

1. Child Marriage- Polity

Despite a strong legal framework and multiple schemes tackling Child marriage in India, India is still off-track to fully eliminate child marriage by the 2030 SDG deadline

Concept and Definition of Child Marriage

International definition- Under the UN Convention on the Rights of the Child (UNCRC), a *child* is defined as any person below 18 years of age. Child marriage is therefore understood as a formal or informal union where at least one party is below 18 years.

Indian legal definition- The Prohibition of Child Marriage Act (PCMA), 2006 defines A *male child* as below 21 years A *female child* as below 18 years. A *child marriage* is one in which either party falls below the prescribed age threshold.

Nature of the practice- Child marriage is not merely a social custom but a violation of multiple fundamental rights, including Right to equality, right to education, right to life with dignity, Protection from exploitation

Trends and Magnitude

National Trends (NFHS Data)- Significant decline over time

1. NFHS-3 (2005-06)- ~47.4% of women aged 20-24 married before 18
2. NFHS-4 (2015-16)- Declined to ~26.8%
3. NFHS-5 (2019-21)- Further reduced to ~23.3%

Interpretation- Indicates gradual social change, improved schooling, urbanisation and targeted welfare interventions. However, the pace of decline has slowed in recent years, signalling structural challenges.

State-level Variations

High-burden states- Eight states remain above the national average. West Bengal, Bihar and Tripura report over 40% prevalence among women aged 20-24.

Regional patterns- Higher prevalence in Eastern India, Parts of Central and North-Eastern India. Lower prevalence in Southern states Urbanised and higher-literacy regions

Implication- Child marriage in India is spatially concentrated, requiring state-specific strategies, not a uniform national approach.

Legal and Institutional Framework in India

Prohibition of Child Marriage Act (PCMA), 2006

Key features

1. Makes child marriage voidable at the option of the minor
2. Declares marriages void ab initio in cases involving- Trafficking, Force or coercion

Provides for- Punishment for adult male marrying a child, Punishment for parents/guardians promoting such marriages, Liability of priests or facilitators

Limitations

1. Weak enforcement
2. Social acceptance often overrides legal deterrence
3. Personal laws sometimes create ambiguity in implementation

Child Marriage Prohibition Officers (CMPOs)- Appointed under Section 16 of PCMA. Responsibilities include

1. Preventing solemnisation of child marriages
2. Collecting evidence for prosecution
3. Creating awareness at the community level
4. Maintaining district-level statistics

Challenges

1. Overburdened officials
2. Limited training and autonomy

3. Low conviction rates

Major Factors Driving Child Marriage in India

Poverty and Economic Insecurity– Early marriage viewed as a coping mechanism for poor households. Reduces perceived economic burden of raising and educating girls. Dowry expectations often increase with age and education

Patriarchy and Gender Norms– Girls seen as Economic liabilities, Temporary members of natal families. Early marriage used to Control female sexuality, Preserve family “honour”. Preference for domestic roles over education and employment

Education Deficits– Low secondary school enrolment and high dropout rates. Lack of access to

1. Safe transport

2. Functional secondary schools

Poor linkage between education and employment opportunities

Socio-Cultural and Religious Practices– Beliefs that marrying girls soon after puberty is

1. Auspicious

2. Protective against sexual violence

Deeply embedded customs reinforced by community pressure

Consequences of Child Marriage

Health and Nutrition Impacts– Early pregnancy leads to

1. Higher maternal mortality

2. Anaemia and malnutrition

Increased infant and neonatal mortality, Intergenerational cycle of poor health

Educational and Economic Outcomes– Premature school dropouts, Limited skill acquisition, Reinforcement of feminisation of poverty

Rights and Legal Implications– Increased vulnerability to

1. Domestic violence

2. Marital rape (especially due to legal exceptions)

Reduced decision-making power and autonomy

Government and Community Initiatives

Legal and Policy Measures– **PCMA, 2006** as the primary legal instrument. POCSO Act, 2012

1. Criminalises all sexual activity with minors

2. Acts as a strong deterrent against consummation of child marriages

Welfare and Social Interventions

Beti Bachao Beti Padhao (BBBP)– Focus on child sex ratio, girls’ education and behavioural change

Cash transfer and scholarship schemes– Conditional incentives for School retention, Delayed marriage Examples include state-specific girl child schemes

Community-based Models– Panchayats declaring themselves “child marriage-free”. Strategies include

1. School-based vigilance

2. Community monitoring committees

3. Engagement of SHGs, ASHAs and Anganwadi workers

Demonstrates that social norm change is critical, not just legislation

International Commitments and Global Position

India is a signatory to

1. UN Convention on the Rights of the Child

2. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Endorsed the 2030 Agenda for Sustainable Development. SDG Target 5.3– Eliminate all harmful practices, including child, early and forced marriage

Global standing

1. India has made substantial progress in absolute numbers
2. Still accounts for a significant share of the world's child brides due to population size

Way Forward

Strengthen enforcement of PCMA through

1. Dedicated cadres
2. Better data systems

Universalise secondary education for girls. Integrate child marriage prevention with

1. Nutrition
2. Health
3. Skill development policies

Shift focus from welfare-centric to rights-based and norm-change approaches Engage men, boys and community leaders as change agents

Source- <https://www.hindustantimes.com/india-news/drive-launched-in-all-districts-of-jharkhand-to-make-villages-free-from-child-marriage-101766401172788.html>

