

### **About Our Organization**

**Vikasaarth** is a not-for-profit organization formed with the central idea of promoting women empowerment, especially among the poor, to address the issues affecting poor living standards of the women and children in Bihar. With a strong presence in Vaishali, Saran, Gaya and Patna districts of Bihar, Vikasaarth is at present engaged in social mobilization and capacity development of women groups for promotion of livelihood and behaviour change communications for improved healthcare. Vikasaarth participated and organized Child Marriage Free India Campaign in Lakhisarai district of Bihar under the project.

### The campaign activities included:

1. Awareness programme in Lakhisarai district on 30 July 2023 to mark World Day against Trafficking in Persons. Awareness was created on child trafficking and child labour among school children in primary and secondary schools, gram panchayat members and households.

2. Celebration of International Day of the Girl Child in Lakhisarai district on 11 October 2023. The celebration was done at the Zilla Parishad office conference room. Organisation's secretary Sunita Singh participated in the programme.

### Campaign highlights included:

- Speeches in the schools
- Rallies
- Drawing competition
- Media interaction

### **Campaign Photos:**



# न्याय देने में नाकाम हो रही फास्ट ट्रैक स्पेशल अदालत यौन शोषण के पीड़ित बच्चों को है न्याय का इंतजार।

#### अंतर्कथा प्रतिनिधि

लखीयराध - : (सजीत संग अवण के न्यायिक तंत्र की क्षमता और दक्षता पर सवालिया निशान उठ कमार) विकासार्थ ट्रस्ट के सचिव सनीता सिंह ने स्पेशन फास्ट टेक खडे होते हैं। शोध पत्र आगे कहता है कि मौजुदा हालात में जनवरी अत्रालतों पर न्याय देने में नाकाम होने को लेकर साधी यौन शोषण के पीडित बच्चों को होने वाले मामलों के निपटारे में अरुणाचल इंतजार को लेकर प्रेस रिलीज जारी प्रदेश को 30 साल लग जाएंगे. करते हुए अपनी बातों को रखा जबकि दिल्ली को 27, पश्चिम इन्होंने कहा कि केंद्र सरकार के बंगाल को 25, मेपालय को 21, तमाम नेशन प्रयासों और वित्तीय बिहार को 26 और उत्तर प्रदेश प्रतिबद्धताओं के बावजव पोक्सो को 22 साल लगेगी। फास्ट टैक के मामलों की सनवाई के लिए स्पेशन अवालतो जैसी विशेषिकत बनाई गई विशेश्वरित अदालत में अदालत औन की स्वापना का 31 जनवरी 20 23 तक देश में प्राथमिक उद्देश्य यौन उत्पीडन 243237 मामले लंबित थे अगर के मामले और सास तौर से यौन लेबित मामलों की इन संख्याओं अपराधों से बच्चों का संरक्षण में एक भी नया मामला नहीं जोडा पोक्सो अधिनियम से जडे मामलों का लारित गति में निपटारा करना जाए तो भी इन सारे मामलों के निपटारों में कम से कम 9 साल या। इनका गठन 2019 में किया गया और भारत ने हाल ही में केंद्र तक का समय लगेगा। बिहार की प्रायोजित योजना के रूप में इसे बात करें तो यहां पोक्सो के लंबित मामलों के निपटारे में तकरीबन 2026 तक जारी रखने के लिए 26 साल का समय लगेगा। साथ 1900 करोड रुपए की बजर की ही 2022 में देश में पोक्सो के राशि के आवंदन को मंजरी दी है। सिर्फ तीन फ्रीसदी मामलों में सजा इस फास्ट देक स्पेशल अदालतो की गठन के बाद माना गया कि सनाई गई। यह चौंकाने वाले तथ्य एक शोध पत्र जस्टिस अवेटस ऐन वह इस तरह के मामलों का साल एनालिसिस ऑफ व एफीकेसी भर के भीतर निपटारा कर लेगी औफ़ जस्टिस डेलीवरी मेकैनिज्मस लेकिन इन अदालत में आए कल इन केसेस औफ चाइल्ड एब्युज 2.68.038 मुकदमों में से महज से उजागर हुए हैं जिसे विकासार्थ 8,909 मुकदमों में ही अपराधियों द्रस्ट ने जारी किया। इस शोध पत्र को सजा सनाई जा सकी है। को इंडिया बाइल्ड प्रोटक्शन फंड अध्ययन से यह उजागर हुआ है (आईसीपीएफ) ने तैयार किया है कि प्रत्येक फारट ट्रेक है स्पेशल आईसीपीएफ और विकासार्थ टस्ट अदालत ने साल भर में औसतन बाल विवाह मक्त भारत के सहयोगी सिर्फ 28 मामलों का निपटारा संगठन है। यौन शोषण के शिकार किया इसका अर्थ यह है कि एक बच्चों के लिए न्याय सुनिश्चित करने मकदमे के निपटारे पर 9 लाख के लिए केंद्र सरकार द्वारा 2019 रुपए का सार्च आया शोध पत्र के अनसार प्रत्येक विशेष अवालत से में एक ऐतिहासिक कदम के जरिए फास्ट टेक स्पेशल अदालतों के भारतीय माही 41 और 42 और गठन और हर साल इसके लिए साल में कम से कम 165 मामलों करोड़ों की राशि देने के बावजद के निपटारे के उम्मीद की जा रही

