



# Legal Issues And Challenges Faced By Illegitimate Children In India

Shreya<sup>1\*</sup>

<sup>1\*</sup>Criminal and Security Law, Symbiosis Law School, Pune

## Abstract

Illegitimate children are the children born not only from void or voidable marriages but also the children of sex workers, sex violence victims, and so on. These children have to face many issues and challenges compared to legitimate children. They not only face the issue of social stigma but also legal issues and challenges. There is a need for equality amongst every child; they should not be discriminated against on this ground. To eradicate such discrimination, there needs to be either a uniform civil code or a specific law related to illegitimate children. The research was done on a doctrinal and empirical basis. Through the doctrinal research methodology, there has been descriptive analysis and analysis of the laws and precedents. The empirical research helped in gathering the status of illegitimate children in society and how there is a gap regarding their legal challenges. Through this study, work can be done to promote the equality of children in society.

**Keywords:** *Illegitimate; discrimination; amendments; uniform civil code; equality; issues*

## 1. Defining the illegitimate child

The word illegitimate child has been derived from the Latin word “*illegitimus*” which means not legitimate. (*Illegitimate | Etymology, Origin and Meaning of Illegitimate by Etymonline*, n.d.) This means that the child born out of wedlock will be considered to be an illegitimate child. In the Oxford dictionary, the illegitimate child has been defined as “*a child born of parents not lawfully married to each other.*” (*Illegitimacy Noun - Definition, Pictures, Pronunciation and Usage Notes | Oxford Advanced Learner's Dictionary at OxfordLearnersDictionaries.Com*, n.d.)

These children are said to be *nullius filius*, which arose from Roman law, which means that they don't have a legal relationship with their parents, and hence, from here, the whole problem emerges. This means that there are certain benefits that are given to the child since birth and it is based on the rights and wrongs of the parents. For example, if a child is born into an unprivileged and untouchable family, there will be discrimination that the child has to face in society, even though it is not their fault. (Digital, n.d.) In the same way, there is not the fault of the illegitimate child but the fault of its parents, which led them to suffer from words like “bastard”, “sinister”, and so on. These words are very awful in nature, which affects not only the holistic growth of the child but also the mental health of the child. (Fisher)

Therefore, there is a need to understand why the legitimacy of a child is important. The first thing is that there is no such social stigma that a legitimate child has to face. Secondly, they are given the rights of inheritance, maintenance, custody rights, and so on. Thirdly, they have a paternity status and many other rights attached to their parents.

## International Convention

The illegitimate children have not been discriminated against when international conventions are looked upon. The international convention mostly believes that all kinds of children should be treated equally. In 1989, the Convention on the Rights of the Children was ratified in many countries to ensure that every child should get every kind of right. (United Nations Convention on the Rights of the Child, 1989) It is mentioned under Article 2 of the convention that the children should not be discriminated against based upon the legitimacy or illegitimacy of the child and also ensures that such child should not be discriminated against anything and should be treated equally. The main ideology of the convention was to have holistic development of the child.

The convention also stated clearly that the child should be given full and harmonious development and should be developed in the family surroundings. This is because there are many incidents where, due to such circumstances, illegitimate children are the patients of mental illness. Article 1 of the convention describes what a child is, and there is no such discrimination regarding legitimacy and illegitimacy. It simply states that the child is one who has not attained the age of eighteen years.

The convention has clearly stated that the child should “*not be discriminated against based upon its parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.*” (United Nations Convention on the Rights of the Child, 1989) The article clearly states that the child should not be discriminated against based on anything that is connected to their parents. Also, “*Other status*” has been used in the article, which clearly makes the provision non-exhaustive; therefore, whether the parent's marital status should not be an issue concerning the development of the child.

The convention also further states that discrimination against children should not be allowed, and every child



should get status, guardians, family, and other such rights. Also, children should always be considered as primary in all aspects of the institution and organisation. The state parties of the convention shall treat the child to the greatest possible resources in regard to the survival and development of the child because every child has the inherent right to life. This is a concern because there are cases where illegitimate children of unmarried (*Unmarried Teen Mother Kills Newborn Child*, 2023) are killed in order to revive the status of the individual in society.

It is also important to have responsibilities in order to provide the best interest of the child, and illegitimate children should not be disadvantaged, but they are equal too. The convention also states that the state parties have the duty to maintain the child and provide for all the needs that are required for their growth.

There is another convention that is related to the rights of the child, and that is the Convention on the Rights of the Child. This convention also defines a child as a human being who is below eighteen years old. Also, there should be no discrimination against them, and this convention should guard this convention. This convention also talks about the children's best interests, which should be the primary consideration. The child has the inherent right to life and has the right to identity and nationality; there should be no interference in the privacy and no violation of their reputation. The child has benefited from society and has social security.

#### *Indian Laws*

In India also, the legal provisions have defined the term child not based on discrimination. The Juvenile Justice (Care and Protection of Children) Act 2000 states that a juvenile or a child is a person who has not attained the age of 18 years. (The Juvenile Justice (Care and Protection of Children) Act 2000) The Child Labour Prohibition and Regulation Act states that a child is a person who has not attained the age of 14 years old (The Child Labour (Prohibition and Regulation) Act, 1986) and The Factories Act of 1948 states that a person who is below fifteen years old will be a child. (The Factories Act 1948, 1948) The National Sample Survey Office (NSSO) has defined a child as a person who is below 15 years of age. (*National Sample Survey Office (NSSO) | Ministry of Statistics and Program Implementation | Government Of India*, n.d.)

Under the Indian Penal Code also, children have been divided and stated that a child who has committed an offence and is below seven ages then they are liable for an absolute excuse (The Indian Penal Code, 1860) and when the child is above seven years and below twelve years then the child should be liable for the maturity test. Therefore, the reason for such a division is reasonable and based on scientific evidence and according to the fact.

Also, when the child has to be specifically described, that particular definition of the child is given. For example, the definition of the neglected children is given under the Children Act of 1960. Also, there is a reasonable test that every kind of discrimination should pass, and if there is no reasonable discrimination, (*E. P. Royappa v State Of Tamil Nadu*) then such discrimination is against equality. (The Constitution of India, 1950)

Now, the question arises as to why there are such differences between legitimate children and illegitimate children. Then there is doubt because there should be a difference between the children even though there is no such fault with the children. It is the fault of their parents. When the Indian laws are seen, there is no such definition given to the term "illegitimate child". Even the General Clauses Act of 1977, which provided the definition and interpretation of certain words and legal principles, has a common definition for such words and principles so that it can shorten the central legislation. It is a general law. (the General Clauses Act, 1977)

When the Indian Evidence Act of 1872, which states for the presumption of legitimacy and illegitimacy of the child, is seen, then it can be seen there is no such definition given of such a child. If the interpretation of section 112 of the Act of 1872 is done, then the marriage is related to it.

