My name is Shaheen. I am 17 years old. My parents got me married 12 years ago when I was about 6 years old. This year they will send me to my husband’s house formally. I did not know that I was married till two years ago when my mother told me. I was shocked and couldn’t believe it. Though I know I cannot do anything now and will have to go to my husband’s place but I feel child marriage is a very wrong practise. I wanted to study further but now I don’t know if that would be possible. My husband seems to be good by nature but I wonder what would have happened if he wasn’t. I have hesitations still to go to his place but I have no other choice.  

Testimonies such as these reveal that child marriage is a complex problem with a backbone of various factors that lead up to it. The marriage is a culmination of contributory factors having precedence over the after-effects. The after-effects of child marriage are far worse than the factors that lead up to the occurrence of the marriage. For little children who do not know what is happening to them, wearing new and beautiful clothes, looking like a doll they once played with is quite fascinating. Only after the event is concluded that they’re hit with a reality that their lives are totally unprepared for. The impact that a child marriage has on the mind of the minor is far from comprehensible. Often girls are greater victims to this practise than boys. Statistics also reveal a higher rate of girls becoming victims. The feeling of the girl child who becomes a prey to this practise is depressing. The feeling of being snatched the life she

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213 Original account from a Respondent in Jaipur, Rajasthan. Name changed for reasons of anonymity and privacy.
loved, the lost opportunity to study and grow, the fate of just being a slave to her husband and in-laws and the silence that her cheery self must get accustomed to, are grave realities that surrounds her life.

The problem of child marriage is something that impacts the society at large too. It is not limited to an individual problem. The impacts of child marriage have far reaching effects on the overall progress rate of the country too. It impacts the women participation in the workforce and which further adversely affects the economic progress. Women constitute nearly half of the existing population in India and their considerable absence from purposeful contribution on account of child marriage, early child bearing and consequent health barriers has adverse results. It is important to understand the various causes and impacts of child marriage.

4.1 **Empirical Study**

The research was conducted partly in an empirical form wherein victims of child marriage were interviewed in 4 States of India. This study was conducted to understand the lives of these victims in order to investigate the extent to which law addresses the plight that they undergo.

Child marriage is not an issue that deserves only textual inter-linkage. An investigation into the lives of girls who became a victim of the same was felt imperative to structure and position this study in a meaningful way. The empirical study was therefore undertaken with the support of NGOs who are working on the ground and helping transform lives.

The NGOs that were of great support in collecting the data include:

— MAMTA-HIMC Delhi

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214 MAMTA – Health Institute for Mother and Child is a non-governmental organisation, committed to empower marginalised individuals and communities through gender sensitive participatory processes, in order to achieve sustainable health and development.
— MAMTA-HIMC Jaipur
— Tharuni- Telangana
— MEDVAN- Telangana
— Pandit Govind Ballabh Pant Institute of Studies in Rural Development – Uttar Pradesh
— NIDAN- Bihar

ibid

Tharuni works to empower Adolescent Girls & Women to build a better world where there is no Discrimination. Tharuni aims to educate the girl to enjoy a higher self-esteem and greater say in decision making, to marry at a right age, and play a major role in social development. Tharuni also focuses on ensuring the well-being of women at all stages of their lives.

MEDVAN (Medak District Voluntary Agencies Network) is a consortium of 21 likeminded NGOs working under consortium approach in Medak district. The Network was registered in 1998 under the A.P. Societies Registration Act (Telangana area-1350 Fasli). It aims to provide a common platform and a district level forum for voluntary organizations working in Medak district. All members of the Network are run by development professionals with 10 – 30 years of experience and rich exposure to a wide range of interventions in domains such as Health, HIV, Education, Child Labor, Sanitation, NRM, NPM, KADA, Watershed Development and Women Empowerment. The network has a rich human resource base of 46 experienced Mandal coordinators and 4188 village volunteers in the district. The network has a proven track record in implementing Village Level Micro Planning in the district, Advocacy and Capacity building of the NGOs and CBOs at the grassroots level.

PISRD is a research and action oriented organization whose vision is to empower and uplift the under-privileged and people living below the poverty line. Their mission is to emphasize the participation of people at the grassroot level. The Institute believes in need based activities in the society for sustainable achievement. They have been involved in establishment of training program for youth, women & weaker sections in professional sectors, social & rural marketing, conduct of evaluation and policy implementation studies on reproductive and sexual health, gender empowerment & welfare and development programs. They have initiated and developed many strategies to enhance information and skill amongst young people to increase their ability to make healthy decision through a gender sensitive, young people, friendly and rights based approach. They also conducted a research study on "Child Marriage in India: A Study of Situation, Causes & Enforcement of Prohibition of Child Marriage Act" in 10 states of India supported by Planning Commission, Government of India, New Delhi.