इस शोध पत्र के निष्कर्ष से देश भी, लेकिन ओकडों से लगता है की भावना को हर बच्चे के लिए की गठन के तीन साल बाद भी यह ज्याय में रूपांतरित होने की जरूरत चिशेष अदालने अपने लय लक्ष्य को हासिल करने में विफल रही है। इन मामलों में कानूनी प्रक्रिया 2023 तक के पोक्सो के लंबित के दौरान यौन शोषण के पीडित बच्चों और उनके परिवारों को पहुंचे आधाल और उनकी बेदना की चर्चा करते हुए विकासार्थ की सचिव सनीता सिंह सचिव ने कहा पीड़ितों और उनके परिवारों को पहंचे सदमें और उनकी पीडा की कल्पना भी नहीं की जा सकती। इसके अलावा न्याय की तलाश में इन परिवारों को अक्सर असहनीय कठिनाइयों और दश्वरियो का सामना करना पडता है या उन पर ताए गए आत्याचारों और पीड़ा को रोजाना बाद करने और उसे रोजाना जीने के समान है। जल्द से जल्द न्याय ही उन्हें इस पीड़ा से छटकारा दिलाने का एकमात्र रास्ता है। सप्रीम कोर्ट के निर्णय का हवाला देते हुए शोध पत्र आगे कहता है कि बाल विवाह बच्चों के साथ बलात्कार है उधर वर्ष 2011 की जनगणना के आंकडे बताते हैं कि देश में रोजाना 442 नाबालिक लडकियों को शाबी का जोड़ा पहना विया जाता है इसका मतलब यह है कि देश में हर मिनट तीन बच्चों को बाल विवाह के नर्क में झॉक दिया जाता है जबकि राष्ट्रीय अदालत रिकॉर्ड ब्पुरो एनसीआरबी की हालिया रिपोर्ट कहती है कि देश में बाल विवाह के रोजाना सिर्फ तीन मामले दर्ज होते हैं। आईसीपीए के संस्थापक भवन जभ्म ने बाल विवाह को रोकने के लिए देश में मजबती नीतियों कडे कानून और पर्याप्त वित्तीय प्रतिबद्धताओं के बावजुद सजा की मामूली दरों को गंभीर चिंता का विषय करार दिया। भवन ऋभु ने कहा कानून