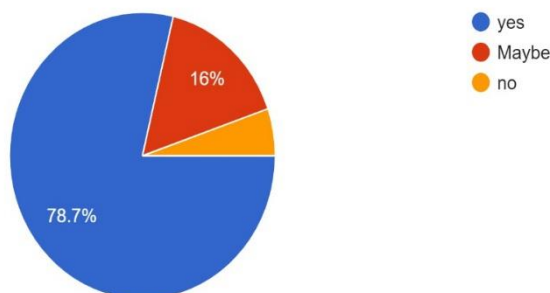
Under the personal laws also, the definition is based upon the void and voidable marriage. If the child is born out of the void and voidable marriage, it will be an illegitimate child, and such provision is given in Hindu (The Hindu Marriage Act, 1955) as well as the Special Marriage Act. (The Special Marriage Act, 1954) Also, in Muslim law, there is no such definition given under the Muslim law, and still, there is an issue regarding paternity, especially in Shia laws. (Noureen) Under Christian law, such a definition is also not given. (The Indian Christian Marriage Act, 1872)

Even after the interpretation of legitimate and illegitimate children under the Indian personal laws and under the India Evidence Act, 1972, then such a child is limited to void and voidable marriage. As the general definition of the same has been seen, it can be analysed that the child born out of wedlock is illegitimate. Then there is the confusion that arises: what about the children born out of the live-in relationship, children not living in a live-in relationship, the child of the unmarried woman who has been abandoned by her partner, the children of the sexual violence victims?



Do you think sex worker children, children of unmarried mothers and such children should be treated equally to legitimate children?

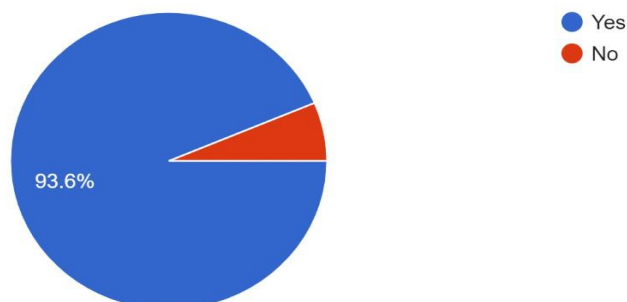
94 responses



Also, the social stigma is still attached to such issues in society. More than 20 per cent of people are not ready to accept a child in society, as given in the chart below. It can be studied that people are still there who are not ready to accept illegitimate children in society. Also, through the empirical research and the chart below, it can be analysed that 6.4 per cent of people are still not aware of the difference between legitimate and illegitimate children. Therefore, in a combination of every result, it has been studied and analysed that there is still a lack of awareness in regards to illegitimate children, and there is a need to focus on their issues and challenges.

Do you know the difference between legitimate and illegitimate children?

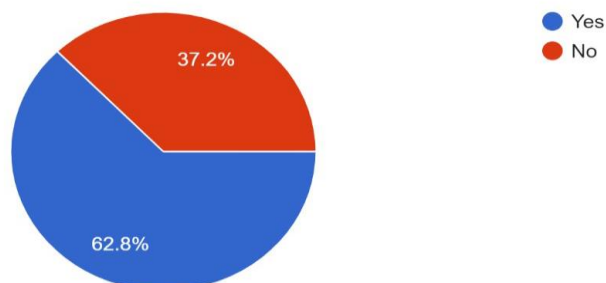
94 responses



When awareness is being studied, then there was one more question was asked whether there is an awareness in regard to the issues and challenges faced by illegitimate children. It has been studied that 37.2 per cent of people are not even aware of the challenges faced by illegitimate children.

Are you aware of the issues and challenges faced by the illegitimate children?

94 responses



Now, the focus is on the 62.8 percent who are aware of the challenges faced by illegitimate children, thus, the further question was what are challenges faced by them. The few were like the illegitimate children, faced the challenge in regard to their rights in the family, society, and ancestral property. Most people think that children have to go through social stigma and social security. They might face derogatory remarks, exclusion, or bullying from peers or even adults who hold biased views regarding their parentage.

From a legal perspective, in some jurisdictions, illegitimate children may encounter legal obstacles when it comes to inheritance rights, parental recognition, and other legal protections. They may face challenges in



establishing their legal parentage or receiving the same legal rights and benefits as children born within a legally recognized relationship. In some jurisdictions, illegitimate children may face legal disadvantages compared to children born within a legal marriage. They might have limited or no automatic rights to inheritance, financial support, or other legal protections granted to children born within wedlock. This can lead to financial and emotional hardships.

Most agreed that they face problems in regard to their mental and physical well-being. Illegitimate children may grapple with questions of identity, feeling a sense of uncertainty or confusion about their place in their family and society. They may struggle with issues of self-worth, belonging, and acceptance, as their family structure may differ from the traditional nuclear family.

One of the legal professionals stated that the single unmarried mother also faces many challenges in regard to illegitimate children. The girl who has an illegitimate child at the age of 16 suddenly has 90 per cent of her life's script written for her. She will drop out of school; even if someone else in her family helps to take care of her baby, she will probably not be able to find a steady job that pays enough to provide for herself and her child; she may feel impelled to marry someone she might not otherwise have chosen. Her life choices are few, and most of them are bad. Although this view remains highly influential in many respects, the research community has increasingly regarded it with some scepticism.

For example, Furstenberg et al. (1987) reported substantial variability in the life-course outcomes for women who began childbearing while in their teenage years, many of whom had births while unmarried. These findings have caused many to question whether a woman's life script is, in fact, '90 per cent written' as a consequence of teenage (and nonmarital) childbearing. Wu et al. (2001), using nationally representative US data, have documented similar variability for women with nonmarital births, suggesting that the results of Furstenberg et al. may also hold for more recent cohorts of women.

Therefore, there is a need to have a proper definition and explanation of the illegitimate child in the Indian legal framework. This definition will give a surety of their rights and the claiming of certain offences which they might face; then, they can easily claim against the same without any discrepancies and misinterpretation. (Moran, 2018)

## 2. Marriage importance

The whole problem starts with the concept of marriage. The black law dictionary defines marriage as "*Marriage . . . is the civil status of one man and one woman united in law for life, for the discharge to each other and the community of the duties legally incumbent on those whose association is founded on the distinction of sex.*"

Marriage was first defined by Mesopotamia, which states that the uniting of a man and a woman will be called a marriage. (*The Origins of Marriage*, n.d.) The traces of the marriage can be studied from 2350 BC. And then the concept of marriage started being evolved mainly in the ancient Hebrews, Greeks, and Romans. In those times, marriage was not much related to love and religion.

Therefore, marriage is a human action that has been brought into society and which has evolved as time and situation changes. Love marriage, gay marriage, and so on, and other concepts related to marriage have been a great controversy because of the evolution attached to marriage. (*Marriage in Ancient Mesopotamia and Babylonia | EHISTORY*, n.d.) Legitimacy and illegitimacy of the child are then related to the concept of marriage. As the evolution of marriage has taken place, it can be analysed that marriage plays a vital role in determining legitimacy and illegitimacy. There is a stigma that an illegitimate child holds, and there is no such definition of an illegitimate child; only the presumption is there.

So, in India today, many aspects are included in marriage, and there is a need to understand why marriage is so important in regard to any such rights and privileges. Advocate Menaka Guruswamy, who is arguing for same-sex marriage (Supriyo @ Supriya Chakraborty & Anr. v Union of India), stated that marriage not only gives dignity in society but also has many benefits and security that is associated with it. (*Same-Sex Marriage*, 2023) William Blackstone also said that "*By marriage, the husband and wife are one person in law*". The marriage carries benefits in financial ways, as there can be a union of assets that extends to bank accounts, property, savings, pensions, debts, and inherited wealth. ('What Does Marriage Mean Legally?', n.d.) Also, marriage will make the life of the children very easy as they will be considered legitimate children and there will be no stigmatization and other associated discrimination that they can face.