The organisation focuses on social and economic development of the poor in Bihar with the help of various developmental programmes on issues such as income generation, legal matters, education, health and promotion of low cost housing plans. The organisation is a part of the MKBKSH program. “Main Kuch Bhi Kar Sakti Hoon” (MKBKSH) outreach program is based on an infotainment initiative by Population Foundation of India (PFI) with specific objective to Increase in knowledge on negative consequences of child marriage, early, closely, frequent pregnancies and confidence in their ability to access family planning services in Bihar. Nidan is one of the sub-partners of PFI being implemented this project through their four Animators (Outreach worker) in four blocks (Patna Sadar, Sampatchak, Danapur, Phulwari) of Bihar covering 50 villages / slums. The aim of the MKBKSH outreach program is to spread the messages through various types of community group, specially women & adolescent to address the many prevailing myths and misconceptions surrounding family planning issues at the community level and to involve and engage the community for discussion with key issues viz. behavior change for empowerment of women, delayed age at marriage, delayed age at first pregnancy and spacing between births, and
These NGOs facilitated in data collection and helped with providing interpreters in some of the Areas where language was a problem. The NGOs helped in connecting with the communities and it was their presence that made this study a great success.

4.1.1 Aim of the Empirical Study

The empirical study was carried out with an aim to investigate into:

- Causes behind the obstinate presence of the evil of child marriage;
- Impact of child marriage on the health of girls and women;
- Other impacts of child marriage;
- Awareness of law on prohibition of child marriage;
- Awareness of rights under the law.

4.1.2 Selection of States

In order to give a holistic view about the issue of child marriage, research was conducted in the 4 regions of India with one State as a representative. These States were selected on the basis of high prominence of child marriage. The data referred to included Census 2011 and NFHS Data. These four States include Telangana (undivided Andhra Pradesh), Bihar, Rajasthan and Uttar Pradesh. They were selected as representative of the South, East, West and North regions. As can be noticed in the following figure that these 4 states account for high prevalence on the issue of child marriage:

promote gender equality, improved health seeking behaviors and inspire women to fight for their rights and believe that they can achieve anything. Under this extensive outreach activity, Nidan had formed three types of small groups (Sneha club group, Adolescent group and Target group) in each village / slum and regular monthly meetings was conducted within existing community networks to enhance and deepen the audience’s engagement with key family planning issues.
Figure 4.1: Top Seven States that contribute to Child Marriage

As per the Census data of 2011, India is home to 272.9 million illiterates persons of which 53% are found in the 5 states of Uttar Pradesh, Bihar, Andhra Pradesh, Rajasthan and West Bengal. The 4 States selected i.e. U.P., Bihar,

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Rajasthan and Telangana (undivided A.P.) also reflect in this category and hence major contributors to the practise of child marriage.

4.1.3 Sampling

The sample sizes picked up in each State were representative, though small in size. The reason why small sample sizes were taken was that data was needed to support the legal fall-outs. The individual stories that were collected helped in finding out the larger gaps in interventions on child marriage. The girls and women were able to describe with clarity their situation as well as the problems they’ve had to face on account of these marriages.

The sampling method that was employed was non-random and purposive. The selection was based on age of the respondent as well as the specific aspects of being a child bride. The sample also is a rural and urban combination. In Telangana and Uttar Pradesh, data collected was from the rural parts while in Uttar Pradesh and Bihar, data collected was from urban slums.

4.1.4 Data Collection

Data was collected by way of semi-structured interviews. An interview schedule containing 51 questions was prepared. It included aspects on their personal details, health, education, family life, violence within the household and awareness of the Act. State wise sample of data collected is as follows:

**Table 4.1: State wise sample collection and age groups covered**

<table>
<thead>
<tr>
<th>STATE</th>
<th>PLACES COVERED</th>
<th>SAMPLE SIZE</th>
<th>AGE GROUP</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELANGANA</td>
<td>1. SANGAREDDY DISTRICT</td>
<td>1. 5</td>
<td>1. 8-17 YEARS</td>
</tr>
<tr>
<td></td>
<td>Sangareddy and Sadasivpet Blocks</td>
<td>2. 20</td>
<td>2. 17-24 YEARS</td>
</tr>
<tr>
<td></td>
<td>1. GONDA DISTRICT</td>
<td>10</td>
<td>18-24 YEARS</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------------</td>
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<td>-------------</td>
</tr>
<tr>
<td><strong>UTTAR PRADESH</strong></td>
<td>Babhanjot Block, Village (Rural)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. PHULWARI SHAREEF, Patna (Urban Slum)</td>
<td>20</td>
<td>20-35 YEARS</td>
</tr>
<tr>
<td><strong>BIHAR</strong></td>
<td>2. MENPURA, Patna (Urban Slum)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. JHALANA DOONGRI, Jaipur (Urban Slum)</td>
<td>35</td>
<td>18-35 YEARS</td>
</tr>
<tr>
<td><strong>RAJASTHAN</strong></td>
<td>2. BAGH GATE, Jaipur (Urban Slum)</td>
<td></td>
<td></td>
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</tbody>
</table>

### 4.1.5 Key Findings

The successful conclusion of the study brought to surface mixed realities. Some of the key findings include:
1. The level of seriousness attached to this rights violation is not substantial. The law enforcement agencies lack a sense of motivation to act upon this issue. This is clearly evident from the number of cases that are formally registered under the Act in a year. The clear mismatch of the number of marriages and the number of reported cases\textsuperscript{222} is a stark reality one is faced with.

