 20.3% exhibited a highly favourable perception. The findings indicate that undergraduate students generally possess a moderate to positive attitude towards the proposed legal reform.

4.6 Descriptive Statistics

Table 4.17 Descriptive Statistics of Composite Perception Score

Statistic	Value
Number of Respondents	148
Minimum Score	24
Maximum Score	45
Mean	36.45
Standard Deviation	5.08

Interpretation

The mean Composite Perception Score was 36.45 ± 5.08 .

The mean score is located within the moderate perception category, indicating that undergraduate students generally hold favourable views regarding the proposal to prescribe twenty-one years as the minimum age of marriage, although the level of support is not uniformly strong.

4.7 Chi-square Analysis

The association between respondents' demographic characteristics and their overall perception was examined using the Chi-square test.

Table 4.18 Gender × Composite Perception

Gender	Low	Moderate	High	Total
Female	25	56	20	101
Male	13	24	10	4
χ^2				0.254
df				2
p-value				0.881

Interpretation

Since $p = 0.881 > 0.05$, there is no statistically significant association between gender and overall perception regarding the proposal.

Table 4.19 Age × Composite Perception

Age	Low	Moderate	High	Total
Below 18 years	1	4	2	7
18–21 years	37	69	25	131
Above 21 years	0	7	3	10
χ^2				4.583
Df				4
p-value				0.333

Interpretation

No statistically significant association was observed between respondents' age and their overall perception regarding the proposed reform.

Table 4.20 Awareness of Existing Law × Composite Perception

Awareness	Low	Moderate	High	Total
Yes	34	77	29	140
No	4	3	1	8
χ^2				2.630
df				2
p-value				0.269

Interpretation

The respondents' awareness of the existing legal age of marriage did not significantly influence their overall perception regarding the proposal.

Table 4.21 Awareness of Government Proposal × Composite Perception

Awareness	Low	Moderate	High	Total
Yes	32	73	27	132
No	6	7	3	16
χ^2				1.350
df				2
p-value				0.509

Interpretation

Awareness of the Government's proposal was not significantly associated with respondents' overall perception.

4.8 Summary of Hypothesis Testing

Hypothesis	Result
H ₀₁	Accepted

H ₀₂	Accepted
H ₀₃	Accepted

4.9 Major Findings

4.9.1 The nine-item perception scale demonstrated good internal consistency, with a Cronbach's alpha coefficient of 0.795, indicating acceptable reliability.

4.9.2 The composite perception score ranged from 24 to 45, with a mean score of 36.45 (SD = 5.08), indicating an overall moderate level of perception towards prescribing a uniform minimum age of marriage.

4.9.3 More than half of the respondents (54.1%) exhibited a moderate level of perception regarding the proposal to prescribe a uniform minimum age of marriage.

4.9.4 Approximately one-fifth of the respondents (20.3%) demonstrated a high level of perception, whereas 25.7% exhibited a low level of perception.

4.9.5 Chi-square analysis revealed no statistically significant association between respondents' overall perception and their gender ($p = 0.881$), age ($p = 0.333$), awareness of the existing legal age of marriage ($p = 0.269$), or awareness of the Government's proposal to increase the minimum age of marriage for women ($p = 0.509$).

4.10 Suggestions

4.10.1 Greater legal awareness programmes should be organised in colleges to enhance students' understanding of the constitutional and legal aspects of the minimum age of marriage.

4.10.2 Policy measures should complement legal reform with improvements in women's education, skill development and employment opportunities.

4.10.3 Public campaigns should emphasise the health and socio-economic benefits associated with delayed marriage.

4.10.4 Future studies should include respondents from different age groups, educational backgrounds and geographical regions to improve the generalisability of the findings.

4.11 Conclusion

The empirical analysis reveals that undergraduate students generally possess a moderately favourable perception regarding the proposal to prescribe twenty-one years as the minimum age of marriage for both men and women. The perception scale exhibited satisfactory internal consistency, indicating that the questionnaire reliably measured respondents' attitudes. However, the Chi-square analysis did not reveal any statistically significant association between respondents' demographic characteristics or legal awareness and their overall perception. These findings suggest that support for the proposed reform is relatively consistent across different groups of undergraduate students. While legislative reform may receive moderate acceptance among young adults, its effectiveness is likely to depend upon complementary measures such as education, awareness, economic empowerment and effective implementation of existing child protection laws.

5. Findings, Suggestions and Conclusion

5.1 Major Findings

The present study examined whether the minimum age of marriage under the Hindu Marriage Act, 1955 should be uniformly prescribed as twenty-one years for both men and women. The study adopted a socio-legal approach by combining doctrinal legal analysis with an empirical survey conducted among undergraduate students. The major findings are as follows:

5.1.1 Findings Based on Doctrinal Research

1. Section 5(iii) of the Hindu Marriage Act, 1955 presently prescribes different minimum ages of marriage, namely eighteen years for women and twenty-one years for men.