Therefore, when two individuals marry, they get many benefits and don't have to face social stigma and discrimination. For example, a live-in relationship is not unlawful, but it is only wrong in social terms, and it is only perceived as immoral. (Lata Singh vs State Of U.P.) Therefore, there is a social stigma attached to it, and this also harms the child born out of such a relationship, which can cause mental trauma to the partners as well as to the child.

In Indian society, to claim such benefits, society has made marriage compulsory for every person after they turn a certain age. As there are many responsibilities and there is pressure from the family, it has been studied that the parent is just pressuring their wards in regards to the marriage. (*Stress and Marriage - India Today*, n.d.) Therefore, most of the youth are running from marriage, and they don't want to get married.



YouGov did a survey regarding the youth marrying in today's time. (Devulapalli, 2020)

It was found that everyone in the four youths didn't want to get married. It was analysed from Table 1 that 19 per cent of the millennials are not interested in children nor in performing marriage, and 23 per cent of Gen Z are neither interested in marriage nor in children. 8 per cent of the youth want marriage, but they don't want to get married. 12 per cent of Gen Z want to get married, but they don't want marriage.

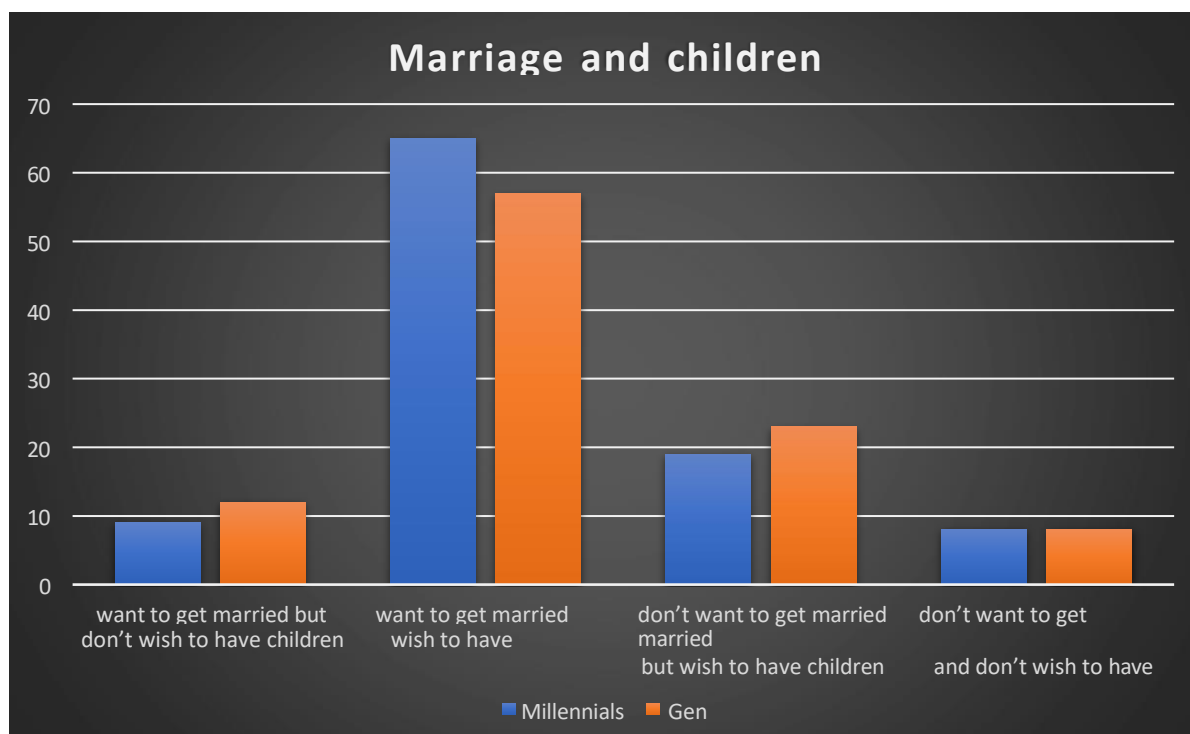


Table 1: a survey done by YouGov-Mint-CPR Millennial Survey (Mar-Apr 2020). It was studied that the post-millennials proportion regarding getting married and having children is lowering as compared to the millennials. The survey shows that the youth are not interested in getting married and having children, and this is decreasing from generation to generation. Therefore, it has been found that interest in marriage keeps decreasing as evolution takes place. It is important to study the concept of marriage because the legitimate and illegitimate of the children is based on the marriage. As Table 1 shows, 19 per cent of the millennials and 23 per cent of the millennials don't want to get married. Then what about those children who are not adopted but are born out of the marriage? Not only this, there are many kinds of children who are born out of the marriage are considered illegitimate. Before jumping to that, it is necessary to know whether sexual intercourse before the marriage is legal or not. If not illegal, then why are the consequences related to it termed as illegitimate, bastard, sinister type of words?

### 3. Sexual intercourse before marriage

The Karnataka High Court, in the case *K Santhosha v. Karnataka Power Transmission* (K Santhosha v. Karnataka Power Transmission) held that there are no children who should be considered illegitimate; it is their parents who are to be considered illegitimate. The court also stated that the children don't have any role regarding their birth. The parents are liable for their actions, and they will be considered liable for them.

Now, again, a question arises about whether their parents are really liable. There is no such law that sexual intercourse before marriage is invalid. It is the society that claims it to be immoral. If two individuals give their consent and have turned 18 years of age, then they can have sexual intercourse even before the marriage. (*Indonesia Banned Sex Outside Marriage, Is It Legal in India?* - *Telangana Today*, n.d.) There are no such laws that pre-marital sexual intercourse is illegal, unlike that in Indonesia, where pre-marital sex is banned.

It is further studied that in-laws, there is no such mention of pre-marital sex being illegal, but it is mostly based on religious practices. But it is not such an offence as it was studied that 60% of Muslims, 65% of Hindus, 71% of Christians, and 85% of Buddhists have reported that they have had sex before getting married. (Adamczyk) Therefore, this concept of pre-marital sexual intercourse being wrong is only a religious practice and social belief.

Therefore, if there is no such offence in the country, then why the consequences of the same are illegitimate? As studied, pre-marital sex is not an invalid act, so if the child is born from the pre-marital marriage, then why are





they still seen as not equal to that of the legitimate children?

#### 4. Live-in relationship

According to the National Statistical Office, there has been a rise in the number of unmarried youths, as 23 per cent of the youth population are not in the mood to get married. (*Proportion of Population below the International Poverty Line (%)*, n.d.) This trend is increasing not only in males but also in females. It was also studied that early marriage has been declining, and rather late marriage is being practised.

