



Orientation of Members of Panchayati Raj Institutions on Child Marriage

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Panchayati Raj Institution on
Child Marriage**

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Disclaimer

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Foreword

Child marriage is often talked about as a thing of past, but it is evident that it is still prevalent in India. It results in disruption of a child's childhood in several ways, like segregation from family and friends, limiting the child's interactions with the community, peers, and lack of opportunities for education.

Girl children often face situations of bonded labor, enslavement, commercial sexual exploitation and violence as a result of child marriage. Child brides are often exposed to serious health risks, early pregnancy, and various STDs especially HIV/AIDS. On the other hand, boy children are burdened with family responsibilities and are forced to drop out of school. There are many reasons due to which parents consent to child marriages, such as economic necessity, need of male protection for their daughters, or oppressive traditional values and norms.

The members of Panchayats can protect child rights; hence they can also play a vital role in prohibiting child marriages in an effective manner. This module is designed by the Child Resource Centre (CRC), which is a joint initiative of Department for Child Rights, Government of Rajasthan and Harish Chandra Mathur Rajasthan Institute of Public Administration (HCM RIPA) with support from UNICEF Rajasthan, Antakshari Foundation is providing its technical support to CRC. The focus of the centre is on capacity building of all stakeholders in the child protection system and creation of a knowledge hub.

This module will help in guiding the Panchayat members to build an understanding on the subject of child marriage and identify their role and responsibilities in relation to The Prohibition of the Child Marriage Act, 2006. It can be used for orientation of Panchayat representatives and for building their capacities to contribute towards the wellbeing of children who have been affected by child marriage and to prevent the marriage of those children who are at a risk of being married.

Best wishes,

Gurjot Kaur

Contents

ABBREVIATIONS USED:.....	6
A. INTRODUCTION TO THE TRAINING MANUAL:.....	7
A.1 About the training manual:.....	7
A.2 Objectives:.....	7
A.3 Participants:.....	8
A.4 Methodology:.....	8
A.5 Program Schedule:.....	8
B. ROLE OF THE FACILITATOR/S:	9
B.1 Introduction:.....	9
B.2 Facilitator's Check List:.....	9
C. TRAINING SESSIONS:.....	10
C.1 Activity 1: Video Discussion on Child Marriage:.....	10
C.2 Activity 2: Participatory theatre or theatre of oppressed:.....	10
D. Brief Introduction about the PCMA:.....	11
D.1 Major Provisions:.....	11
D.2 Child Marriage is Voidable:.....	11
D.3 Child Marriage Prohibition Officer and powers conferred:.....	11
D.4 Why is PCMA relevant to PRI members?.....	12
E. Roles and Responsibilities of PRI members:.....	12

ABBREVIATIONS USED:

PCMA: Prevention of Child Marriage Act

CM: Child Marriage

GP: Gram Panchayat

PRI: Panchayat Raj Institutions

A. INTRODUCTION TO THE TRAINING MANUAL

A.1 About the training manual:

This training manual has been designed for orientation of members of the Panchayati Raj Institutions as they are the local actors who have a strong influence in the decisions impacting the lives of children. However, there has been a gap with regard to necessary information to guide local governing bodies like Panchayat to ensure rights of children more specifically in context of child marriage.

A.2 Objectives:

The main objectives of the training would be to:



Figure 1: Objectives of the Capacity Building Document

A.3 Participants:

Elected members of Panchayat and members of the village community.

A.4 Methodology:

The participants would be exposed to the subject mainly based on participatory methods which may include presentations, discussions- based on lecture and relevant video clips, skit and theatre. Considering the time constraint and sensitivity of the issue it is deliberately decided that the issue should be placed in a thought provoking yet a subtle manner.

A.5 Program Schedule:

The program schedule sets the agenda for orientation of PRI members. It describes the topics to be covered during the training program including the importance of the subject for the members of the PRI. The two hour training program covers key subject of relevance to the roles and responsibilities of participants underlying the necessity and relevance of legal framework. The breakup of program schedule is as under:

Orientation Schedule for PRIs		
Time	Session	Facilitator
Day-1		
10:00-10:30	Registration	
10:30-11:00	Inaugural session	
11:00 -11:50	Context setting 1. Meaning 2. Relevance of the subject for PRI members 3. Consequences of CM	PPT/ video clip/ case studies/ local examples/FGD (focus group discussion)
11:50-12:15	Brief introduction about PCMA	Power point presentation and discussion
12:15 -01:00	Role and responsibility in context of Child Marriage I. Planning a. Preventive b. Intervention c. Rehabilitation	Group Discussion

B. ROLE OF THE FACILITATOR/S

B.1 Introduction:

A facilitator is a guide or who leads a discussion without controlling the process. They need to provide a safe, nurturing and open environment to discuss various concepts and relevant information in a manner sensitive to the needs, feelings and attitude of all the participants. The term facilitator is used since a facilitator does not provide ready answers or solutions but fosters a wider understanding of issues through the process of dialogue and discussion. It is imperative for a facilitator to promote a conducive environment where in the participants are encouraged to put forth their views.

B.2 Facilitator's Check List:

The Facilitators MUST.....	The facilitators must ensure that they:-
Be familiar with the responses and explanations required.	DON'T dominate the discussion or lead them from their own reference point and perspective.
Be well prepared on the goals and structure of the training program.	
Make the sessions simple and easy to understand.	DON'T be judgmental.
Demonstrate enthusiasm for the topics covered in the training and for the work that the participants are doing.	
Be receptive to each participant's questions and needs.	DON'T make the participants feel targeted.
Ensure each participant gets a chance to be heard.	
Ensure everyone takes part in the discussion and encourage participants to go beyond one-word responses.	DON'T raise voice or express negative emotions verbally and/or non-verbally (through facial expressions or any other gesture) to control the flow of discussions
Be available to the participants even after the sessions for answering questions /queries of the participants.	