2. The District Child Protection Officer and other officers’ in-charge of protecting the interests of children are not well verse with the provisions under the Prohibition of Child Marriage Act, 2006.\textsuperscript{223} They are only aware that minimum age of marriage is 18 years. They are however not aware of the punishments under the Act. Also they are not usually well verse with the right of annulment under the Act that the minor owns upon getting married as a child. What the district administration in cases of stopping child marriages would do is that they would take letters containing an undertaking from the father of the girl that he would not marry his daughter and from the girl too that she won’t marry before attaining the age of 18 years. This is an alternative to send the girl to the rescue home. However, no legal action is taken against them in cases where they would take the girl away to some far off village or some other district and get her married. The legal probation officer of the district failed to know and reveal the number of cases pending in court for prosecution under the PCMA. The fact is that mostly these cases never reach the courtroom and are settled out of court. This is because formal FIRs are never lodged against these cases and therefore the national statistics on reported cases remain so low.

3. About 90\% of women were not aware their right of getting their child marriage annulled by way of court intervention. Their knowledge was

\textsuperscript{222} NCRB Data on child marriage
\textsuperscript{223} Sangareddy district, Telangana
noticeably limited to the age at which marriage must take place as per law.

4. The health consequences of child marriage are serious for the girl child who has to face early motherhood. Many young women reported about facing lower levels of Haemoglobin, few cases of sooner Hysterectomy (surgery for removal of uterus), lower energy levels, lower immunity, constant aches and pains in the body etc.

5. It was noticeable that girls who got married young and especially those who were going to school before their marriage, had dreams of becoming nurses or doctors or police officers one day. They genuinely wished to become someone notable one day. Their circumstances plunged them to a fate they never chose and never wanted.

6. Girls and young women who were facing violence within their marriages shared that they faced a sense of disempowerment. Even if they chose to step out of the marriage one day, they were aware that they would be faced with a reality of no acceptance even by their own parents. The community would also inevitably not accept them and humiliate them. They are not economically empowered and to find work with a simultaneous responsibility of taking care of their children is something impossible for them. Even if she manages to find work, the amount she would earn is far from taking care of her basic needs. They have been therefore conditioned to compromise and adjust.

7. There were many cases noticed where the women understood themselves divorced without court interference. Their marriage was never nullified by the court or panchayat, but because their husbands had refused to live with them, they thought that their marriage had come to an end. This is due to the absence of compulsory registration of marriages. A woman is devoid of all her rights to maintenance and a formal decree of divorce. Where the practise is of obtaining divorce from the Panchayat, it is again
questionable, as to what extent the woman’s interest are kept in mind. She is forced to agree to what is decided for her. The validity of Panchayat granted divorce is an area that requires further study.

8. Reintegration of victims of divorce or widowhood or abandonment is a very critical area which law fails to address. They are one of the most vulnerable sections of women too. Those who are located especially in far flung areas find it almost impossible to live a respectful life. The girls who belonged to either of these categories were searching for opportunities but there weren’t any within their accessibility. What is imperative is to bring opportunities for their growth closer to them.

4.1.6 Key Observations and Finding — State wise

Although there were few findings that remained common in each of the 4 States from which data was collected, but some key observations and finding from each of them varied. Therefore, there is a need to look into the State wise findings too.

1. Uttar Pradesh:
   • One of the key things noticed was that the basic infrastructure was not in place. The roads to some of the districts are still not properly constructed. The roads inside the village are also not well made which is why girls usually found it hard to go to school.

   The village people reported that there has been an improvement in the roads only in the preceding one or two months.

   • The girls of the village were eve-teased when they went to school and therefore their parents dissuaded them from pursuing education. With the
aid of NGO\textsuperscript{224} assistance, they were encouraged to go to school in groups and return in groups rather than going alone.

- The school faced an acute lack of teachers and therefore quality of education has been hugely compromised looking at the number of children coming to school. Because learning avenues are limited therefore girls and women find it hard to acquire vocational skills through which they can make a living.

- The place where the interviews were conducted is located at a considerably large distance from where the main district administration sits. There are a total of 16 blocks and 1808 villages within Gonda district alone. Looking at the expanse of the district it is very difficult to give concentrated attention even to one block within it. There are often cases of neglect and corruption that have been experienced by the village community.

- Some of the child grooms also came forward and shared their stories. While predominantly the girls are the worst receivers of this practise, the boys had their own struggles to share. One of them shared about how he found it difficult to take care of a family at such a young age. He wanted to pursue higher education but his family forced him to get married when he was just 18 years old. He shared that his dreams have been shattered because he is now forced to work in the fields because he is meant to earn and provide for his family.

- The village people shared about how they knew that child marriages were happening but the local administration itself was a supporter of the same and did nothing to stop those marriages.

\textsuperscript{224} As reported by the officials of Pandit Govind Ballabh Pant Institute of Studies in Rural Development
2. Telangana:

- A chance to speak to the district administration of Sangareddy district i.e. the Child Welfare Officer and the District Child Protection Officer revealed much about the status of child marriages. They revealed that in tribal areas the practise is far more prevalent and the district administration themselves find it a great challenge to transform mindsets. They have been doing programs regularly to talk about the ills of child marriage. They have also organised programs with inter-faith leaders to talk about the issue of child marriage and sensitise them on the same.

- Interviews in Sangareddy were conducted in a rescue home for children. This rescue home was a home to 50 girls. The rescue home was in an unsatisfactory condition. Government definitely must invest resources into rescue homes so that they are child friendly and are conducive to the healthy development of children. Growing up girls, especially adolescents have special needs and the home was not hygienically sound to prevent diseases. There was also an infant care section for girls who were abandoned as infants. What could clearly be noticed was that a healthy and protective environment was not being given to those infants.