This doesn't mean that the young population doesn't want a partner. They want a partner, but they are scared of the responsibility attached to the marriage, and therefore, they are opting for a live-in relationship. A survey was conducted by the inshorts (*80% Indian Women Support Live-in Relationship*, n.d.), a news app, and it was analysed that 80 per cent of females are in favour of live-in relationships. (*More than 80 per Cent Indians Support Live-in Relationship*, n.d.) The youth are of the opinion that a live-in relationship is better than marriage because they can get out of the relationship if there is any issue without any messy divorce petition.

The court held that the live-in relationship is not an illegal act but only an immoral act as stated in the case *Lata Singh v State of UP*. (*Lata Singh v State of UP*) In *S Khushboo v Kanniammal* (*S Khushboo v Kanniammal*), the court gave legal recognition to the live-in relationship. The court also held that the live-in relationship couple would also be protected from the Domestic Violence Act of 2005.

There are many pros and cons to the live-in relationship, and the one con that concerns this research paper is the status of the children. When the provisions of the law are analysed, it can be concluded that there are no provisions for the child by live-in relationship, but the presumption of the marriage is given under Section 114 of the Indian Evidence Act.

When the judicial precedents are analysed, it has been seen through the case *SPS Bala Subramanyam v Sruttayan* (*SPS Bala Subramanyam v Sruttayan*) the court stated that a woman and man who are living in a cohabitation relationship for a long time even though they are not married and the children born out of it will be considered legitimate. Such presumption of legitimacy can be made in Section 114 of the Indian Evidence Act. The child only born in a long cohabitation will be considered legitimate, and the same was decided in the case of *Kattukandi Edathil Krishnan & Anr v Kattukandi Edathil Valsan & Ors.* (*Kattukandi Edathil Krishnan & Anr v Kattukandi Edathil Valsan & Ors.*)

But again, here the issue is regarding societal acceptance, which is not done, and the same is attached to every kind of mental trauma that a child can suffer, which may result in isolation, depression, and so on. Also, as there is instability in the relationship, it is hard to determine the custody of the children, as there is unclear legal and financial status. Therefore, it will violate the holistic development of the child, and it is protected under Article 39(f) of the Indian Constitution. Hence, there is a need to have certain solutions to the differences faced by these kinds of children.

#### 5. Sex worker

In India, topics like prostitution and the issues related to it are very complex. Recently, the court held that sex work is not a crime, (*Budhadev Karmaskar vs State Of West Bengal*) but there are a few issues related to it is a crime. Operating a brothel is a crime, trafficking is a crime, and soliciting the same is a crime, and all these prohibitions are given under the Immoral Traffic (Prevention) Act of 1956.

But still, there is a social stigma related to it, and society is isolating them. They still face discrimination even though it is their fundamental right; they face violence, and so on. They face social stigma in the street; there is no equal health treatment for them, especially in the case of HIV/AIDS, where 868000 of the sex workers are HIV/AIDS positive. ('Story of Abuse That Sex Workers Face Every Day', n.d.) Also, these HIV/AIDS patients also face denial regarding healthcare access as it is one of their fundamental rights.

So, the point is that sex workers themselves have to face many problems and issues, then what about their children? These children are born out of the marriage; therefore, they will be considered illegitimate. There is a law that everyone should be treated equally, but still, such sex workers' children are discriminated against in school (*Children of Sex Workers Face Abuse and Discrimination in School, Become Isolated*, n.d.) or any such public places.

Also, these children don't have a family, and the mother is a sex worker, so their inheritance rights are questionable. What will they inherit from their children? As personal laws govern the inheritance right, there are laws through which a sex worker as a coparcener can inherit the property, and the sex worker can inherit the same to their legal heirs. But again, the problem is that the family doesn't accept the sex worker which causes a problem in regard to the inheritance, and again, they have to opt for the legal road. Again, these workers are not ready for this solution as they are neither supported by their families nor are given equal recognition in society, and they have to face social stigma.

Therefore, maintaining them is also impossible as there is no proper background of the mother that will help maintain the children. Again, there are many such problems like guardianship, holistic development of the child, and their holistic development, and all need to be paid attention to.



## 6. Unmarried

Now, as sexual intercourse before marriage is not illegal in the country, but it is just a matter of social morality, then what about the children of the unmarried single mother? There are many cases where the couple has just entered into the relationship and after intercourse, and if the girl gets pregnant, then they have to opt for the abortion to be safe from the illegitimacy of the child and of the social stigma.

It was studied by the World Health Organisation (WHO) that 55 per cent of the pregnancies of adolescents are unintended. (*Adolescent Pregnancy*, n.d.) There are many cases where the partner abandons the pregnant partner, and the pregnant partner, in fear of society and discrimination, tries to kill themselves. It was studied that 59 per cent of unmarried adolescents who got pregnant have chosen the path of abortion, which is much higher than that of married couples, which is 26 per cent. (Aras RY, 1987)

There are many reasons why unmarried mothers opt for such a decision. There are many medical problems that are related to abortion, like the chance of getting pregnant twice, the risk of breast cancer, ('Abortion Risks and Side Effects', n.d.) and so on. There are legal problems that are attached to such issues, such as the absence of provisions for the protection of the children from the unmarried mother. There is a problem in regard to the custody of the child and their guardianship, as the father is favoured mostly in custody cases. It is very difficult for them in regard to inheritance as there is no clear definition of such an illegitimate child.

The unmarried mother also has limited government benefits. This unmarried mother and their challenges in regard to accessing the various government welfare schemes and benefits. This is because most of the schemes are based on the traditional family structure. There are challenges related to their birth certificate as the father is not known (*Birth Certificate Single Mom's Right - Telegraph India*, n.d.), and there is a problem in regard to ration cards (*Right of Illegitimate Children to Succeed. | Official Website of Department Revenue, Rehabilitation and Disaster Management, Government of Punjab, India*, n.d.) and other relevant documents in regard to the holistic development of the children.

There are adoption and child welfare laws which is not friendly to unmarried mothers, and the procedure of the same is very complex. Even though there are many organisations that are helping unmarried women but still the social stigma and laws not specifically mentioning such children will lead to ill-treatment and problems in society.

## 7. Sexual violence

According to the National Crime Record Bureau (NCRB), it was studied that an average of 86 rapes happen daily, and 49 offences against women happen daily against women. This record is done every hour. ('India Lodged Average 86 Rapes Daily, 49 Offences against Women per Hour in 2021', 2022) One of the most devastating consequences of rape is when the victim becomes pregnant as a result.

The trauma of rape and the added burden of carrying and giving birth to a child can have severe physical and psychological impacts on the victim's health and well-being. Unfortunately, due to social stigma and lack of access to safe abortions, many rape victims in India are forced to carry their pregnancies to term. This has led to an alarming increase in cases of teenage mothers, maternal deaths, and abandoned children. (*The Impacts of Sexual Assault on Women*, n.d.) Therefore, it is crucial to understand the statistics surrounding rape victims getting pregnant in India so that we can work towards preventing this traumatic experience for women. (*Mental Health Impact of Rape*, n.d.)

The prevalence of rape in India is a highly concerning issue. According to the National Crime Records Bureau, there were 32,033 reported cases of rape in 2019 alone. However, it is believed that the actual number of cases is much higher due to underreporting and lack of awareness among victims about their rights. (*Administrative Data Deficiencies Plague Understanding of the Magnitude of Rape-Related Crimes in Indian Women and Girls | BMC Public Health | Full Text*, n.d.) The problem is particularly severe in rural areas where conservative attitudes towards women and girls prevail.

