

## LET THEM FLY

### A Multi-Agency Response to Child Marriages in Haryana

Resource Centre for Interventions on Violence Against Women

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## Introduction

The Special Cell for Women and Children is an initiative of TISS, which through strategic collaboration with the Police Department, aims at integrating social services with the police system to provide a coordinated multi-agency response to violence against women. One of the forms of violence the Special Cells address is child marriage. The Prohibition of Child Marriages Act (PCMA), 2006 mandates State Governments to appoint Child Marriage Prohibition Officers who are empowered to prevent child marriages. In Haryana, combining provisions under the Protection of Women from Domestic Violence Act (PWDVA) and the PCMA, the social workers at the Special Cell are authorised to work as Protection-cum- Prohibition Officers (PPO). The current report is a review of the implementation of the act in Haryana through the PPOs from 2009 to 2011.

## Objectives

- Identify the factors leading to persistence of child marriages in Haryana
- Examine the role of Protection-cum-Prohibition Officers in preventing child marriages in Haryana
- Identify the support expected from the different stakeholders to prevent child marriages, and study the support that is actually given.
- Gain an understanding of the support needed by the children rescued from child marriage
- Suggest relevant changes to the legislature to make it more effective.

## Sources of Data

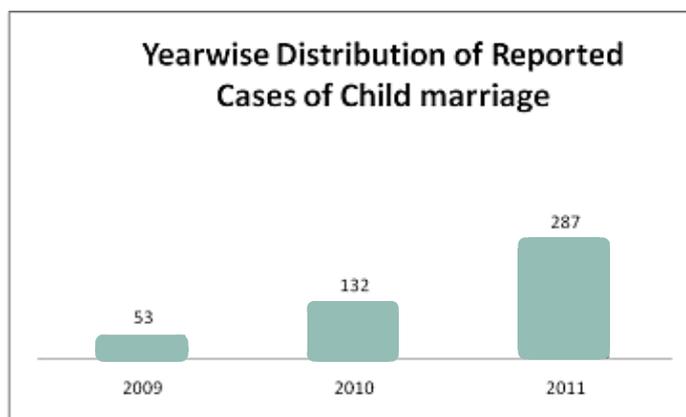
- Records of child marriages prohibited by the PPOs from January 2009 to December 2011 in 20 out of 21 districts of Haryana ( then newly-created Palwal district which at the time of data collection had no recorded cases was excluded)
- Interviews conducted with 20 PPOs
- 20 interviews of children and parents from the child marriage cases handled by the PPOs chosen from Special Cells records through non-random convenience sampling (17 girls and 3 boys.)

In 12 cases, the child as well one parent was interviewed while in 6 cases only the parent consented to speak to the interviewers. Only in one case was the child alone interviewed.

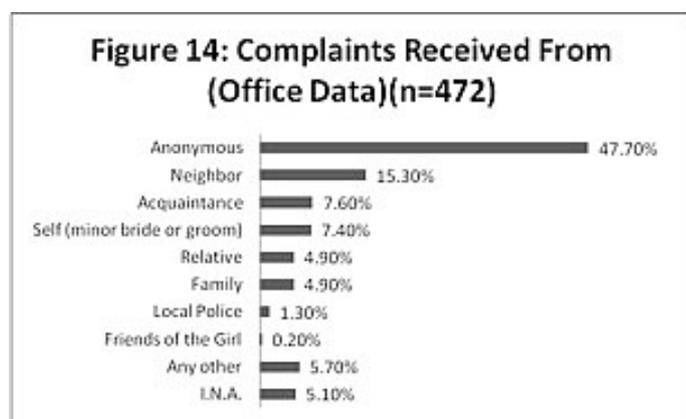
## Findings

### *Trends in reporting and profile of the child brides:*

- From 2009 to 2011, 472 cases of child marriages were registered with the PPOs — with a doubling of cases over each year. This indicates the increased reporting of such cases as a likely effect of growing awareness of the legislation. However, this is unlikely to reflect the totality of cases in the state.
- Cases of child marriage more than doubled in the April-June quarter. This is the period when Akha Teej, considered very auspicious for marriages is celebrated, and when the harvesting season is over and people attend to non-agrarian priorities. Sirsa district bordering Rajasthan registers the maximum number of cases (17.2%).
- Girls aged 15 to 17 years comprise the majority of child marriage cases registered (53%). But the youngest cases registered are of girls aged 7 years. Parents report marrying off girl children “when the girl starts looking grown up.
- Early marriage is associated with interrupted education of girls. The available data shows that most child brides tend to drop out from school after class 7 with just a small number acquiring secondary education.
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### *Justifications for child marriage*

- 8 PPOs reported that there is increasing difficulty in finding a wife which compels people to arrange a child marriage. According to some parents (4), this difficulty has strengthened the practice of *atta-satta*, where the daughter of one family is given in marriage to another family only when that family is willing to give their daughter in marriage to the first family. The age of the girl is often ignored in this transaction.
- There was a lack of clarity amongst the parents about the legal repercussions of marrying an underage child and about the exact legally marriageable age (4).
- Interviews showed that children were not

consulted, and some were not even aware when plans for their marriages had been framed (60%).

### *PPOs' Experience*

- According to the PPOs (10) complaints are mostly made as a way of revenge against the rival families, and are made at the last moment so as to cause maximum financial and social trauma.
- For the PPOs, this meant reaching marriage mandaps (venues) at the eleventh hour and being compelled to intervene while rituals were in progress; no time to take an injunction order, reaching the venue after the marriage was already solemnized, facing deep hostility from community members and requiring the support of police personnel
- PPOs spoke in detail about difficulty in age verification: Families often only register the birth of male children and not those of female children. Sometimes they arrange false certificates. The ossification test to determine age does not pinpoint the exact age but indicates an age span of two years, which becomes a problem when the girl is short of attaining majority by a year or two.
- Police support was found to be essential by the PPOs for implementation of PCMA, however, a large majority (14) desired improvement in the support currently provided by the police.
- Though a one third of the respondents (6) were satisfied with the support extended by the judiciary, a sizable number had experienced reluctance on part of the judiciary to give injunction orders (7) and a tendency to declare a

girl to have attained majority when there was a doubt (2).

- In all 20 cases where a child marriage was prevented, it was noted that families experienced financial repercussions of cancelling the marriage. Majority of families also experienced social humiliation when the child's marriage was prohibited.

## **Conclusion**

Child marriage is not an isolated phenomenon which can be tackled with the help of a single law. This study give an insight into the deeply-rooted patriarchy in the state, in which the problem of child marriage originates. Son preference, leading to low sex ratio, has kept practices such as *atta-satta* alive. Denial of education and employment skills to girls makes marriage the only source of livelihood. Pressure on parents to spend extravagantly at the time of their daughters' wedding makes them view their daughters as an economic burden to be discharged of at an earliest opportunity. The palpable fear of sexual harassment of women results in more restrictions being placed on girls and pushes them into early and unwanted marriages. Child marriage becomes an effective way to deny a girl the right of choice in marriage. Unless aggressive efforts are made to counter these issues, the problem of child marriage cannot be vanquished.