- In Warangal district, the two blocks in which the interviews were conducted, currently there were only 25-30 cases of recent child marriages. This figure was achieved on account of the active involvement of the NGO Tharuni that has been working consistently with the local administration. Under their project Empowerment of Girls through enhancement of skills of betterment of their Lives, they have undertaken the following activities:
  
  ∗ **Formation of Girl Child Clubs called 'Balika Sanghas' in the villages to create a forum for learning and sharing;**
Training the Girls in Family Life Education - which includes training in Reproductive health, Hygiene, Nutrition, Life Skills, etc.;

Soft Skills Training for Girls - Communicative English, Basic Computer Knowledge, Career Mentoring, Employability Skills;

Vocational Training - Tailoring, Beautician, Mobile Repair, Cycle Repair, etc;

Scholarships for Schools/College Fees Payment, Purchase of books, Preparation of Competitive exams;

Village Development activities by Balika Sanghas - knowing their village - Survey of amenities, Follow up with concerned officials to improve the facilities, Clean & Green program;

Cycle to School - Gifting of Cycles to Girls for travelling to School/college;

Establishment of Resource Center with Library, Sport, material & Computers for Girls

- The village infrastructure was better in Telangana as compared to Uttar Pradesh. One of the positive steps taken by the Telangana government was the further bifurcation of districts in order to make them smaller in size so that the administration would be much better. The model proved to be successful and must be replicated in places where the district sizes are big.

- Interviews were conducted with a few girls who had become young widows at the age of 23 years. They shared about how they are not accepted by the community and lack the necessary support to either, make a career for themselves by pursuing higher education or re-

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225 NGO Profile, ‘Nidan’ (United Way Hyderabad) <http://www.unitedwayhyderabad.org/home/ten_k_ngo_details/50> accessed 27 November 2017; also see Mamatha, ‘Combating Child Marriage’ <https://docs.google.com/file/d/0B_CrasE8A9TyWFZNSkZGb3NTbEU/edit> accessed 27 November 2017
marriage. One of the girls had never been to school ever and now with no husband by her side, 3 children to raise, no skill, no money and being permanently sent to her maternal place to stay, she sees a future that is extremely bleak. Working in the fields is her only option which helps her earn a meagre under Rs.100 daily wage.

3. Bihar:

- In Bihar the research was carried out in urban slums unlike in Telangana and Uttar Pradesh. It was noticeable that despite being in the urban set-up there was a considerable prevalence of child marriage among the urban slums.
- Illiteracy, lack of proper education played one of the key roles in promoting the practise. Security concerns for the girl child were another factor.
- While media is a promoter of education and free choices, it creates a hesitative spot for the backward communities who are stubborn and not conditioned to accepting the fact that a girl can choose her own groom.
- Some young women from the Muslim community were also interviewed and their conditions were deplorable. One of them had delivered a child and the infant was born with very low weight at birth. Doctors suspected that the child may not survive for too long. The mother was also found in very serious health condition.
- The women in slums have largely benefitted from the alcohol ban in the State. It has led to lesser instances of domestic violence being inflicted upon them. They have hopes that their husbands would start working one day and earn a living besides them who have to earn, feed and take care of everything at the same time.
4. Rajasthan:

- The women mostly shared that they had never been to school and were brought up in an environment in their villages where education was never favoured. They had all migrated to the urban side after marriage.
- Most women shared that they had not seen their husbands before the wedding day. They were conditioned in this way by the family that only the father is required to meet the boy before the wedding.
- Preference of a boy child is still prevalent in this State and which victimises women to sooner and repeated pregnancies till they deliver a boy or their health is damaged to a point where they can no long bear children.
- The cultural practise of child marriage is ingrained deeply in this State which is why it is one of the leading States on this prevalence of this practise.

4.1.7 Limitations of the Study

There were certain limitations that the study was met with:

— Due to lack of resources it was difficult to cover each of the entire States that were selected for the purpose of study and hence collection of large amounts of data was not possible.
— There is inconsistency in the sample sizes for reasons that some of the places from where data was collected were far to reach and therefore optimum time could not be spent there for reasons of locality as well as safety.
— Some of the Respondents did not open up about their lives despite support from local village members.
— The environments within which the interviews were done were sometimes sensitive and therefore there is scope for incorrect responses.
— Most girls interviewed had been trained by their families that they must mention their age at which they got married to be 18 years. The locals were sometimes able to help share that the girls were in fact not 18 years old at the time of marriage.
— There were questions asked about violence faced by them in any form and some respondents did not share their actual stories for fear of action being taken or their husband’s coming to know of the same.

4.1.8 Unveiling Inter-linkages

The practise of child marriage is deeply rooted in patriarchy and gender inequity. There are many causes that are independent as well as inter-dependent and key contributors to the practise of child marriage. These influencing factors need to be dealt with by the cooperation of both government as well as non-government stakeholders. The next section will be a detailed analysis of these causes and the resultant impacts they have on the lives of victims of child marriage.