है। अगर बच्चों के चौन शोषण के आरोपितों में महज तीन प्रतिशत को ही सजा मिल पाली है तो ऐसे में कहा जा सकता है कि कानुनी निरोधक उपाय नाकाम है। अगर पीडित बच्चों को बचाना है तो सबसे जरूरी चीज है कि बच्चों और उनके परिवारों की सरक्षा की जाए उनके पनवांस और क्षतिपति के इंतजाम किया जाए और परा न्यायिक तंत्र निचली अवालतों मे लेकर हाईकोर्ट और संप्रीम कोर्ट जैसे ऊपरी अदालतों तक मकदमा का समयबद्ध निपटारा सनिश्चित करें। यौन शोषण के पीड़ितों बच्चों को एक समय बाद और बच्चों के प्रति मैत्रीपर्ण लरीके से न्याय दिलाना सनिश्चित करने और लंबित मामलों के निपटारे के लिए आईसीपीए ने कई अहम सिफारिशे की है। सर्वप्रथम सभी फास्ट टेक स्पेशल अदालते संचालन में हो और यह कितने मामलों का निपटारा कर रहे हैं उनकी निगरानी के लिए एक फ्रेमवर्क हो। इसके अलावा इन अदालतों से संबंध पुलिस से लेकर जजों और परा अवालती स्टाफ को परी तरह सिर्फ इन्हीं अदालतों के काम के लिए रखा जाए ताकि यह प्राथमिकता के आधार पर मामलों को अपने हाथ में ले सके। साथ ही लंबित मामलों के निपटारे के लिए इन अदालतों की संख्या बढ़ाने की जरूरत है, साथ ही पारदर्शिता के लिए इन सभी फास्ट टैक स्पेशल अदालतों के कामकाज को सार्यजनिक दायरे में लाया जाए यह रिपोर्ट विधि एवं कानून मंत्रालय महिला एवं बाल विकास मंत्रालय एवं राष्ट्रीय अपराध रिकाई ब्युरो से

मिले आंकडों पर आधारित है।

एटीएम को बिना तोडे 17 लाख रुपये लेकर चंपत हए अपराधी, कैसे दिया वारदात को अंजाम? जानिए



एसबीआई के एक एटीएम से 17 लाख रुपये उडा लिए। गैस कटर से एटीएम का बीक्स काटकर चोरी के इस घटना की अंजाम दिया। जिस एटीएम को अपराधियों ने निशाना बनाया है. वहां सरक्षा गाई तैनात नहीं था। बिहार के कैमूर जिले में अपराधियों ने शनिवार की रात जीटी रोड के किनारे कदरा थाना क्षेत्र के पसौली बाजार स्थित एसबीआई के एक एटीएम से 17 लाख रुपये उडा लिये। गैस कटर से एटीएम का बॉक्स काटकर चोरों ने इस घटना को अंजाम दिया। वारदात की सचना मिलते ही एसपी ललित मोहन शर्मा ने घटनास्थल पहुंच कर मामले की छानबीन की। उन्होंने चिशेष टीम का गठन कर अपराधियों की गिरफ्तारी के लिए संभावित ठिकानों पर छापेमारी करने का निर्वेश दिया। जीटी रोड के दक्षिण किनारे सराय के पास बाजार में एसबीआई का बिना गाई वाला एटीएम चौबीस घंटे संचालित होता था। घटना के समय भी एटीएम में 17 लाख रुपये रहने की पृष्टि पुलिस ने की ħ पुलिस को आशंका है कि किसी

पेशेचेर गिरोह ने घटना को अंजाम दिया है। क्योंकि गैस कटकर से काटते समय नोट न जल पाए इसलिए पानी भी डालने की बात पलिस सत्रों से प्राप्त हो रही है। पलिस को अंदेशा है कि अपराधी एटीएम के अंबर पहुंचे और गेट बंद कर एटीएम बॉक्स को काटा। सीसीटीवी के साथ लगे अलाम के तार को भी काटने के साक्ष्य मिले 教i

पहले भी हो चकी ऐसी घटना 2022 में सासाराम में इस तरह की घटना हई थी, जिसमें हरियाणा का एक गैंग शामिल था। यह गैंग जीटी रोड व स्टेशन के आसपास घटना को अंजाम देता था। उसी गैंग का एक सदस्य अगस्त माह में छटा था. जो फिलहाल राजस्थान के एक जेल में हैं। मामले में यहां पलिस की एक टीम को हरियाणा भी भेजा गया है। पुलिस पता लगा रही है कि उस गैंग की इस घटना में संलिप्तता है या नहीं। इस संबंध में पूछने पर एसपी ललित मोहन शर्मा ने बताबा कि पलिस मामले की छानबीन कर रही है। सीसीटीची फटेज को खंगाल जा रहा है। घटनास्थल पर जांच के लिए एफएसएल की टीम को भी बलाया गया है।