Furthermore, there are various social factors that contribute to the high prevalence of rape in India, including patriarchal values that view women as inferior and subordinate to men. Additionally, there is a lack of effective law enforcement and accountability measures for perpetrators, leading to impunity. Overall, the high prevalence of rape in India highlights the urgent need for comprehensive measures to address this issue. (*Collection of Rape Evidence in India – an Analysis - MedCrave Online*, n.d.) This includes raising awareness about sexual violence and women's rights, enforcing stringent laws against perpetrators, providing support services for survivors, and promoting gender equality. (*Mexico Withdraws Prison Sentence against Woman Who Killed Her Rapist in Self-Defence | Deccan Herald*, n.d.)

In India, where rape is sadly all too common, it is estimated that around 5% of all rapes result in pregnancy. (*GOP House Candidate Questioned How Often Rape Victims Get Pregnant*, n.d.) In India, rape victims face multiple barriers when it comes to accessing abortion. Firstly, there is a lack of awareness about legal provisions that allow rape victims to terminate their pregnancies. (*Court Ruling on Abortion for Rape Survivor Is Reminder of Need to Amend the Law*, n.d.) Many women are not aware that they have the right to seek an abortion in such cases. Secondly, social stigma and family pressure also act as barriers for women



seeking abortions after rape.

In many cases, families are reluctant to support the victim's decision to terminate the pregnancy due to societal norms and beliefs. Thirdly, the high cost of abortion services is also a major barrier for rape victims who come from low-income backgrounds. Accessing safe and legal abortions can be expensive, which makes it impossible for many women to undergo the procedure. Lastly, there is a shortage of trained healthcare providers who can perform abortions safely and without judgment, particularly in rural areas where access to healthcare services is limited. (Singh et al., 2018)

Rape victims in India face several legal challenges when seeking abortions. Indian law permits abortion only until the 20th week of pregnancy, after which it is illegal except in cases where the mother's life is at risk. (*How India's System Betrays Rape Victims - EA WorldView*, n.d.) This poses a significant problem for rape victims, who may not realize they are pregnant until after this deadline has passed. Additionally, many rape victims face social stigma and fear retribution from their families or communities if they seek an abortion, despite it being legal.

The judicial process for obtaining permission for a late-term abortion can be lengthy and cumbersome, requiring the victim to go through multiple medical examinations and court hearings. Furthermore, there is often a lack of awareness among healthcare providers about the legal provisions for abortion in cases of rape, leading to denial of services or delay in treatment. (*Rape Exemptions and Abortions – National Alliance to End Sexual Violence*, n.d.) All these factors contribute to making it extremely challenging for rape victims to exercise their reproductive rights and obtain safe abortions in India.

The consequences of forced pregnancy on rape victims are numerous and severe. First and foremost, the victim is forced to carry a child conceived through an act of violence, which can be emotionally traumatizing. The victim may also face social stigma and discrimination due to the circumstances of the pregnancy, leading to isolation and further psychological distress. Additionally, the financial burden of raising a child may fall solely on the victim, who may struggle to provide for themselves and their child.

Rape victims and their children face a complex legal battle in India, particularly when the child is illegitimate. These children are often denied basic rights, such as inheritance and citizenship, due to their parentage. In addition, the mother may face difficulty in obtaining custody or support for the child. While there are laws in place to protect rape victims and their children, implementation is often lacking. (*Parental Rights and Sexual Assault*, n.d.) This leaves many vulnerable individuals without the legal protections they deserve, perpetuating a cycle of injustice and discrimination. (al, 2022)

The struggle for custody of illegitimate children is a complex and often difficult process in India. These children face challenges in obtaining legal recognition, inheritance rights, and social acceptance. In cases where the biological father is unknown or unwilling to acknowledge paternity, the mother may struggle to establish her right to custody and support for the child. (Ciara Laverty) Additionally, the social stigma attached to illegitimacy can make it difficult for these children to access education and employment opportunities. The legal system must work towards protecting the rights of all children, regardless of their parentage.

In India, inheritance laws and the rights of rape victims' children are complicated issues. The illegitimate child of a rape victim is entitled to inherit from their mother's estate, but they may face challenges in establishing their legal right to do so. (*Child Born of Rape Has Right to Assaulter's Property: HC | Lucknow News - Times of India*, n.d.) Additionally, if the father of the child is known and has acknowledged paternity, they may also have inheritance rights. However, if the father is unknown or cannot be located, the child may have difficulty proving their relationship to their mother and securing their rightful inheritance.

Illegitimate children in India face immense social stigma and discrimination, often being treated as outcasts in their own communities. They are subjected to derogatory remarks, exclusion from social gatherings, and even denied basic rights such as education and healthcare. (*Bombay High Court Calls for Compensation for Rape Survivors' Children-India News , Firstpost*, 2017) This discrimination is rooted in the deeply ingrained patriarchal mindset that views children born outside of wedlock as a source of shame and dishonour.

The legal challenges faced by illegitimate children in India are numerous, with the issue of rape victim's children being just one example. The current laws in India discriminate against illegitimate children, denying them equal rights to inheritance and citizenship. There is a pressing need for legal reform to address these challenges and ensure that all children are treated equally under the law.

## 8. The problem regarding abortion

Abortion law is also failing in terminating unintended pregnancies. Abortion is not a right under the Medical Termination of Pregnancy Act. The doctor has the right to decide whether to perform an abortion on a patient. Regardless of the girl's agreement, Section 19 of the Protection of Children from Sexual Offences Act of 2012 mandates that anybody who learns that a minor is pregnant reports her to the authorities. However, medical professionals refuse to treat and conduct abortions on minors in order to avoid legal disputes. (*India's Harrowing Legal System Forces Even Rape Victims to Bear Unwanted Babies*, 2016) But new laws have made the path a little bit easier.

The central government introduced new regulations for the execution of the Medical Termination of Pregnancy





(Amendment) Act, 2021, passed by parliament in March, as well as new categories of women who are eligible to terminate pregnancies up to 24 weeks. (Venugopal, 2021) Abortion up to 24 weeks is permitted for minors, divorcees, widows, and rape survivors by this legislation.

But why abortion should be opted for in such cases? But the sex offender who wants the children has to abort the child. There are no such provisions for such kind of illegitimate child. They are not defined and there are no such laws in regard to the maintenance of the child, custody, inheritance, and so on. Also, much social stigma is attached to such issues, which will harm both sexual victims and children.

### 9. Indian society and illegitimate and suicide

Illegitimacy is a social taboo in India, and children born out of wedlock often face discrimination and ostracization from society. The stigma associated with illegitimacy can have severe psychological effects on these children, leading to depression, anxiety, and even suicidal tendencies. Despite various laws protecting the rights of illegitimate children in India, they continue to be subjected to discrimination in various spheres of life, such as education, employment opportunities, and marriage prospects.

