



**STUDY ON
IMPLEMENTATION OF
COMPULSORY REGISTRATION OF MARRIAGES ACT, 2002
(ACT NO. 15 OF 2002)
IN TELANGANA**

Acknowledgment

Mahita with the support of Plan India under Girls Advocacy Alliance program is working in Andhra Pradesh and Telangana to reduce incidences of child marriages and trafficking for sexual exploitation. One of the initiatives under this program is to increase the registration of all marriages solemnized between two consenting adults. TELANGANA COMPULSORY REGISTRATION OF MARRIAGES ACT, 2002 (Act No.15 of 2002) in the state of TS is one such initiatives of the state government to increase the awareness for registration of marriages; despite this effort the rate of marriages registered is dismal.

This study was commissioned by Mahita to Centre for Social and Scientific Research (CSSR) so as to undertake an in depth examination of existing legal system in India with a focus on the implementation of the TS CMRA 2002 that is in place to ensure registration of all legal marriages in the state of Telangana. We are extremely grateful to Dr. Ganesh and his team at CSSR for having delivered a critical analytical study on the existing legislation and suggesting appropriate recommendations to the state of TS to sort out the bottles necks in the implementation of the act.

We also take this opportunity to thank Plan India for their continuous guidance and support while framing the terms of reference of the study and the entire period of the study. Their valuable inputs have ensured that the study is much robust.

We also thank the state, district and mandal functionaries across various relevant departments in charge of implementing the TS CMRA 2002, who have taken time off their busy schedule to provide information and share their experiences in implementing the law. We believe that the study would be instrumental in addressing the issue of registration of marriages in the state. The study would prove to be a practical and versatile resource guide for all enforcement authorities and stakeholders who are committed for tackling the issue on the field.

MAHITA

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Abbreviations

ANM	Auxiliary Nurse and Midwife
ASHA	Accredited Social Health Activist
AWW	<i>Anganwadi Worker</i>
CABE	Central Advisory Board
CCL	Children in Conflict with Law
CDPO	Child Development Project Officer
CSSR	Centre for Social and Scientific Research
CMPO	Child Marriage Prohibition Officers
CRMA	Compulsory Registration of Marriages Act
CNCP	Children in Need of Care & Support
CWC	Child Welfare Committee
DC	District Collector
DCPU	District Child Protection Unit
DCPO	District Child Protection Officer
DRO	District Revenue Officers
DWO	District Welfare Officer
ICPC	Integrated Child Protection Committee
ICPS	Integrated Child Protection Service
IDI	In-depth Interview
IEC	Information Education and Communication
NGO	Non-Government Organisation
PCMA	Prohibition of Child Marriages Act
POSCO	Protection of Children from Sexual Offences Act, 2012
PRI	<i>Panchayat Raj</i> Institution, a body of local governance in India
RDO	Revenue Divisional Officer
SALSA	State Legal Services Authority
SAA	Specialised Adoption Agency
SCPC	State Child Protection Committee
SHG	Self Help Group
SJPU	Special Juvenile Police Unit
VCPC	Village Child Protection Committee
VS	Village Secretary
WD&CW	Women Development & Child Welfare

CHAPTER I

INTRODUCTION AND REVIEW OF LITERATURE

INTRODUCTION

COMPULSORY REGISTRATION OF MARRIAGES ACTS STATES AND UNION TERRITORIES IN INDIA

It is worth noting that there are various laws governing marriage and divorce in India, the Bill seeking compulsory registration of marriages is not intended to challenge or interfere with any of these prevailing systems of personal laws. The only aim of this Bill is to ensure that marriages under all customs and religions are registered.

The Law Commission of India has recommended compulsory registration of marriages to protect gullible women who become victims of fake marriages. In a report submitted to the Centre, the commission headed by former Supreme Court Judge, Justice B.S. Chauhan, said the lack of provisions for compulsory registration of marriages had proven disastrous for women and deprived them of societal recognition and legal security.

“Fraudulent marriages are on the rise especially among nonresident Indians. Compulsory registration can serve as a means to ensure that conditions of a valid marriage have been performed,” the commission recommended.

MINOR AMENDMENT

It said a minor amendment to the Registration of Births and Deaths Act, 1969, including a provision for compulsory registration of marriage, would serve the purpose. The Commission clarified that there was no need to amend any of the personal laws of religious communities.

The commission pointed to a 2006 ruling of the Supreme Court in *Seema vs Ashwani Kumar* that said, marriages of persons who are citizens of India belonging to various religions should be registered compulsorily in their states.

Pursuant to the directions/ observations of the Supreme Court, many states¹ have passed a law or framed rules for compulsory registration of marriages, i.e. the Compulsory Registration of Marriages Act.

¹ 2017, Law Commission of India, Govt of India, Compulsory Registration of Marriages, Ministry of Law and Justice, New Delhi, Report no. 270. Page no. 14&15.

The Act says, marriages to be compulsorily registered. Every marriage performed on and from the date of commencement of this Act shall be registered under this Act notwithstanding the fact that the said marriage has been entered in the marriage registers governed by any other personal laws of the parties to the marriage or custom or usage or tradition.

Further, there are the Karnataka Marriages (Registration and Miscellaneous Provisions) Act, 1976, (3) The Himachal Pradesh Registration of Marriages Act, 1996, and (4) The Andhra Pradesh Compulsory Registration of Marriages Act, 2002 that come into force.

