

# Child Marriage: Transition to Adulthood

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## Bihar State Consultation Workshop on Prevention of Child Marriage

4<sup>th</sup> & 5<sup>th</sup> August 2010, Hotel Chanakya, Patna

It has been estimated that approximately one-third of girls living in the developing world are married before age 18. These millions of girls are defined as "children" by the Convention on the Rights of the Child. Approximately one out of seven girls in the developing world is married before her fifteenth birthday. Child marriage violates girls' human rights by excluding them from decisions regarding the timing of marriage and choice of spouse. In many instances, child marriage marks an abrupt initiation into sexual relations, often with the husband who is considerably older and a relative stranger. In addition, married girls have few social connections, restricted mobility, limited control over resources, and little power in their new households.

Talking about India specifically, almost 44 percent of female and 37 percent of males are married underage, with 10 percent of female and 3 percent of males below 14 of age. In Bihar this ratio goes to alarming proportions; the DLHS-3 shows the mean age at marriage for girls is 17.2 years, while for boys it stands at 21.4, 45.2 percents boys marry underage, while for girls it is 48.2 (source: NHFS III).



Government has also responded with the National Action Plan for Children 2005 and repels the Sharda Act (The Child Marriage Restriction Act 1929), by enacting Child Marriage Prohibition Act 2006. Accordingly, the government of Bihar has also shown its commitment towards Child Protection and ending violence against women and children, "The Bihar Child Marriage Prohibition Rule 2010" has been notified and extended in the state. Likewise Sub Divisional Officers (SDOs) have been designated as Child Marriage Prohibition Officer and key role of District Magistrates (DMs), First Class Judicial Magistrates, Police, Family Courts, Block Development Officers (BDOs), Sarpanch of PRI have been defined towards prevention, protection & prosecution.

Also in an urgent response, the Bihar Government has made comprehensive planning effort within its nodal agency Women Development Corporation (WDC) that deal with women's affairs, having a large interface with the general public and with organisations that have a substantial women's workforce. The WDC has involved a number of Non-Government Organisations (NGOs) to respond to this grave problem and to create a sense of well-being amongst women and adolescent girls. General concern has been expressed at citizens becoming oblivious to harassment of women. It is thus strongly felt that it is vital to sensitise all citizens, agencies, stakeholders, departments and interested groups regarding the right to self-esteem and dignity for women and the need to ensure their safety. Through various initiatives, the WDC has tried to focus on a decentralised approach with an attempt to involve the stakeholders in order to make the society sensitive to the issues involving women & children and to support/implement measures to keep a check on occurrence of such incidents. Due emphasis is laid on shared responsibilities amongst the members of the society who can then play a proactive role in minimising violence against women and children.

UNICEF India's programmatic approach to child protection aims to build a protective environment in which children can live and develop in the full respect of their fundamental rights. UNICEF's 2008-12 Country Program seeks to complement government-led program to achieve these development goals, and is guided by the Convention on the Rights of the Child and other international and regional commitments.

At the same wavelength of understanding WDC & UNICEF has collaborated for community based social mobilization campaign at three districts of state (Vaishali, Gaya & Nawada) for the purpose of developing a model plan of action towards prevention as well prohibition of child marriage and mobilizing support system towards effectiveness.

As the start up effort, WDC and UNICEF office for Bihar have jointly organized a state consultation workshop and successfully mobilized the government departments, administrative & police officials, Media, Civil Society Organizations (CSOs) and Women owned & managed Community Based Organizations (CBOs). A three liner objective has been set in the way to develop State Plan of Action towards Prevention of Child Marriage and developing a social mobilization campaign in a participatory manner.

## Inaugural Session:

The house was called to order by Dr. N. Vijayalakshmi, chairperson designate. This was followed by a call for lamp lighting by Chief Guest Honorable Minister of Department of Social Welfare Mr. Damodar Rawat and Guest of Honor Chief of Field Office-Unicef Mr. Yamin Mazumadar.

“It is unfortunate that Bihar tops the dubious list of states where child marriages are rampant. I am surprised to find many male children in the state being abducted for marriage,”

**Dr. N. Vijayalakshmi**  
Managing Director WDC

Dr. Vijayalakshmi extended a word of welcome to the guests and participants. She said that the workshop was of extreme importance because it heralded the much needed visibility to children and adolescents groups who needed to benefit from childhood and social protection. She went

on to introduce the two guests of the session.