4.2 Causality and resultant Impacts of Child Marriage

Deeply rooted in patriarchy and standing on stubborn cultural norms, the practise of child marriage thrives. There are many factors that are responsible for contributing towards the long persistence of this practise which have the effect of snatching away children’s bright future while making them bound by institutions and environments their lives are totally unprepared for. Let us now examine some of the main causes as well as the resultant impacts of child marriage.
4.2.1 Education

Education is one of the key factors that contribute to the issue of child marriage. Where the parents of the girl child themselves haven’t been educated, they lack motivation to send their daughters to school. There are stereotypical comments that a girl has to face such as

- She is only meant to get married, take care of her family, produce and raise children, so what is the need for education?; or
- What would these girls who educate themselves so much achieve? etc.

These comments are more common in rural parts. In the cases where parents are encouraged and ready to support their daughter receiving education the problems are different. They are often faced with concerns such as safety of their daughters. There is a common apprehension in sending daughters to school. This apprehension stems from the fact that their girl may fall in love with a boy who may be from another caste and would not be the right match for her according to the family. The families do not have reservations about their daughters receiving education but are sceptical that a love relationship could make them leave their family. For the girls therefore to receive education, they have to bargain across various conditions before stepping into school. These conditions include being a good daughter to their parents, studying hard and having no friendships and affairs with boys. There is yet another apprehension when it comes to sending girls to school. If the school is too far, then there is reluctance in sending their daughter for reasons of safety. Some fathers reported in UP that they didn’t feel safe sending their daughters because they were eve-teased. Where a secure environment is not offered, there are greater chances of girls dropping out of school. There are further reasons of distance that dissuade parents from sending their daughter to school. If the school is too far and it takes a long time for the girl to travel, they find it a better alternative that the
girl remains home and helps with the household chores. This is because acquiring education is not given the status it deserves within these pockets. Seldom do girls have the ability, sensibility and courage to face their family and demand education. It is a hard battle. They are usually forced to listen to what their family has to say. They are conditioned from the time they are born to remain quiet, not voice their opinions and submit to what the father decides.

There is however one story of a courageous young girl I deem it necessary to cite here. She was interviewed in a Rescue home in Sangareddy District of Telangana State.

Lakshmi is 17 years old. About 4 years ago, her mother met with an accident. Her father separated from her mother. She and her mother migrated to Chennai for finding work. Upon reaching Chennai her mother developed a heart problem. The doctors said that she was serious and might survive only up to 3 years. They moved to Kukatpally, Telangana. They stayed there for one year. Her mother could no longer work or move due to health conditions and therefore Lakshmi was forced to work from morning to evening for earning daily livelihood. Her day would begin with working at people’s homes as a maid servant. From afternoon onwards she would work at a hotel as a server. This is when she was roughly 12 or 13 years old. They returned to their native place thereafter. Once she reached her native place she participated in a singing competition. The local teachers noted that she was a bright and talented child. They inducted her in school and based on her age into 8th class. Even upon joining school, she could not attend school daily and therefore on alternate days worked and went to school in order to earn a livelihood. Her mother soon got addicted to alcohol and gambling and used to use the money Lakshmi earned for these purposes. Whenever she refused to give her mother money, she would hit her. The whole village saw the girl’s plight but couldn’t do anything. They instead told the mother that she should marry her daughter to
someone so that she remains safe. At that time the first proposal came for the girl. She however refused saying that she wanted to study and become something first as well as take care of her mother.

Her mother’s brother died soon after and the girl went for his funeral since the mother was unable to go. At the funeral another family noticed her and thought she was a good match for their son. There was a lot of pressure put thereafter on her to get married. She however told the family that she would marry only on two conditions i.e. first, she would continue her studies after marriage and second that her family would be giving no dowry in the wedding since they genuinely have nothing. She tried her best to get rid of the marriage proposal but her mother emotionally traumatised and blackmailed her by trying to take her own life i.e. attempting suicide. She finally said yes to the wedding proposal and in January 2014 she got married. Her cousin got her married since her mother had no financial resources whatsoever. 20 days of the wedding passed.

One day there was a program happening at the school behind her in-laws place. She along with her sister-in-law, mother-in-law and other family members went to the terrace of their house to see what was happening in the school. An Anganwadi teacher of the school spotted this girl and thought to herself that why has she gotten married at such a young age. The teacher visited their house and spoke to the in-laws and questioned about her marriage. The teacher thereafter called CHILD LINE, Kacheguda. The CHILD LINE people came and took this girl away. She stayed at Kacheguda child centre for 3-4 months where she learnt stitching and did a beautician course. She insisted on studying further and not going back. They finally sent her to Collectors office Samgareddy District and since then she is continuing to stay in Rescue home located at Sangareddy. It’s been 2 years since she has been staying at the Rescue home. In between her mother once again took her after a few months of her initial stay at the Rescue home and tried to convince her to get remarried to
someone else. She nevertheless refused and insisted on coming back to the Rescue home. Her mother visits the centre but not to meet her daughter. She comes only to take the money that Lakshmi receives by way of scholarship or prize money she has won in competitions. Her mother does not keep any contact with her daughter. Lakshmi is all alone today in that Rescue home and the people in the Rescue home are her only family. She is nevertheless a courageous girl and often writes poems. She wishes to become a Stenographer one day and is learning computers for the same.