### Background

Child marriage is not just an age-old social evil, but also a heinous crime that robs children of their childhood. Child marriage is a "crime against children" that violates basic human rights, minor girls are forced to marry and live a life of mental trauma, physical and biological stress, domestic violence including limited access to education and increased vulnerability to domestic violence. The consequences of child marriage are severe and extensive. Some of the specific consequences include: early pregnancies leading to complications and higher rate of maternal mortality and death of infants, malnutrition among both the infant and the mother, increased vulnerability to reproductive health, disruption in girl's education and thereby reduction in opportunities of her personal and professional development, domestic violence and abuse, limited decision making powers in the household, and mental health issues.

India's Census 2011 revealed 12 million children were married before attaining the legal age, of which 5.2 million were girls. Globally, child marriage is identified as a crime and a menace that needs to be eliminated. It finds space in the UN Sustainable Development Goals, under target 5.3 of Goal 5 that states elimination of all harmful practices, such as child, early and forced marriage and female genital mutilation by 2025.

The latest National Family Health Survey (2019-21) shows that although there is a drop in the overall rate of child marriages, from 26.8% in the National Family Health Survey (NFHS 4) to 23.3% in NFHS-5, it is still high despite laws, programmes and schemes in place to address the issue.

### **Child Marriage Free India Campaign**

Understanding the seriousness of the issue, the Hon'ble Supreme Court of India in W.P. Civil 382 of 2013 pronounced that the sexual intercourse committed by the husband upon his wife being under the age of 18 years with or without her consent can be constituted as rape. To address this, the most definitive and audacious commitment to end child marriage was made with the launch of <u>Child Marriage Free India campaign</u>.

<u>Child Marriage Free India (CMFI)</u> is a nationwide campaign led by women leaders and a coalition of more than 160 NGOs spanning more than 300 districts working to eliminate child marriage in India. CMFI is working to attain the tipping point of child marriage, after which the society does not accept this evil practice and that will happen when the prevalence of child marriage is brought down to 5.5% by 2030, from the current national prevalence rate of 23.3%. This is being done by initially targeting 257 high-prevalence districts and gradually focusing on all the districts of the country.

Child marriage results in child rape, resulting in child pregnancy, and in a large number of cases, may lead to child deaths. For decades, we have been losing generations of our children to child marriage. The <u>Child Marriage Free India campaign</u> has received extended support from various Departments and Institutions of over 28 States. So far, across India more than 5 crore people have taken the pledge to end child marriage over the last one year through the efforts of the <u>Child Marriage Free India</u> <u>Campaign</u>.

Know more about the Child Marriage Free India (CMFI) Campaign: https://www.childmarriagefreeindia.org/



### Reduction of Child Marriage to 5.5% by 2030

as proposed in WHEN CHILDREN HAVE CHILDREN - TIPPING POINT TO END CHILD MARRIAGE (Ribhu, 2023)

## **DEMANDS OF THE CAMPAIGN**



Ensure **access to free and quality education** for all children till class 12 (or 18 years of age, whichever is later)



Dedicated **budgetary allocation** for schemes and infrastructure for education and vocational training till class 12



Enable **real-time attendance data analysis** and intervention when irregularities occur



Effective **implementation and enforcement of laws** against child marriage for all sections of society

### The Way Forward: PICKET Strategy to End Child Marriage

Addressing the issue of child marriage, requires a comprehensive and coordinated approach of different government departments, institutions, statutory bodies, and civil society organisations.

For India as a nation to end child marriage by 2030, the PICKET Strategy as proposed in WHEN CHILDREN HAVE CHILDREN - TIPPING POINT TO END CHILD MARRIAGE (Ribhu, 2023)



**Policy** for prevention, protection, prosecution: It is important to ensure parity in the enforcement of laws, and special laws must prevail over customary or personal laws.