Dr. Vijayalakshmi started her talk by congratulating the organizers of the workshop for giving community leaders the opportunity to add their voice to the discourse on prevention of child marriage in Bihar. She made a reference to the importance of initiatives for children’s needs as Child Marriage not only hampers the health and well being of a child but also threatens the overall development of the child. She lauded the initiative of the state government to establish a conducive environment towards an integrated development approach of children in Bihar. Furthermore, she called upon the civil societies to set up prevention mechanisms to check this.

Mr. Yameen Mazumder, Chief of Field Office, UNICEF office for Bihar, expressed his pleasure to be partnering with WDC and at the workshop. He said ‘UNICEF sees the protection of children from violence, exploitation and abuse as an integral component towards ensuring their right to survival, growth and development. Social norms (customs & beliefs) play an important role in child protection, including in perpetuating violence, abuse and some harmful practices such as child marriage.’ Explaining the factors

“There’s, therefore, a dearth of data on the issue and the practice of child marriage is an obstacle to nearly every Millennium Development Goal - be it poverty eradication, universal primary education, gender equality or health,”

**Yameen Majumder**  
CFO, UNICEF, Bihar

contributing to high prevalence of child marriage in India with a special reference to Bihar, he divided it into two main areas: (i) The socio-economic factors which includes Patriarchal social structure & gender discrimination, family honour, poverty and religion, caste & society; (ii) Inadequate system and capacities. He acknowledged the support being extended by the state government in the field of immunization, education and health. He concluded

by asking the participants to contribute fully in the consultation workshop and enrich it with suggestions & ideas. He also mentioned that child marriage is a violation and denial of Child Rights and thus an obstacle to all the millennium development goals (MDG 1 to 6).

In his statement, Mr. Damodar Rawat confirmed that the Department of Social Welfare has the responsibility for the child protection program; this includes development and empowerment of the society for creating a proactive environment. In this view, the minister also informed about the schemes & policies of state government towards integrated development of children and women.

“Child marriage is a violation of child rights whether it happens to a girl or a boy. It denies the child the basic right to good health, nutrition, education and freedom from violence, abuse and exploitation,”

**Damodar Rawat**

Minister, Social Welfare Department, GoB

Furthermore, Mr. Rawat cited the state government’s efforts to cater to the needs of the adolescent girls through mainstreaming their concerns in a number of initiatives/ policies & schemes such as *Mukhyamantri Kanya Vivah Yojana*, *Mukhyamantri Kanya Suraksha Yojana*, *Mukhyamantri Balika Cycle Yojana*, *Mukhyamantri Balika Poshak Yojana*, etc. He said that these progressive efforts are the reflection of government for development with justice. The Speaker stated that the Department of Social Welfare will support the efforts to prepare a comprehensive plan of action to prevent



children from child marriage as an impetus for the enactment of Act & Rules for prevention of Child Marriage in state.

On this occasion, a handbook titled “*Baal Vivah: Hum, Humare Bachche Aur Hamare Kartvya*” and a set of three posters have been released by Honorable guests.

Ms. Irina Sinha, Project Director of WDC paid vote of thanks to guests, officials from different state’s departments, participants and UNICEF.

## Technical Session I

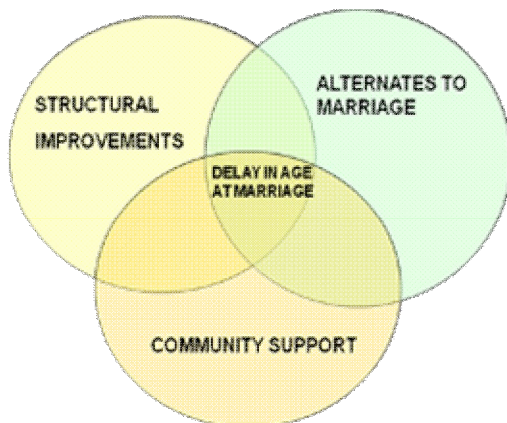
Ms. Kuttiparambil Beena, Officer-in-charge, Child Protection, UNICEF explained the objectives of the consultation and added the wide variation of incidences of child marriages at different states in India. She added that Bihar is in an alarming position and there is a great need to save our children for a better future. Raising the issue of child marriage in our patriarchal tradition & behaviour regarding girls she said that gender discrimination happens because of the position of women in society who are considered either as a burden or a commodity. Through the five year plan she said that we were somehow trying to struggle with this, but till date have not been able to do it since an attitudinal shift is required. Ms. Beena further mentioned that Child Marriage has not only social, cultural and economical causes attached to it but is also due to psychological causes. The stereotypical thinking and ideologies paves the way for such kind of marriages. Thus these ideologies need to be broken.