Education is a tool that acts as a saviour for many girls to avoid being caught within the web of these marriages. Lakshmi’s example is a classic case of how education can bring about a change in the mindsets of the girls to curb the menace of child marriage. Not every girl is as courageous as Lakshmi. She understood the importance of education and values it more than anything today. It is sad however that her family still does not think that her education is valuable. There was a lesser patriarchal influence on her because of her father’s absence. We cannot necessarily say with absolute surety that she could have taken such bold steps in the presence of her father. It has been noticed even with interviews conducted within the 4 states that where education was low, child marriage cases were highly prevalent. Even Census data attests to this truth. The higher the literacy rate of a State, lower is the incidence of child marriage. First let us look into the education levels attained by girls who were interviewed in Uttar Pradesh, Telangana, Bihar and Rajasthan.

![Figure 4.2: Education amongst child brides interviewed in Uttar Pradesh](image-url)
It is clearly visible above that child brides were most uneducated. While Telangana is highest on education, it is definitely low on prevalence compared to the other States as per National data. When the Census data of 2011 was analysed, following was the result as shown in the figures below about how child marriage was less common in cases where the girls were more educated.
These figures reveal that the more educated the girl was, lesser were the chances of her getting married as a child.

Education also helps in bringing about awareness of the ills of this practise. Where the parents of the girl are illiterate, they do not even realise that child marriage itself is an offense. They are guided by social norms alone. Girls who are illiterate are usually not aware of the law for their protection being in place. In cases that they’re even minutely aware of the fact that child marriage is an offense then they’re usually trained to say to anybody who asks them about

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the age at which they got married, to say 18 years. There is a further lapse which was noticed. Most girls and women who were interviewed revealed that they were totally unaware of their right under the Act to have their marriage annulled.

*Figure 4.7: Awareness of the Act among Respondents interviewed*

It can be seen in the above figure that except in the State of Telangana, the awareness of the legislation prohibiting child marriages i.e. PCMA 2006 is extremely low. In Rajasthan 25 of the 35 respondents reported not knowing about the Act at all. Similarly, in Bihar of the 25 respondents interviewed, only 10 were aware of the Act. This awareness was mostly limited to age of marriage i.e. 18 years. The rights under the Act were rarely shared with the girls who got married early. One of the reasons stated by an NGO representative was that sharing of right of annulment is not received well in the communities as it is seen as though breaking of marriages is being promoted.
The above analysis of data reveals that awareness of right of annulment under the Act is very limited. A necessary corollary that follows then is that a negligible number of cases reach the court for annulment of child marriages. The district officials in one of the districts\textsuperscript{227} were also not aware of the right and procedure of annulment of child marriages and therefore were unable to answer questions relating to pendency in court etc.

### 4.2.2 Economics around Child Marriage

The mindset in society that considers girls as an economic burden contributes considerably to the practise of child marriage. In India, the girl’s own family often calls her “\textit{paraya dhan}”. This literally translates to “wealth of someone else”. This gives birth to the notion that girls can add productively to the house in which she gets married into. In the light of the same investing in girl’s education or health is seen as a poor economic investment compared to

\textsuperscript{227} Sangareddy District, Telangana
investing in the boy child’s education. The entire arrangement is seen from the returns that these investments would yield. A boy’s education would help him gain employment and therefore add to the natal house’s income. Son preference is therefore still the thought of many people despite the fact that girl’s are achieving great accolades in society. The thinking that ultimately the girl is to get married and move to her marital home is central to most actions taken by parents towards the girl child. This could lead most necessarily to her being either not sent to school or dropped out for reasons of getting her married as early as possible. The son preference aspect is so strong that these child brides also have to repeatedly conceive babies one after another till they either have a son or their bodies are harmed enough that they cannot handle pregnancies anymore.228

The practise of dowry is another evil that aids in these marriages to happen. Dowry also is considered to be linked with age. Younger the bride means lesser the dowry, and simultaneously, older the bride more the dowry. This is because the when a young bride comes to the family, she is more malleable and is less likely to show any sort of resistance to the household norms. Norms also further dictate that girls are to marry men older to them which means that if the girl is old then she would have to find a man older to herself to get married to. This norm is again rooted in the patriarchal idea that the man must have a greater hold in the marriage and age is the axis that wields that power. An unmarried man is usually highly educated and therefore demands more dowry as a trade-off for the better lifestyle he would provide to his wife.229

228 This is an experience shared by many young women who were personally interviewed.
Another aspect of the issue is that there is a practise that the family of the bride is to bear the cost of the wedding. There are families that are not even bare minimum economically sound to get their daughter married. Where this is backed with more number of girls in the family, the practise of marrying off girls early is highly prevalent because the younger they are, they lesser the dowry that parents are required to give.

It is important to understand that impact non-participation of these girls in the workforce has on the economy. Early marriage means that lesser are the chances that these girls would formally enter the labour force. If they do enter, it is usually noticed that they’re employed in the unorganised sectors.

A study\(^\text{230}\) reflects that elimination of child marriage would lead to the achievement of the following:

- It can lead to the addition of 5% more literates i.e. 27 million women;
- It can add the 1.7% loss of GDP which accounts to nearly $29.50 billion; and
- It can avoid the addition of 10 crore more population.