Illegitimate children in Indian society are often subjected to discrimination and stigmatization due to their birth status. They are considered social outcasts and face exclusion from both family and community. They are denied basic rights such as education, healthcare, property ownership, and job opportunities. In addition, they face verbal abuse, physical violence, and sexual exploitation. The societal pressure to conform to the traditional family structure puts illegitimate children at a disadvantage, leading them to suffer from mental health issues such as depression and anxiety. This discrimination pushes many of these children towards suicide as they feel hopeless and helpless in a society that refuses to accept them.

Illegitimate children in India face discrimination in various forms, including social exclusion and limited access to education and healthcare. These factors contribute to the high suicide rates among them. According to a study conducted by the National Crime Records Bureau, there was a 67% increase in the number of suicides committed by illegitimate children between 2014 and 2018. (NCRB, 2017) In 2018 alone, there were 1,174 reported suicides by illegitimate children. This alarming trend highlights the urgent need for action to address discrimination against these vulnerable children and provide them with equal opportunities to lead fulfilling lives.

The factors that contribute to suicide among illegitimate children in India are numerous and complex. Discrimination based on social status, caste, and gender is a significant factor. Illegitimate children are often ostracized by society, which denies them access to basic rights such as education and healthcare. (*Women's Suicide Rate in Gujarat, Two Other States Rises, as India's Goes down by 23%: Wither UN's SDG Targets?*, n.d.) This exclusion can lead to feelings of hopelessness and worthlessness, which can ultimately result in suicide.

Lack of emotional support from family members, poverty, and abuse are also contributing factors. The stigma attached to being an illegitimate child in India makes it difficult for these children to find acceptance and belonging in society.

Possible solutions to prevent suicide among illegitimate children in India include implementing stricter laws against discrimination based on parental status, providing access to counselling and mental health services, increasing awareness and education about the harmful effects of discrimination, promoting acceptance and inclusion of all individuals regardless of their background, and creating support networks for illegitimate children. Additionally, efforts should be made to address the root causes of discrimination against illegitimate children, such as cultural beliefs and societal norms that perpetuate stigmatisation.

### 10. Difference between adopted and illegitimate

Adoption in India is a legal process that is governed by the Hindu Adoption and Maintenance Act of 1956. The act allows for adoption by Hindus, Jains, Sikhs, and Buddhists. Non-Hindus can also adopt under the Guardians and Wards Act, of 1890. The process involves filing an application with the court or a licensed agency. The adoptive parents must be of sound mind, financially stable, and not have any criminal record.

Illegitimacy in India is still a taboo subject, with children born out of wedlock facing social stigma and discrimination. This stigma is rooted in cultural and religious beliefs that view sex outside of marriage as immoral and shameful. Illegitimate children are often seen as a burden on their families and communities, leading to neglect, abandonment, or even infanticide. Despite efforts to promote equality and acceptance, the social stigma surrounding illegitimacy continues to affect the lives of countless individuals in India.

Adopted children in India have legal rights and status similar to biological children. They are entitled to inheritance, property rights, and financial support from their adoptive parents. Adopted children also have the right to education, healthcare, and legal protection. However, they may face certain challenges regarding social acceptance and discrimination due to cultural norms prioritising biological lineage.

Nevertheless, the Indian government has taken steps to promote adoption as a viable option for child welfare by providing legal frameworks and support systems for both adoptive parents and adopted children. (*Bringing Them Home - Chapter 22 | Australian Human Rights Commission*, n.d.)



Illegitimate children in India face numerous challenges and discrimination due to their status. They are often stigmatised and considered as burdens on their families. This leads to neglect, abandonment, or even infanticide in extreme cases. Illegitimate children also face difficulties in obtaining legal documentation, inheritance rights, and access to education and healthcare. They are more likely to be vulnerable to exploitation, abuse, and trafficking. Despite efforts by the government and civil society organisations to protect their rights, the social stigma attached to illegitimacy remains a significant challenge for these children in India. Adoption and illegitimacy are two distinct concepts in India. Adoption refers to the legal process of taking a child into one's family and raising them as their own, with all the rights and privileges of a biological child. Illegitimacy, on the other hand, refers to a child born out of wedlock or without legal marriage. Many people perceive adoption as taboo, while illegitimacy is considered a stigma. To break these misconceptions, educating people about the legal and social aspects of both is essential. Adopted children are legally entitled to all rights and privileges as biological children, while illegitimate children should not be discriminated against based on their birth status.

### 11. The mental health of the illegitimate children

In India, the prevalence of illegitimate children is a complex issue that stems from cultural, social, and economic factors. The stigma attached to premarital or extramarital relationships often leads to the abandonment of children born out of wedlock. According to a report by the National Crime Records Bureau, over 67,000 children were abandoned in India in 2016 alone. (Rhiannon A. W Willmot, 2023) Illegitimate children face a range of mental health challenges due to their marginalized status and lack of support systems.

They often experience discrimination, rejection, and isolation from society, which can lead to depression, anxiety disorders, and even suicidal tendencies. Moreover, they may have difficulty accessing healthcare services or education due to their legal status, which further exacerbates their mental health issues.

The impact of societal stigma on the mental health of illegitimate children in India is significant. Illegitimate children are often subjected to discrimination and negative attitudes from society due to their status as "illegitimate." This can lead to feelings of shame, guilt, and low self-esteem in these children. They may also experience social exclusion and bullying from their peers, which can further exacerbate their mental health issues.

The stigma surrounding illegitimacy can also affect the child's family members, leading to social isolation and emotional distress for all involved. It is crucial for society to recognize the harmful effects of this stigmatization and work towards creating a more accepting environment for all children, regardless of their parentage.

Illegitimate children in India face numerous barriers when it comes to accessing mental health services. One of the biggest obstacles is the societal stigma surrounding their status, which often leads to discrimination and ostracization. This stigma also affects their families, who may be hesitant to seek help due to fear of social condemnation. Additionally, poverty and lack of education can prevent families from being aware of available resources or being able to afford them.

The scarcity of mental health professionals in rural areas further exacerbates the problem, making it difficult for illegitimate children living in these regions to receive proper care. Finally, legal issues such as lack of birth registration and documentation can make it challenging for these children to access healthcare services altogether.

Illegitimate children in India face several mental health challenges due to the stigma and discrimination attached to their status. To promote better mental health outcomes for these children, several strategies can be implemented. Firstly, creating awareness campaigns targeting parents, families, and communities can help to reduce the stigma associated with illegitimacy. Secondly, providing counselling services to both parents and children can help them cope with the emotional distress caused by societal discrimination.

Thirdly, schools should be encouraged to adopt inclusive policies to create a safe environment for all students regardless of their backgrounds. Fourthly, government policies should provide equal opportunities for education and employment without discrimination based on parentage status. Lastly, forming support groups for illegitimate children can provide them with a sense of community and belonging while addressing their mental health needs.

### CONCLUSION AND SUGGESTIONS

The children who are born in the marriage are stated as legitimate children and the children born out of the marriage are stated as illegitimate children. There are many issues and challenges that are faced by the illegitimate children. First, illegitimate children have not been properly defined in the Indian Legal system. Only the presumption of illegitimate children has been mentioned in the personal laws and in section 112 of the Indian Evidence Act, of 1872. Through this kind of definition, illegitimate children have been restricted to void and voidable marriage.