The effective implementation and enforcement of existing laws and policies that prohibit child marriage along with swift and decisive justice delivery mechanism are most important steps in checking the prevalence of this crime against children. When prevention of crime is incorporated as a policy, it ensures that the state machinery as well as citizens feel responsible and accountable to prevent child marriage.



**Investment** in infrastructure, incentivisation and institutions: Investing in child protection institutions, education, healthcare, justice delivery, and rehabilitation framework builds layers which work to prevent and protect children from abuse and exploitation apart from providing legal and mental health support for girls in child marriages.

Infrastructure to support girls at imminent risks of marriages, like institutional alternative care and residential educational facilities are urgently needed to stop their marriages, abuse and exploitation, and provide them with resilient alternatives.

Incentives in the form of conditional cash transfers have shown impact in communities to keep girls in schools delaying marriage decisions. Universalization of these to at-risk families has the potential to stop child marriages and trafficking and abuse of girls for both labour and sexual exploitation.



**Convergence** of departments, governments and stakeholders in the community: All schemes and interventions geared towards the protection, prevention, education, health and awareness of children and adults affected by child marriage need to operate in sync with each other. Child participation and empowerment is at the core of such convergence aimed at child centric community development.



Knowledge which equips all the stakeholders to combat child marriage: Enhancing knowledge empowers children, especially boys, to say no to child marriage. When a young man refuses to marry a minor girl, he breaks the cycle of generations of conditioning. It also gives agency to girls to raise their voice and complain when they are forced for marriage against their will or in violation of law. When children, parents, community members and stakeholders participate in decision making equipped with correct and latest knowledge, it can lead to collective action to prevent child marriage.



**Ecosystem** where child marriage does not thrive: Central to the PICKET strategy is an ecosystem where child marriage is non-existent. In a society where child marriage is pervasive, multi-pronged intervention at all levels is required. To change the societal perception, behaviour and acceptance towards child marriage, the response at scale requires and ecosystem level retaliation.



**Technology** for monitoring and deterrence to combat child marriage: Enabling real-time attendance data analysis will help reduce child trafficking, child marriage and drop-out rate in schools. Different states are already using technology for awareness campaigns, supporting and monitoring programme interventions, augmenting education and skills outreach. The use of machine learning and artificial intelligence needs explorations in support of child protection and creating a safe and harm-free ecosystem for children.

### **Tipping Point to end child marriage**

**WHEN CHILDREN HAVE CHILDREN** - *TIPPING POINT TO END CHILD MARRIAGE* Book authored by Mr Bhuwan Ribhu is an action plan to eliminate child marriage in India by 2030. It looks at the existing data on child marriage and lists 257 districts in India where the issue of child marriage is worst, which means where the occurrence of this evil practice is highest as compared to national numbers.

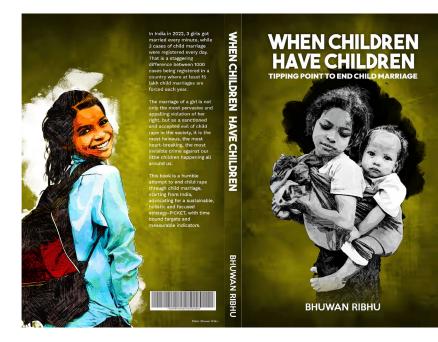
Tipping Point is the threshold required in an ecosystem needed to tilt the scale of the problem towards a point of no-return. The Tipping Point of Child Marriage is the critical point after which the society does not accept child marriage.

### **Tipping Point Methodology**

The aim of reduction of 60 percent of child marriage is assumed to bring down the incidence of child marriage to **5.5 percent** in the next nine years from 2021, from the last available estimates i.e., NFHS-5, till 2030. An additional assumption is that such a focused and elaborate intervention against child marriage would have a ripple effect.