\(4.2.3\) Control over Sexuality

Child marriage is a means to control sexuality of girls. Once the girl attains puberty, she is considered to be fit to get married. In order to control her sexual choices or autonomy, child marriage is seen as a good solution. There is an apparent over-emphasis on the girl child’s chastity and virginity. The girl’s sexuality is linked with honour of the family. This is not the case with boys. The girl’s parents usually lurk under this perceived insecurity of the blood of their family being stained if the girl runs away or has sexual intercourse with a boy of

low caste. This fear of the parents is used as a justification for lowering the age of marriage. Marriage by itself is seen as a means of legitimising sexual intercourse. This also thereby leads to controlling the reproductive choices of women. Whether the girl wants to have children or not is never taken into consideration. A horrific story came to the surface from a girl who shared her story from Bihar:

Ruksana is 17 years old. She was married as a child when she was 14-15 years old. Her husband forced sexual intercourse on her often. She became pregnant and gave birth to a child who was born highly underweight. The doctors were also sceptical about whether her child would survive. The doctor recommended the mother to be on complete bed rest as her health was also adversely affected due to early pregnancy. Ruksana went to her mother’s place to stay in order to recuperate her health. However, her husband called her back after 2 days of her stay at her mother’s just because he wanted to have sexual intercourse. He was least considerate of the toll that her pregnancy had taken on her. Her own parents also couldn’t take any steps to protect her.

This exemplifies the extent to which the society disregards the reproductive and sexual rights of the girls. The patriarchy and the norms attached therewith reinforce this blatant disregard and which contribute towards this practise enormously.

4.2.4 Central Role of Marriage

Marriage itself is seen to be having a central role in our society. Girls as soon as they are born are readily trained and brainwashed to get married a soon as they grow up. It takes the nature of a central aspiration. Negotiations may be made by some with respect to when, how and to whom, but the fact that one may choose not to get married is less acceptable to most of the segments of
Women are never asked whether they want to get married at all or not. It is a given that marriage is the way of life. Religious thoughts also sometimes reinforce such a way of thinking. There is also general approval in certain majority sections of society on the following characteristics of an “ideal marriage” and what would constitute an “ideal match”:

- First, marriage is acceptable in only opposite genders. Same-sex couples and transgender people are not accepted let alone be looked down upon.
- Next check point is that bride and groom are expected to be belonging to the same religion. Inter-faith marriages are also shut from the eyes of acceptability.
- If one crosses the threshold of same religion, the next test is whether bride and groom are from the same caste. Inter-caste weddings are looked down upon.
- Once same caste is established, the next test is class. Girls are expected to marry someone from the same or higher class only. If she chooses someone from lower class within the same caste, it is considered unacceptable.
- Last check post that a girl is meant to pass is that the groom must be elder to her in age and that his education should be more than hers.

These norms work in a way that disable the choices a female can have when she decides to get married. These norms are cross-cutting across classes and practised almost universally barring few exceptions where the certain segments of society are broad-minded and equal in their approach. Any decision by any of the young adults that goes against the aforesaid rules framed

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231 Nirantar Trust, ‘Early and Child Marriage in India: A Landscape Analysis’ (April 2015)
232 ibid
233 ibid
and enforced by society is seen as a threat to the existence of these norms are therefore resisted heavily.

About 80% girls who were interviewed shared that the only thing that they were constantly reminded of when they were pursuing education was that they will be married the day an ideal match is found for them. This not only is a reminder to them that they are not allowed to choose for themselves, but the reinforcement of a reality that their education is going to take them nowhere and, therefore their prime focus should be on learning household work so that they become ideal housewives. The remaining 20% were not constantly reminded but were subtly told in ways so that they won’t engage in a behaviour that is not acceptable to the family.

This leads to their non-inclusion in the organised work sectors. This is because they’re never shown aspirations of becoming something one day based on the education they are receiving. They are constantly shown a mirage of happiness equating with marriage alone.

4.2.5 Gender Defined Roles

The phenomenon of defining strict roles to a gender has been a practise for a long time. Girls are from the very inception socialised to believe that their primary role is always in relation to others i.e. as a daughter, a daughter-in-law, a wife and finally a mother. These norms become obstacles in a girl pursuing anything outside the orbit of marriage. For men likewise, their roles are constructed around their masculinity and everything thereby that they do is attached with this self. Men are socialised to believe that they are superior to women and therefore must exercise control over them. Until the daughter gets married, her chastity and protection is the defining indicator for the father’s masculinity and honour. If this control over his daughter is lost then his honour

\[\text{ibid}\]
and masculinity is questioned by society. In order to avoid any such ‘shameful’ moments to arise, child marriage is looked at as a good option.

Boys who are married off early also have a reality to face. They’re also usually caught within the web of patriarchal control, though the level of control is not of the same magnitude. Those boys who are either misbehaved and go astray from the norms of masculinity are married off early as a means to reinforce control on them. The son at a young age is burdened with the responsibility of a wife and child without any due considerations to whether his life is ready for it. This increases the dependency of the son on the father and the father is therefore assured of receiving obeisance from both his son and his wife. The son is assigned the task of disciplining both himself and his wife so that the household norms are not broken. If he fails to do the same, he runs the risk of being thrown out and having to fend for himself. These strict gender norms are what contribute to the decision-makings around marriage.

4.2.6 Vulnerability and Insecurity

Marriage is also seen as a tool to cure the different risks and vulnerabilities that poor families are faced with. In cases where the family is extremely poor, the situation becomes compelling for parents to get their daughter married in order to secure the survival of the remaining family with one pair of hands less to eat.