- a. To initiate a multi-sectoral dialogue on the issue of Child Marriage
- b. To understand the prevailing situation, mechanisms and structures available for the prevention of Child Marriage
- c. To develop a Plan of Action based on the deliberations from the consultative process

Facilitating the session on overview of Child Marriage Ms. Sushmita Mukherjee of International Centre for Research on Women (ICRW) shared the findings of research done in Bihar as well as Rajasthan for same purpose. She added that 63.3% of women aged 20-24 years are married by 18 years of age. This is high in rural Bihar at 65.2% and in urban areas it touches 35.3%. Elaborating the challenges in programming prevention of child marriage in Bihar Ms. Mukherjee pointed that implementers hesitate to challenge social norms associated with sexuality that underlie early marriage, few programs focus

Child marriage is both a protection and rights issue, while poor families may see early marriage as a protection from sexual harassment, in reality it might lead to more violence.”

**Sushmita Mukherjee, ICRW**



on keeping girls in school to delay marriage such as Conditional cash transfer programs for delaying marriage are difficult to administer and sustain. She said that lack of rigorous evaluations makes it difficult to attribute change to specific components of and exposure to intervention. She was of the opinion that social norms in Bihar, gender roles and expectations hinder girls' education, concerns about chastity and stigma motivate child marriage and dowry and other marriage associated costs induce

child marriage. Reiterating the finds on social structure of state Ms. Mukherjee said that physical distance to schools influences the rate of girls dropout from schools, inadequate facilities and teaching standards in govt. schools, dearth of Vocational training programs, lack of awareness and enforcement of Prohibition of Child Marriage Act (2006), Government schemes to discourage child marriages are generally insufficient & influence of migration is high.

Addressing the issue of delaying the age of marriage of girls Ms. Sushmita suggested a programme design model in a participatory approach along with community support, alternating possibilities to marriage and improving structural & service delivery system towards community in need. She has also recommended following pointers:

- Empower girls, mobilize communities, and influence key decision makers to change norms to delay marriage
- Keeping girls in school is an untested yet promising approach to delaying marriage
- Ensure girls' safety and access to programs and services
- Strengthen awareness and enforcement of the Prohibition of Child Marriage Act 2006
- Advocacy efforts - Profiling positive role models
- Sensitizing Media
- Use lessons learned from current programs to inform policies
- Better formulation and implementation of legislation



Ms. Anita Kumari, Assistant Director of Social Welfare Directorate, Govt. of Bihar shared the

existing service delivery system to address the Child Marriage issue. She informed the

house that Bihar has formulated the Bihar Child Marriage Prohibition Rules 2010 and designated SDOs as the Child Marriage Prohibition Officer (CMPOs) and planning capacity building & social mobilization planning for the purpose of awareness generation. A brief presentation has also been made on

- | - Service Delivery System -                |
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| Child Marriage Prohibition Act 2006        |
| Bihar Child Marriage Prohibition Rule 2010 |
| Child Marriage Prohibition Officer (SDO)   |
| Reporting Points (BDO/PS/Sarpanch)         |
| District Courts/ Family Court              |
| Child Welfare Committee                    |
| First Class Judicial Magistrate            |
| Police                                     |
| District Legal Aid Authority               |
| Child Line (1098)                          |
| Women Helpline                             |
| Short Stay Home                            |
| Mukhyamantri Kanya Suraksha Yojana         |
| Mukhyamantri Kanya Vivah Yojana            |
| Mukhyamantri Sanwasin Kanya Vivah Yojana   |
| Mukhyamantri Balika Poshak Yojana          |
| Mukhyamantri Balika Cycle Yojana           |
| Mukhyamantri Nari Shakti Yojana            |
| Dhanlakshmi Yojana                         |

existing schemes.