### In order to reach the Tipping Point, the Author proposes strategy at national and district level.

- a. **National Level strategy** where Governments, Institutions, statutory bodies, etc. work towards prevention, protection, increased investment, improved prosecution, convergence and use of technology for monitoring
- b. **District Level strategy** is similar to national level strategy but includes district administration, Panchayats, civil society, NGOs, other functionaries, parents and children who work collectively to prevent, report, and take action against child marriage



### **Case Study - Preventing Child Marriage**

#### Going against the Social Norms



I, Ruplata Kumari, wife of Sanjit Kumar Yadav, am permanent resident of Bannu Bagicha village and gram panchayat of Chanan block of Lakhisarai district in Bihar. In April, we wanted to marry our daughter Shrishti (name changed) who is 15 years old now and studies in class X. This is because we have got a good groom who lives in Bangalore and does labour work. Plan was that when the groom comes here on the occasion of Holi, we will finalise the wedding ceremony. We are a poor family because my husband earns livelihood through labour work in Delhi and cannot afford further studies of Shrishti. Also, it is difficult to get a good groom and also it is not advisable to keep the grown-up girl in home.

I was engaged in collecting articles like utensils, ornaments, bed, mattress, clothes, etc., for wedding when Sunil ji, social worker from Vikasaarth, came into the picture. After listening the story, he said that your daughter was not mature enough for marriage and also explained the ill-effects of early marriage. Later, I also realized and discussed with my husband about the decision. We understood that if she was married early, she might

give birth to a child in a year or two. The child might be weak and malnourished, and both mother and child might have health issues. We will be in trouble in future.

After considering all these, we decided that we would not marry our daughter until she turned 18 years. This decision has been recorded in the form of an undertaking that I have signed. We thanked Sunil ji for the noble advice he gave to us for a better future.

### Story of Struggle against Child Abuse



Muskan Kumari (name changed) aged 15 years is daughter of Heeralal Sao and Putul Devi. She lives with her maternal grandparents in Piri Bazar of Loshghani gram panchayat of Suryagarha block in Lakhisarai district where they run a general store. She is enrolled in the local government school in grade IX.

In her neighbourhood, there is a boy named Pintu Kunar who is son of Mushhar Sao, who used to invite her to his home for eating different types of food items. He also lured her that he will marry her. Later Pintu started mixing toxic substances in the food and when she used to become bit unconscious used to abuse her sexually. He also threatened her that if she revealed this to her grandparents, he will kill them. This continued for a more than three months.

On 3 October 2023, when Muskan was not feeling well, he brought a pregnancy test kit and tested her. In the test she was found pregnant. Then he brough another medicine for abortion. That he again tried to sexually assault her and took her to his room, but this time a neighbour saw them and further was afraid and represented as the held of the bey.

raised an alarm. Muskan was afraid and ran away. The neighbour got hold of the boy.

The grandparents of Muskan asked her about the incident then she told the whole story to them. Her grandmother didn't know what to do next. Our counsellor advised her to register a case against the boy immediately. On 6 October 2023, she went to the Lakhisarai Women Police Station and narrated the whole story. An FIR was registered against Pintu. The police took immediate action and within no time Pinto was arrested.

Till now he is in judicial custody and has not got bail because the case has been filed under POCSO act. The victim has been counselled regularly and now she is leading a norma life and has also started going to school.

### **Child Labour- Need to Enforce Strict Measures**



Shatrughan Kumar (name changed) is 13 years old. He lives in Piri Bazar gram panchayat with his ailing father Nilend Sada and two siblings. Since there is no earning member in the family, Shatrughan has to look for any employment that could feed his family. After much struggle he got to know that there was a sweet shop in the local market who needed a helping hand. The shop is owned by Deepu Sao. Shatrughan started working there since last one year. He used to get Rs 100 for every day he worked.

He was spotted by our community social workers and when contacted he said that if he did not work his family would not get food. His father was contacted and was informed about the support he would get from the government. He was also helped to get support for food under the government scheme for families below poverty line.

Simultaneously, the labour department of Lakhisarai was informed about the case with details of the shop and the victim. Till writing this story the department could not take any action but in the meantime the employer knew about it and has released Shatrughan from work.

Shatrughan has been listed for enrolment in the school and efforts are being made to provide support to the family from different government programmes.