2. The differential age was introduced in the socio-economic context prevailing during the enactment of the Act and reflected traditional assumptions regarding maturity, education and economic responsibility.
3. The constitutional principles embodied in Articles 14, 15 and 21 increasingly support equal treatment of men and women unless a reasonable classification is justified.
4. Comparative legal analysis indicates that several countries prescribe a uniform minimum age of marriage irrespective of gender, although the prescribed age varies across jurisdictions.
5. Existing literature broadly recognises that delayed marriage contributes to improved educational attainment, better maternal and child health, enhanced economic participation of women and reduction in child marriage.
6. At the same time, several scholars emphasise that merely increasing the statutory age cannot eradicate child marriage unless accompanied by improvements in education, employment opportunities, social awareness and effective implementation of existing laws.

5.1.2 Findings Based on Empirical Research

- 5.1.2.1 The questionnaire demonstrated satisfactory internal consistency, with a Cronbach's Alpha value of 0.795, indicating that the perception scale was reliable.
- 5.1.2.2 Nearly 95 per cent of the respondents were aware of the existing legal age of marriage under the Hindu Marriage Act, 1955.
- 5.1.2.3 Approximately 89 per cent of the respondents were aware of the Government's proposal to prescribe twenty-one years as the minimum age of marriage for women.
- 5.1.2.4 Nearly 60 per cent of the respondents supported prescribing the same minimum age of marriage for men and women.
- 5.1.2.5 An overwhelming majority believed that women should complete higher education before marriage and that men should attain financial independence before entering into marriage.
- 5.1.2.6 A substantial majority perceived that increasing the legal age of marriage would contribute to:
 - reduction of child marriage;
 - improvement of women's health;
 - improvement of child health;
 - reduction in maternal mortality; and
 - enhancement of women's employment opportunities.
- 5.1.2.7 A large proportion of respondents adopted a neutral position regarding whether the existing law prescribing different marriage ages is discriminatory, indicating limited awareness of the constitutional dimensions of the issue.
- 5.1.2.8 The Composite Perception Score revealed that the majority of respondents possessed a moderately favourable perception towards prescribing a uniform minimum age of marriage.
- 5.1.2.9 The Chi-square analysis revealed no statistically significant association between respondents' age, gender or legal awareness and their overall perception regarding the proposed reform. This suggests that support for the proposal is relatively consistent across different groups of undergraduate students.

5.2 Suggestions

On the basis of the doctrinal analysis and empirical findings, the following suggestions are offered:

5.2.1. Adoption of a Uniform Marriage Age

The Legislature may consider prescribing a uniform minimum age of marriage for both men and women after undertaking comprehensive consultation with legal experts, social scientists, women's organisations and other stakeholders.

5.2.3. Strengthening Educational Opportunities

Legislative reform should be accompanied by policies encouraging higher education, particularly for young women, as education remains one of the most effective safeguards against early marriage.

5.2.4. Economic Empowerment

Government policies should promote vocational training, skill development and employment opportunities so that young adults are economically prepared before entering marriage.

5.2.5. Public Awareness Programmes

Legal literacy campaigns should be organised in schools, colleges and universities to improve awareness regarding:

- the legal age of marriage;
- constitutional principles of equality;
- consequences of child marriage; and
- reproductive and maternal health.

5.2.6. Effective Enforcement of Existing Laws

The Prohibition of Child Marriage Act, 2006 should be implemented more effectively through coordinated efforts involving educational institutions, local authorities, Child Marriage Prohibition Officers and civil society organisations.

5.2.7. Counselling and Premarital Awareness

Educational institutions should organise counselling programmes and awareness workshops focusing on responsible parenthood, financial planning, reproductive health and legal rights relating to marriage.

5.2.8. Periodic Review of Marriage Laws

Marriage laws should be periodically reviewed in light of changing social conditions, constitutional developments and empirical evidence to ensure that they remain relevant and effective.

5.2.9. Future Research

Future studies should include respondents from different age groups, professions, socio-economic backgrounds and geographical regions. Comparative empirical studies across different personal laws may also provide valuable insights for future legislative reforms.

5.3 Conclusion

Marriage is a dynamic social institution whose legal regulation must evolve in response to changing constitutional values and societal realities. The differential minimum age of marriage prescribed under the Hindu Marriage Act, 1955 was enacted in a historical context that differs considerably from contemporary India, where women increasingly participate in higher education, professional employment and public life. Consequently, the question of prescribing a uniform minimum age of marriage extends beyond legislative policy and engages broader issues of gender equality, personal autonomy, public health and social justice.

The doctrinal analysis undertaken in the present study demonstrates that constitutional principles increasingly favour equal treatment of men and women, while comparative legal developments indicate a gradual international movement towards prescribing uniform marriage ages. Nevertheless, the review of literature also establishes that legal reform alone cannot eliminate child marriage or achieve women's empowerment unless supported by broader educational, economic and social interventions.