But the analyses are to be done, it has been studied that the illegitimate child expands to the children of the live-in relationship, children of people who are in a relationship but not living in a live-in relationship, the child of the unmarried woman who has been abandoned by her partner, sex workers children, the children of the



sexual violence victims and so on. Therefore, the illegitimate children should be defined as the children who are not born in the marriage and they should be treated the same as that of the legitimate children.

Many other issues and challenges are faced by illegitimate children, and through empirical research, it was found that 62.8 per cent of people are aware of the issues and challenges faced by illegitimate children, which cover the social stigma, the issues regarding ancestral property, legal issues, in regards to the name and identity and so on. The problem of illegitimate children has been arising through the concept of marriage and status in society.

Hence, it can be concluded that the number of illegitimate children will increase, and there is a need to have equal laws for both legitimate and illegitimate children. There are also those illegitimate children who are born out of those mothers who are not at fault, like the child of the sexual violence victim or the child of the sex workers. Therefore, the children born out of these kinds of circumstances also face challenges, and therefore, there is a need to amend such child laws in India so that they are not mistreated. Therefore, some suggestions will help give illegitimate children equal status.

I. There is a need to have a proper definition of illegitimate children. It can be defined as "legitimate children are those children who are born in the marriage, and those children who are not born in the marriage are considered to be illegitimate children. This definition should not be only restricted to void or voidable marriage but all the relationships or all the sexual intercourse that happens before the marriage.

II. Regarding the social discrimination faced by illegitimate children, there is a need to have stringent laws for illegitimate children.

III. There can be special laws only related to illegitimate children, which can be come up as it will be the easiest and the most relevant option as there will be no need to amend the personal laws, and the rights of the illegitimate children will also be covered.

IV. The Uniform Civil Code will also help illegitimate children as the Uniform Code will treat the children equally.

## BIBLIOGRAPHY

### Journal Article/ Report

1. Adamczyk, A. B. (n.d.). Religion and Sexual Behaviors: Understanding the Influence of Islamic Cultures and Religious Affiliation for Explaining Sex Outside of Marriage. *American Sociological Review*, 77.
2. al, T. S. (2022). Forensic and Legal Aspects of Sexuality, Sexual Offences, Sexual Dysfunctions, and Disorders. *INDIAN J PSYCHIATRY S*.
3. Aras RY, P. N. (1987). Termination of pregnancy in adolescents. *Journal of Postgraduate Medicine*, 120-124.
4. Ciara Laverty, D. d. (n.d.). Reproductive Violence as a Category of Analysis: Disentangling the Relationship between 'the Sexual' and 'the Reproductive' in Transitional Justice. *International Journal of Transitional Justice*, Volume 15, Issue 3.
5. Fisher, M. H. (n.d.). The Problem of the Illegitimate Child. *The Journal of State Medicine*, 596-602.
6. NCRB. (2017). *Accidental Deaths & Suicides in India 2021*.
7. Noureen, R. (n.d.). Acknowledgement of Paternity under Muslim Law: Indian Perspective. *BiLD Law Journal*, Vol. III, Issue II.
8. Rhiannon A. W Willmot, R. A. (2023). A scoping review of community-based mental health intervention for children and adolescents in South Asia. *Cambridge Prisms: Global Mental Health*, Volume 10.

### Case Laws

9. Budhadev Karmaskar vs State Of West Bengal, 2011 (8) SC 289 (India).
10. E. P. Royappa v State Of Tamil Nadu, 1974 AIR 555 (India).
11. K Santhosha v. Karnataka Power Transmission, 2021 SCC OnLine Kar 12989.
12. Kattukandi Edathil Krishnan & Anr v Kattukandi Edathil Valsan & Ors., CIVIL APPEAL NO(S). 6406- 6407 OF 2010 (India).
13. Lata Singh v State of UP, AIR 2006 SC 2522 (India).
14. S Khushboo v Kanniammal, CRIMINAL APPEAL NO. 913 of 2010 (India).
15. SPS Bala Subramanyam v Sruttayan, 1994 AIR 133 (India).
16. Supriyo @ Supriya Chakraborty & Anr. v Union of India (W.P. (C) 1011/2022 (India))

### Legislation

17. The Child Labour (Prohibition and Regulation) Act. (1986).
18. The Constitution of India. (1950).
19. The Factories Act 1948. (1948).
20. The General Clauses Act. (1977).
21. The Hindu Marriage Act. (1955).
22. The Indian Christian Marriage Act. (1872).
23. The Indian Penal Code. (1860).



24. The Juvenile Justice (Care and Protection of Children) Act 2000. (n.d.).
25. The Special Marriage Act. (1954).
26. United Nations Convention on the Rights of the Child. (1989).