Chairing the session, Managing Director of Women Development Corporation Dr. N. Vijayalakshmi said that Child Marriage is not only the problem of girls but also of boys. In some districts in Bihar even have cases where boys are being kidnapped for marriages. After the chairperson's remark, she invited the house for an open session and Joint Secretary of Panchayat Raj Department, Programme Officer of Bihar Education Project Council, SDO of Hajipur and State Convener of Bachpan Bachhao Anadolan shared their experiences and regarding policies and interventions already in plan.

## Technical Session II

In this session, a discussion was held on the provisions of Child Marriage Prohibition Act 2006 & Bihar Child Marriage Prohibition Rule 2010 on the role of key players on various aspects such as Department of Social Welfare, District Administration, Police, Judiciary, Media & Civil Society Organizations. Mr. Rajyavardhan Sharma ADC-CID-Bihar chaired the session and facilitated the role of key stakeholders in the frame of Child Marriage Prohibition Act & Rules.

Focusing the deliberation on the role of the Social Welfare Department & District Administration, Mr. D K Diwakar, Joint Director of Social Welfare Directorate informed the house that under the Bihar Child Marriage Prohibition Rule 2010, the implementation power of law has been delegated to district magistrates and they will be the responding authority for proper implementation of Child Marriage Prohibition. He said that Bihar has successfully formulated and is implementing various developing and empowering schemes & programs to address this issue. Ms. Santvna Bharti, State Resource Person of Mahila Samakhya also shared her views on the role of civil Society and community based organizations and shared the experiences of Mahila Samakhya regarding prevention of Child Marriage. With the help of various cases from grass root, the women intervention model was illustrated and she explained how child marriage was a boon & curse both for parents and children. Taking the opportunity to talk on the role of Judiciary Mr. Rupesh of *Koshish* gave out pointers on making the Judiciary gender sensitive and advocated for simpler procedure for victims.

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| <p>19.(1) The state Government may, by notification in the official Gazette, make rules for carrying out the provision of this Act.</p> <p>(2) Every rule made under this Act shall, as soon as may be after it is made, be laid before the State Legislature.</p> |
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**The Child Marriage Prohibition Act 2006**

Chairing the session, ADG of CID Mr. Rajyavardhan Sharma focused on the role of Police in the framework of provision in The Child Marriage Prohibition Act 2006 & The Bihar Child Marriage Prohibition Rule 2010 and shared that the role of police in each and every Act was there, but that it was undefined Jurisdiction. Here in the Child Marriage Prohibition Act the role of Police was clearly defined. The key factors that were identified behind Child Marriages were – patriarchal Society, societal Pressure, poverty and feeling of insecurity. There had to be a change in perception and both preventive and detective role had to be fulfilled by the police. He stated that for greater effectiveness the role of CSO & Media was also very important.

9. (1) Information regarding of likelihood of solemnization of child marriage in any area may be given by any person orally or in writing or by post or by electronic mode to the Child Marriage Prohibition Officer, Block Development Officer, Police Station or Sarpanch of the Gram Panchayat.
- (3) District Magistrate may pass an order under Sub section (5) of section 13 of the Act directing all or any Police Stations to keep vigil at religions and public places and also to take appropriate action to check and prevent the solemnization of child marriages, specially during special occasions when mass child marriages are solemnized.
10. (6) To inform the police authorities including the special police officers appointed under the Immoral Traffic (Prevention) Act, 1956 (104 of 1956), if he comes to know of the solemnization of any child marriage wherein the child being a minor, is:-
  - (i) Taken or enticed out of the keeping of the lawful guardian; or
  - (ii) Compelled by force; or
  - (iii) Induced by any deceitful means to go from any places; or
  - (iv) Sold for the purpose of marriage, and made to go through a form of marriage; or
  - (v) Married and after which is sold or is trafficked or used for immoral purpose;
11. (2) Upon receipt of information that a child marriage has been, or is being, or is likely to solemnized, the Child Marriage Prohibition Officer shall prepare a child marriage incident report in Form-I and submit the same to the court and forward copies thereof to the police officer in-charge of the police station within the local limits of whose jurisdiction the child marriage alleged to have been, or is being, or is likely to be, solemnized.