Shantha was 8 years old. She was rescued at the time of her marriage to a boy who was 20 years old. She was rescued by the CDPO of Sadasivpet, Sangareddy district upon a call received from the Anganwadi worker. She was a highly malnourished child who had the duty of taking care of herself and her younger brother while her father went door to door begging. Her mother left the father and went and started living with some other man. The family lived in extreme conditions of poverty in a tattered house with not even basic means at
most times. Her father thought that getting his daughter married was a good means of shirking his responsibility of taking care of his children. He therefore decided to get her married with the help of relatives in finding any match. Shanta was never acquainted with education and today at the age of 9 and half years does not wish to pursue education. She still wants to go back home to take care of her father and little brother. Her father left the village after the rescue operation and nobody knows where he is now.235

This is a classic example of how poverty can be the main driver for these marriages to take place. Other factors such as agrarian crisis and migration also contribute to the vulnerabilities of the families and a following and continued vulnerability of the girl child to be married at a very young age. Some of these migrations are also on account of the conditions of the area that the families are living in, for example, areas prone to floods or environmental disasters or areas prone to communal clashes etc. These factors propel the decisions of girls being married as children to address the insecurity of “who knows what will happen tomorrow”.

4.2.7 Age as a Decision-making Determinant

Age is usually seen as a determinant to make decisions with respect to the lives of young children and individuals. Lack of ‘correct’ decision making power is attributed to young children for reasons of their age. This is because they are considered naive, innocent and not in a position to fend for themselves.236 This is also used as an explanation to justify that marriage out of one’s own choice and underage is unacceptable. However, it is interesting to see what happens when parents marry their children when they’re minor in age. This is not seen with a problematic lens but is usually justified for parents thinking wisely for their children in order to secure their future, especially with

235 Original account from an interview taken at the Shelter home in Sangareddy District of Telangana
236 Nirantar (n 18)
respect to girls. They’re considered wise because of their age. It leads to a conclusion that those who are older have greater control over decision-making. Even if the young person wants to exercise agency over his/her own life’s decisions, it is seen as disrespectful towards elders. The narration of Laksmi’s story earlier in this chapter is a testament to the same.

4.2.8 Impact on Health of Child Brides: A Key Concern

The Supreme Court in its latest judgement cited the World Bank Report saying:

“"The World Health Organisation, in a Report dealing with the issue of child brides found that though 11% of the births worldwide are amongst adolescents, they account for 23% of the overall burden of diseases. Therefore, a child bride is more than doubly prone to health problems than a grown up woman."”

National Family Health Survey (NFHS 4) data reveals that approximately 4.5 million girls between the age group of 15-16 years were either pregnant or had become mothers in the year 2015-2016. Women are usually faced with the inability to negotiate the use of contraception, especially in cases where the young bride is forced to prove her fertility as soon as she gets married. While most women are aware of the contraceptive methods, only 20-30 percent of them are able to use them in reality. This constricted use of contraception is what leads to miscarriages, abortions as well as infant and maternal mortality.

According to UNICEF India unfortunately accounts for 26% of all neo-natal

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238 Independent Thought v. Union of India MANU/SC/1298/2017 Para 32
240 Nirantar (n 18) p 36
241 ibid
242 ibid
deaths (death within first 28 days of being born) in the world.\textsuperscript{243} Low birth weight and pre-maturity are one of the main causes amongst others for this neo-natal mortality. Low birth weight and pre-maturity are again because of poor health of the mother. Poor health of the mother is at most times attributable to early motherhood and income poverty.\textsuperscript{244}

Early pregnancies also led to many young women who were interviewed in their 20s and 30s developing lower immunity levels. They felt fatigued at most times and vulnerable to contracting more diseases. One of these women had to have her uterus removed at the age of 26 years. These ground realities represent an opportunity to create dialogues around nutrition and health of young brides. The long term health consequences are severe and there is a definite need to address these segments.

The psychological and mental health impacts of a child marriage cannot be underweighted. The girls who were interviewed shared about how upon being suddenly married, they felt shaken, lost and under immense pressure. They were not aware about how they were supposed to take care of the household. They were suddenly burdened with responsibilities that their lives were totally unprepared for. These pressures and responsibilities seldom make them stronger. In fact they become weaker both mentally as well as physically and these become clearly apparent in the long run.

4.3 Conclusion

The empirical study was an eye opener to the situations on the ground and helped in the contextualising the issue in a much better way. The problem of child marriage is a culmination of various socio-economic factors as well as

\textsuperscript{243} Nayantara Narayanan, ‘The next time you read about shocking numbers of child deaths, don’t just blame the hospital staff’ (Scroll, 14 September 2017) <https://scroll.in/pulse/850605/the-next-time-you-read-about-shocking-numbers-of-child-deaths-here-s-what-you-need-to-know> accessed 29 November 2017
\textsuperscript{244} ibid
the deeply entrenched patriarchal norms. There are multi-dimensional causes that lead to the occurrence of these marriages. The impacts that these marriages have on the lives of the children in the long run are serious and therefore need concerted attention. A multi-sectored approach is the only way to find solutions and prohibit these marriages, thereby saving the lives of many girls and boys whose rights deserve protection.

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