### Online Source

27. *80% Indian women support live-in relationship: Inshorts poll.* (n.d.). Inshorts - Stay Informed. Retrieved 19 May 2023, from <https://inshorts.com/en/news/80-indian-women-support-livein-relationship-inshorts-poll-1527001664458>
28. *Abortion Risks and Side Effects.* (n.d.). CompassCare. Retrieved 20 May 2023, from <https://www.compasscare.info/health-information/abortion/abortion-risks-and-side-effects/>
29. *Administrative data deficiencies plague understanding of the magnitude of rape-related crimes in Indian women and girls | BMC Public Health | Full Text.* (n.d.). Retrieved 22 May 2023, from <https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-022-13182-0>
30. *Adolescent pregnancy.* (n.d.). Retrieved 20 May 2023, from <https://www.who.int/news-room/fact-sheets/detail/adolescent-pregnancy>
31. *Birth certificate single mom's right—Telegraph India.* (n.d.). Retrieved 3 July 2023, from <https://www.telegraphindia.com/india/birth-certificate-single-mom-s-right/cid/1479057>
32. *Bombay High Court calls for compensation for rape survivors' children—India News, Firstpost.* (2017, April 22). Firstpost. <https://www.firstpost.com/india/bombay-high-court-calls-for-compensation-for-rape-survivors-children-3397866.html>
33. *Bringing them Home—Chapter 22 | Australian Human Rights Commission.* (n.d.). Retrieved 22 May 2023, from <https://humanrights.gov.au/our-work/bringing-them-home-chapter-22>
34. *Child born of rape has right to assaulter's property: HC | Lucknow News—Times of India.* (n.d.). Retrieved 22 May 2023, from <https://timesofindia.indiatimes.com/city/lucknow/child-born-of-rape-has-right-to-assaulters-property-hc/articleshow/49651247.cms>
35. *Children of sex workers face abuse and discrimination in school, become isolated: Govt child rights body.* (n.d.). India Today. Retrieved 19 May 2023, from <https://www.indiatoday.in/education-today/news/story/children-of-sex-workers-face-abuse-and-discrimination-in-school-become-isolated-study-by-child-rights-body-1439319-2019-01-25>
36. *Collection of rape evidence in India – an analysis—MedCrave online.* (n.d.). Retrieved 22 May 2023, from <https://medcraveonline.com/FRCIJ/collection-of-rape-evidence-in-india-ndash-an-analysis.html>
37. *Court Ruling on Abortion for Rape Survivor is Reminder of Need to Amend the Law.* (n.d.). Retrieved 22 May 2023, from <https://thewire.in/gender/court-ruling-on-abortion-for-rape-survivor-is-reminder-of-need-to-amend-the-law>
38. Devulapalli, S. B., Sriharsha. (2020, May 30). *Are India's youth giving up on marriage?* Mint. <https://www.livemint.com/news/india/are-india-s-youth-giving-up-on-marriage-11590763737075.html>
39. Digital, S. (n.d.). *Violence Against and Exploitation of "Untouchable" Children.* Save the Children's Resource Centre. Retrieved 11 May 2023, from <https://resourcecentre.savethechildren.net/document/violence-against-and-exploitation-untouchable-children/>
40. *GOP House candidate questioned how often rape victims get pregnant: 'Maybe because there's so much going on in the body'.* (n.d.). Business Insider. Retrieved 22 May 2023, from <https://www.businessinsider.in/politics/world/news/gop-house-candidate-questioned-how-often-rape-victims-get-pregnant-maybe-because-theres-so-much-going-on-in-the-body/articleshow/92501639.cms>
41. *How India's System Betrays Rape Victims—EA WorldView.* (n.d.). Retrieved 22 May 2023, from <https://eaworldview.com/2022/12/india-system-betrays-rape-victims/>
42. *illegitimacy noun—Definition, pictures, pronunciation and usage notes | Oxford Advanced Learner's Dictionary at OxfordLearnersDictionaries.com.* (n.d.). Retrieved 11 May 2023, from <https://www.oxfordlearnersdictionaries.com/definition/english/illegitimacy>
43. *Illegitimate | Etymology, origin and meaning of illegitimate by etymonline.* (n.d.). Retrieved 11 May 2023, from <https://www.etymonline.com/word/illegitimate>
44. *India lodged average 86 rapes daily, 49 offences against women per hour in 2021: NCRB data.* (2022, August 31). *The Hindu.* <https://www.thehindu.com/news/national/india-lodged-average-86-rapes-daily-49-offences-against-women-per-hour-in-2021-government-data/article65833488.ece>
45. *India's harrowing legal system forces even rape victims to bear unwanted babies.* (2016, July 29). Quartz. <https://qz.com/india/745396/indias-harrowing-legal-system-forces-even-rape-victims-to-bear-unwanted-babies>
46. *Indonesia banned sex outside marriage, Is it legal in India? - Telangana Today.* (n.d.). Retrieved 16 May 2023, from <https://telanganatoday.com/indonesia-banned-sex-outside-marriage-is-it-legal-in-india>
47. *Marriage in Ancient Mesopotamia and Babylonia | eHISTORY.* (n.d.). Retrieved 16 May 2023, from <https://ehistory.osu.edu/articles/marriage-ancient-mesopotamia-and-babylonia>





48. *Mental Health Impact of Rape*. (n.d.). Retrieved 22 May 2023, from <https://mainweb-v.musc.edu/vawprevention/research/mentalimpact.shtml>
49. *Mexico withdraws prison sentence against woman who killed her rapist in self-defence* | *Deccan Herald*. (n.d.). Retrieved 22 May 2023, from <https://www.deccanherald.com/international/world-news-politics/mexico-withdraws-prison-sentence-against-woman-who-killed-her-rapist-in-self-defence-1220639.html>
50. Moran, M. (2018, October 23). *In Need of Definition: How to Select Terms to Define in your Dissertation*. Statistics Solutions. <https://www.statisticssolutions.com/in-need-of-definition-how-to-select-terms-to-define-in-your-dissertation/>
51. *More than 80 per cent Indians support live-in relationship*. (n.d.). *The New Indian Express*. Retrieved 14 May 2023, from <https://www.newindianexpress.com/lifestyle/2018/may/20/more-than-80-per-cent-indians-support-live-in-relationship-1817174.html>
52. *National Sample Survey Office (NSSO) | Ministry of Statistics and Program Implementation | Government Of India*. (n.d.). Retrieved 16 May 2023, from <https://mospi.gov.in/NSSOa>
53. *Parental Rights and Sexual Assault*. (n.d.). Retrieved 22 May 2023, from <https://www.ncsl.org/human-services/parental-rights-and-sexual-assault>
54. *Proportion of population below the international poverty line (%)*. (n.d.). Retrieved 9 October 2022, from <https://www.who.int/data/gho/indicator-metadata-registry/imr-details/4744>
55. *Rape Exemptions and Abortions – National Alliance to End Sexual Violence*. (n.d.). Retrieved 22 May 2023, from [https://endsexualviolence.org/where\\_we\\_stand/rape-exemptions-and-abortions/](https://endsexualviolence.org/where_we_stand/rape-exemptions-and-abortions/)
56. *Right of illegitimate children to succeed*. | *Official Website of Department Revenue, Rehabilitation and Disaster Management, Government of Punjab, India*. (n.d.). Retrieved 3 July 2023, from <https://revenue.punjab.gov.in/?q=right-illegitimate-children-succeed>
57. *Same-Sex Marriage: It's Not Just About Dignity But Also Rights, Says Guruswamy*. (2023, April 18). <https://www.shethepeople.tv/lgbtqia/menaka-guruswamy-on-same-sex-marriage/>
58. Singh, S., Remez, L., Sedgh, G., Kwok, L., & Onda, T. (2018). *Abortion Worldwide 2017: Uneven Progress and Unequal Access*. <https://www.guttmacher.org/report/abortion-worldwide-2017>
59. *Story of abuse that sex workers face every day*. (n.d.). *The Times of India*. Retrieved 19 May 2023, from <https://timesofindia.indiatimes.com/india/why-sex-workers-are-putting-their-health-and-safety-at-risk/articleshow/98475350.cms>
60. *Stress and marriage—India Today*. (n.d.). Retrieved 16 May 2023, from <https://www.indiatoday.in/magazine/special-report/story/19940930-stress-and-marriage-go-together-for-growing-number-of-indian-couples-809737-1994-09-29>
61. *The impacts of sexual assault on women*. (n.d.). Retrieved 22 May 2023, from <https://aifs.gov.au/resources/practice-guides/impacts-sexual-assault-women>
62. *The origins of marriage*. (n.d.). *The Week*. Retrieved 16 May 2023, from <https://theweek.com/articles/528746/origins-marriage>
63. *Unmarried teen mother kills newborn child*. (2023, January 15). *Hindustan Times*. <https://www.hindustantimes.com/cities/mumbai-news/unmarried-teen-mother-kills-newborn-child-101673783006672.html>
64. Venugopal, V. (2021, October 13). *Rape survivors, minors, divorcees and widows allowed abortion up to 24 weeks*. *The Economic Times*. <https://economictimes.indiatimes.com/news/india/rape-survivors-minors-divorcees-and-widows-allowed-abortion-up-to-24-weeks/articleshow/87002082.cms?from=mdr>
65. *What Does Marriage Mean Legally?* (n.d.). *Woolley & Co*. Retrieved 11 May 2023, from <https://www.family-lawfirm.co.uk/blog/what-does-marriage-mean-legally/>
66. *Women's suicide rate in Gujarat, two other states rises, as India's goes down by 23%: Wither UN's SDG targets?* (n.d.). Retrieved 22 May 2023, from <https://www.counterview.net/2018/09/womens-suicide-rate-in-gujarat-two.html>