C. TRAINING SESSIONS

C.1 Activity 1: Video Discussion on Child Marriage

Outcome: At the end of this activity, the participants will be introduced to the subject and the facilitator will gain an insight into the thought process of the group.

Procedure: Use the following procedure for this activity

Time: 20 minutes (approx)

Ask the participants what they mean by child marriage.

Discuss the definition of child marriage.

Show the video film: My Daughter and I (Nation against Early Marriage) and/or Like Sisters:
<https://www.youtube.com/watch?v=wARDb2JYfvw>
<https://www.youtube.com/watch?v=6Zb0tU2e63E>

Use the following questions to conduct discussion on the video film:

1. Does age at the time of marriage impact a person's life? (This is likely to give a good view into the perspective and ideology of the group which may provide us with insights for future trainings).

2. What did the former child bride and her father decide to do about child marriage and could his decision be different?

3. Discuss the prevalence of child marriage in Rajasthan and invite observations and experiences in this regard.

C.2 Activity 2: Participatory theatre or theatre of oppressed

(In the Theatre of the Oppressed, the audience becomes active, such that as "spect-actors" they explore, show, analyze and transform the play where they can come forward and share their views, thereby changing the plot as they deem fit.)

Outcome: At the end of this activity, the participants will be able to empathize and connect with the victim of child marriage.

Procedure: Brief skit exhibiting hardships of Child Marriage.

Time: 30 minutes (approx)

A small team of actors can take up the role of child marriage victims and different people from the community and families. In course of the play, the adversities of child marriage may be projected. At various junctures the participants may be involved.

D. Brief Introduction about the PCMA

D.1 Major Provisions:

- "Child Marriage" means a marriage to which either of the contracting parties is a child;
- District court : Family Court / city civil court/principal civil court of original jurisdiction and includes any other civil court which may be specified by the State Government

- **Appropriate Authorities**

Child Marriage Prohibition Officer

District Magistrate

D.2 Child Marriage is Voidable:

- Child marriage as per this law is Voidable
- Voidable at the option of the contracting party who was a child at marriage
- Petition for annulling a child marriage may be filed in the district court by a contracting party to the marriage who was a child at the time of marriage
 - a) If the petitioner is a minor filed through his or her guardian or next friend along with the CMPO.
 - b) The petition may be filed at any time but before the child completes two years of attaining majority.

Child Marriage is Void if:

Where a child, being a minor-

- is taken or enticed out of the keeping of the lawful guardian; or
- by force compelled, or by any deceitful means induced to go from any place;
- is sold for the purpose of marriage; and made to go through a form of marriage or
- if the minor is married after which the minor is sold or trafficked or used for immoral purposes,

Such marriage shall be null and void.

D.3 Child Marriage Prohibition Officer and powers conferred:

The State Government may, by notification in the Official Gazette

- Invest the Child Marriage Prohibition Officer with such powers of a police officer as may be specified in the notification and the Child Marriage Prohibition Officer shall exercise such powers subject to such conditions and limitations, as may be specified in the notification.
- The Child Marriage Prohibition Officer shall have the power to move the Court for an order under sections 4, 5 and 13 and along with the child under section 3.
- The Child Marriage Prohibition Officers shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code

D. 4 Why is PCMA relevant to PRI members?

As members of the Gram Panchayat/Gram Sabha the PRI members are closest to the community and also have the constitutional mandate to perform functions of the legislature. It is imperative that PRI plays a leading role in preventing child marriages, protecting the victims as well as supporting the concerned authorities in evidence building so as to prosecution of the offenders.

E. Roles and Responsibilities of PRI members:

- Assist the Child Marriage Prohibition Officer in preventing child marriages as per section 16 (2) of the Act. This could be done by convincing parents against conducting child marriages, educating parents and the community on the implications of child marriage for a child, providing information about the law, ensuring that children have access to education and their attendance and retention in schools is promoted.
- Assist the Child Marriage Prohibition Officer or the police in enforcing the law by providing necessary support and information.
- Ensure that no member of the Gram Sabha or Gram Panchayat is involved in promoting child marriages.
- For offenders within the Gram Panchayat, apart from legal action according to the law, their membership must be revoked. Other elected representatives in the Panchayat must ask the Member Secretary to take necessary action in this regard.
- Create awareness within the community about the law and educate the community about the implications/consequences of early marriage for their child such as early childbearing, poor maternal health and mortality, poor infant health and mortality, and higher risk of HIV infection, lower levels of education, lower economic status and livelihood opportunities, higher likelihood of domestic violence and less decision-making power at home, especially for girls. Encourage the parents to wait for their children to reach the age of maturity (i.e. age 18 for girls and 21 for boys) before they are married.
- Assist enrolment and retention of all children, especially of girls, in school by making the village Education Committee aware of the issue of child marriage and enabling them to play a vigilant role in preventing child marriages. This could be done by keeping track of dropout out children and ensuring their enrolment and retention in schools, and making education accessible to all.
- Set up a Child Protection Committee within the Panchayat to create awareness and monitor child protection issues such as child marriage.

(Source: Handbook on Prohibition of Child Marriage Act, 2006- HAQ, MWCD and UNICEF)



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