**The Bihar Child Marriage Prohibition Rule 2010**

As chair remarked, Mr. Sharma invited SHG's Federation President to share his experiences and appealed to everyone to unite for a gender-just society.

### Technical Session III

The third session of the day focused on a discussion on the prevention strategy and sharing of experiences at various levels of policy formulation, implementation of schemes & capacitating the change makers. Ms. Sushmita Mukharjee of ICRW chaired the meeting and facilitated the session in participatory approach.

Sharing the policy framework development and guiding the state plan of action towards child protection in Karnataka, Ms. Suchita Rao, Consultant of Women & Child Development Department, Govt. of Karnataka, said that the state government is committed to strengthening of the Juvenile Justice System, commitment to ICPS, elimination of child labour, prohibition of Child marriage, combating trafficking of women and children, improvement of the status of girl child, addressing all forms of child abuse and preparing a comprehensive database on missing Children. She informed the house that



Karnataka govt. has formulated and notified the state rule on child marriage prohibition on 6<sup>th</sup> Feb 2008 and notification of Prohibition Officers 2<sup>nd</sup> May 2008. During 2009 -10 4 Divisional level workshops were organized at Gulbarga, Davangere, Hassan and Belgaum for 163 Prohibition Officers and 45 NGOs by Department of Women & Child Development in support of UNICEF. After various levels of consultation and inputs, an understanding developed towards incorporating an Amendment to State Rules and as line of action an Action Plan being also formulated.

Mr. Nitin of Art of Living shared the strategy and experience of mobilization & partnership with religious functionaries at Vaishali, Gaya & Nawada. He informed the House that 22,000 people had been reached out to and 13 Child Marriages had been prevented at Nawada, 04 in Gaya and 06 in Vaishali. Mr. R K Pandey, Convener of Inter-Religious Priest Forum – ATSEC has shared grass root experiences on conducting marriage of children. He exposed the pressure of powerful persons as a bigger hurdle in prevention of child marriage. Mr. Pandey said that child marriage was more related to behaviour not only to social status.

Elaborating the experiences of implementation of various gender specific schemes and programs the State Project Manager of WDC Mr. Rupesh Kumar Sinha fixed the mandate to link the condition of delaying marriage to benefits of schemes such as Mukhyamantri Kanya Suraksha Yojana, Mukhyamantri Balika Cycle Yojana, Mukhyamantri Balika Poshak Yojana, Hoonar, etc.

#### **Technical Session IV**

The session started with the limitation of the act itself. It was mentioned by Chairperson Prof. Vinay Kumar Kanth, President, East & West Education Society that the Act alone can't lead to a bigger change. There is a need for a Renaissance in order to have a bigger change.

It is also important to think that are state initiatives sufficient enough to solve the problem or the initiatives need to come from the society as well.

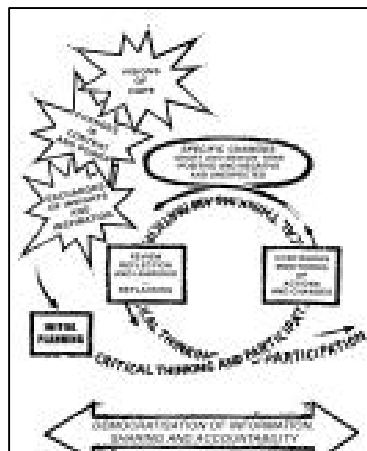
Prof. Vinay K Kantha

He added that there was also a need to see how to establish a synergy between what needed to be done and what the norms were. Further he stated that Media would have to play a very effective role and also need to be sensitive on the issues pertaining to women.

Ms. Nevedita Jha of Nai Dunia Newspaper said that one cannot stop early marriage of girls through force but we need to work constantly towards it. And for which there have to be continuous efforts to ensure that the

condition of the women in the family improves. The need of the hour is to adopt the reflection model followed up by collective action.

Mr. Vinay Ohdar, State Officer, Actionaid office in Bihar mentioned that child marriage was not an evil in itself but a consequence of many evils. Sharing the Actionaid's Reflection model Mr. Ohdar told 'We understand review and reflection as moments where a group goes over (review) what they are doing (accomplish) and thinks about them in a critical way (reflection). This review and reflection contribute to learning – to drawing lessons from the experiences that build people's knowledge about power, change and advocacy'.