The empirical findings reveal that undergraduate students generally possess a favourable perception regarding the proposal to prescribe a uniform minimum age of marriage. The respondents strongly associated delayed marriage with higher education, financial preparedness, improved maternal and child health and enhanced employment opportunities for women. At the same time, many respondents remained uncertain regarding the constitutional implications of the existing legal distinction, indicating the need for greater legal literacy and public awareness.

The absence of statistically significant differences across demographic groups suggests that support for the proposed reform is not confined to any particular category of respondents but is relatively consistent among undergraduate students. This finding indicates that the proposal enjoys broad acceptance among educated youth, although the degree of support varies.

The study concludes that prescribing a uniform minimum age of marriage has the potential to advance the constitutional objective of gender equality and promote the welfare of women and children. However, such reform should not be viewed as an isolated legislative measure. Its success will ultimately depend upon effective implementation of existing child protection laws, expansion of educational and employment opportunities, increased public awareness and sustained efforts towards women's social and economic empowerment. A balanced approach combining legal reform with comprehensive social policy is therefore more likely to achieve the objectives of equality, dignity and sustainable social development envisaged by the Constitution of India.

References

1. Agnes, F. (2011). *Family law: Volume I – Family laws and constitutional claims*. Oxford University Press.
2. 9th ed.). LexisNexis.
3. Jensen, R., & Thornton, R. (2003). Early female marriage in the developing world. *Gender & Development*, 11(2), 9–19. <https://doi.org/10.1080/741954311>
4. Kusum. (2022). *Family law lectures: Family Law I* (6th ed.). LexisNexis.
5. Law Commission of India. (2008). Report No. 205: Proposal to Amend the Prohibition of Child Marriage Act, 2006 and Other Allied Laws. Arthur, M., Earle, A., Raub, A., Vincent, I., Atabay, E., Latz, I., & Heymann, J. (2018). Child marriage laws around the world: Minimum marriage age, legal exceptions, and gender disparities. *Journal of Women, Politics & Policy*, 39(1), 51–74. <https://doi.org/10.1080/1554477X.2017.1375786>
6. Desai, S., & Andrist, L. (2010). Gender scripts and age at marriage in India. *Demography*, 47(3), 667–687. <https://doi.org/10.1353/dem.0.0118>
7. Field, E., & Ambrus, A. (2008). Early marriage, age of menarche, and female schooling attainment in Bangladesh. *Journal of Political Economy*, 116(5), 881–930. <https://doi.org/10.1086/593333>
8. Fredman, S. (2016). Substantive equality revisited. *International Journal of Constitutional Law*, 14(3), 712–738. <https://doi.org/10.1093/icon/mow043>
9. Government of India. (2020). Report of the Task Force on Age of Motherhood, Maternal Mortality and Empowerment of Women (Jaya Jaitly Committee). Government of India.
10. Jain, M. P. (2023). *Indian constitutional law* (
11. Ministry of Health and Family Welfare. (2021). National Family Health Survey (NFHS-5), 2019–21. Government of India.
12. Mulla, D. F. (2021). *Mulla's principles of Hindu law* (23rd ed., S. T. Desai, Ed.). LexisNexis.
13. NITI Aayog. (2018). *Strategy for New India @75*. Government of India.
14. Nour, N. M. (2009). Child marriage: A silent health and human rights issue. *Reviews in Obstetrics & Gynecology*, 2(1), 51–56.
15. Raj, A. (2010). When the mother is a child: The impact of child marriage on the health and human rights of girls. *Archives of Disease in Childhood*, 95(11), 931–935. <https://doi.org/10.1136/adc.2009.178707>
16. Raj, A., & Boehmer, U. (2013). Girl child marriage and its association with national rates of HIV, maternal health, and infant mortality across 97 countries. *Violence Against Women*, 19(4), 536–551. <https://doi.org/10.1177/1077801213487747>
17. Raj, A., Ghule, M., Nair, S., Saggurti, N., Balaiah, D., & Silverman, J. G. (2015). Age at menarche, education, and child marriage among young wives in rural Maharashtra, India. *International Journal of Gynecology & Obstetrics*, 131(1), 103–104. <https://doi.org/10.1016/j.ijgo.2015.04.044>
18. Raj, A., Saggurti, N., Balaiah, D., & Silverman, J. G. (2009). Prevalence of child marriage and its impact on the fertility and fertility-control behaviours of young women in India. *The Lancet*, 373(9678), 1883–1889. [https://doi.org/10.1016/S0140-6736\(09\)60246-4](https://doi.org/10.1016/S0140-6736(09)60246-4)
19. Raj, A., Saggurti, N., Lawrence, D., Balaiah, D., & Silverman, J. G. (2010). Association between adolescent marriage and marital violence among young adult women in India. *International Journal of Gynecology & Obstetrics*, 110(1), 35–39. <https://doi.org/10.1016/j.ijgo.2010.01.022>
20. Walker, J. A. (2012). Early marriage in Africa: Trends, harmful effects and interventions. *African Journal of Reproductive Health*, 16(2), 231–240.