Representing the community SHGs' Federations leaders from Nawada &



Gaya both made it clear that community participation was very important in order to eradicate child marriage and it was determined to take the task forward. They also said that there was a need to bridge the gap between parents and children and then to work towards combating it, punitive measures to be taken even at the Panchayat level.

In his presidential remarks Prof. Kantha mentioned that the consultation needs to go to the district level. He further said that a holistic approach of Community developemnt is needed to be talked in an integrated manner and in spite of demand supply constraints are much more and thus can't work in isolation.

In the end it was very clear that there was a need to work toward –

- Strengthening of the implementation mechanism
- Accessibility
- Reflect model and community mobilization

**Day II**

The second day was dedicated in developing a framework towards roadmap on the plan of action in prevention of child marriage. Deliberating the concerns and priorities towards planning, Ms. Enakshi Ganguli, President of Haq said that the prevention effort should compile in the light of Juvenile Justice Act too. She said that the integrated approach on child protection would be the best model for prevention and safety of children. She emphasized the relevance and importance of Juvenile



Justice Act and the three points of action – Prevention, Protection & Prosecution needed to be used. Beside this there was a need to have different & special strategies for different groups of people. Ms. Suchitra Rao, Consultant-Department of WCD, Govt. of Karnataka made a presentation of Karnataka State Plan on Prevention of Child Marriage.

Also Dr. Firoz Ashraf Khan, Project Coordinator of WDC-UNICEF Project on Child Marriage elaborated the plan of action towards preventing child marriage as community effort.

Under the chairmanship of Prof. Daisy Narayan, Chairperson, Child Welfare Committee-Bihar a group discussion session was facilitated among the participants. The four groups discussed and made a presentation on following issues:



- What obstacles do we feel while working towards prevention of child marriage
- What role should the community and the given stakeholders have in combating child marriage. – women’s group, self help Groups, childrens’ groups, Meena Manch, and Panchayat Raj.
- What kinds of activities are required at the community level for awareness?
- What kind of awareness activities are required at these level of mechanisms-
  - Administration
  - Judicial
  - Police
  - Panchayat Raj and others



Responding to divided questions the four groups discussed and made a detailed presentation. A detailed issue analysis and planning efforts were presented before the house focusing on behaviour change communication, community based social mobilization campaigning and capacitating the service delivery mechanism towards effectiveness.

Outcomes of group work			
Group 1	Group 2	Group 3	Group 4
What obstacles do we feel while working towards prevention of child marriage	What role should the community and the given stakeholders have in combating Child Marriage. – women' s group, self Help Groups, children group, Meena Manch, and Panchayat Raj	What kind of activities are required at the community level for awareness	What kind of awareness activities are required at these level of mechanisms
<ul style="list-style-type: none"> <li>• Difficult to find boys if girls are above 18 years of age</li> <li>• More dowry</li> <li>• Decline in the social status</li> <li>• Will get less support if marry our children at the later age</li> <li>• Think girl as the burden and marriage of girl as social responsibility so want to get rid of it as early as possible.</li> <li>• Illiteracy</li> <li>• Lack of awareness</li> <li>• Feeling of insecurity</li> <li>• Religious stigma</li> </ul>	<ul style="list-style-type: none"> <li>• Women Group: Information, Support, Pressure, Awareness, Empowerment, Management, Mechanisms, monitoring and evaluation</li> <li>• Self Help Group: Information, Support, Pressure</li> <li>• Meena Manch: Information, Pressure, Awareness</li> <li>• Religious community/ Media/ Teachers</li> </ul>	<ul style="list-style-type: none"> <li>• Cultural, social legal pressure and street plays</li> <li>• Workshop at the village level</li> <li>• Capacity building</li> <li>• Social boycott to one who encourage this</li> <li>• Motivational factors</li> <li>• Birth registration at primary school level</li> <li>• Child should be first considered of nation and then of parents</li> <li>• Vocational training for livelihood</li> <li>• Special attention to the children in disaster prone areas</li> </ul>	<p>Relationship between the state and the inner domain has to be made stronger. Data related to children are still not correct. Need to have alternative and support systems for women. The cases should be reported to CWC and their roles have to be strengthened</p>

Chairing the concluding session, Managing Director of Women Development Corporation, Dr. N Vijayalakshmi thanked all the participants and appealed to make a community effort towards gender just society.

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