ABOUT ANDHRA PRADESH AND TELANGANA COMPULSORY REGISTRATION OF MARRIAGE ACT, 2002

The Andhra Pradesh Women's Commission has requested both Andhra Pradesh and Telangana State governments to ensure enforcement of Compulsory Registration of Marriage Act, 2002 in order to provide security and protection to women.

The Commission had written to both the State Governments to appoint officers or designated existing officers at the village, *mandal* and municipality level for mandatory registration of marriages, special cells be set up to protect the rights of women married to NRIs in view of increasing divorces forced on women while they were in India.

TELANGANA COMPULSORY REGISTRATION OF MARRIAGE ACT, 2002 (ACT NO. 15 OF 2002)

The Andhra Pradesh Compulsory Registration of Marriages Act, 2002 received the assent of the Governor on the 21st May 2002. The said Act in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under Section 101 of the Andhra Pradesh Re-organisation Act, 2014 (Central Act 6 of 2014) vide. The Notification issued in G.O.Ms.No.16, Department for Women, Children, Disabled & Senior Citizens (Schemes), dated 23.12.2014.

The aim of the Act is to combat child marriages, to reduce the deceit that innocent women are subjected to by men by marrying multiple times and to uphold the right to property for women.

THE NEED AND IMPORTANCE OF THE ACT

- The compulsory registration of marriages helps in dealing with many serious social and legal problems in a country.
- It helps in preventing child marriages and would ensure that the minimum age of marriage is complied with.
- It helps in preventing non-consensual marriages.
- It helps in prevent illegal marriage and polygamy among other things.
- It curbs the deceit in marriages.

- It ensures reduction in crime against women in cases of NRI marriages.
- It enables married women to claim their right to live in the matrimonial home, claim maintenance and to claim property rights.

REVIEW OF LITERATURE

COMPULSORY REGISTRATION OF MARRIAGES ACT, 2006

From the year 2006, all marriages need to be registered in India under the Compulsory Registration of Marriages Act, 2006. It states that every Indian citizen needs to register his or her marriage within ten days of their marriage, irrespective of religion. Such compulsory registration would be of critical importance to prevent child marriages in the country. The state governments in Madhya Pradesh, Uttar Pradesh, Haryana, and Bihar, where child marriages are so rampant, have not taken any initiative to make registration of marriages compulsory. The Central Government has made it mandatory for all states to make registration of marriages compulsory, saying that the states are in a better position to know the social structure and local conditions of their respective states. There are gaps in this law as it has been left to State Governments to take initiative. Secondly, nonregistration of minor's marriage does not render them automatically void.

The Andhra Pradesh High Court decision (S.P.Pondey, Ms.Sultana Usmani et al.,) upholding a minor's marriage as legal has added to the problems of activism against child marriage. Registration of marriages has been made compulsory in some states of India. The Himachal Pradesh Marriage Registration Act, 1996 came into force in 2004 making all marriages within the State compulsory to be registered. Karnataka has Marriages (Registration and Miscellaneous Provisions) Act, 1976, making registration of all marriages compulsory, Rajasthan has a Rajasthan Compulsory Registration of Marriages Bill, 2002. The Government of Rajasthan has made it mandatory to register marriages of couples with the authorities in order for their marriage to be recognised by the law. It was declared that no marriage will be officially recognised, unless couples have a certificate obtained after registering with the authorities. Couples who register their marriage will also benefit as they will be more mature when they marry. Maharashtra has enacted the Maharashtra Regulation of Marriage Bureaus and Registration of Marriages Act, 1998, making *gram sevaks* the Registrar. The legislative assembly of Tripura passed a Tripura Recording of Marriage Bill, 2003. Under the marriage laws in Goa, a civil registration is mandatory, and only registered marriages are considered valid².

² S. P. Pondey, Ms. Sultana Usmani, Child Marriage in India- A Study of Situation, Causes & Enforcement of Prohibition of Child Marriage Act, Pt. G.B. Pant Institute of Studies in Rural Development, Lucknow, Page No.79

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SIGNIFICANCE OF PRESENT STUDY

The purpose of this Study is to find out the different bottlenecks influencing the implementation of CRM Act, 2002 in Telangana State as the majority of marriages are not being registered. It also aims to know the perceptions of different stakeholders i.e., duty bearers for implementing the Act. Ultimately, the results of the Study will help in drafting the advocacy plan. Mahita, one of the leading non-governmental organisations working on child rights is going to use the outputs of this Study and design an advocacy plan along with Plan India.

OBJECTIVES OF THE STUDY

The core objectives of the study are:

1. Undertake a critical review and recommend on the following legislation:
 - o The Telangana Compulsory Registration of Marriages Act, 2002 (Act No.15 of 2002)
2. Identify the bottles necks in implementation of CRMA in Telangana State.
3. Propose concrete recommendations for effective rolling out CRMA in Telangana.

CHAPTER II

RESEARCH METHODOLOGY

The Study used only qualitative information and collection of secondary data on the underlying supporting factors and bottlenecks influencing the implementation of the Compulsory Registration of Marriages Act in Telangana State.

The appropriateness and relevance of this approach was monitored throughout the research process, right from training of the researchers to the subsequent collection of qualitative data at village, *mandal* and district levels.

Based on the high prevalence of marriages in last 5 years, Sangareddy and Gadwal districts were selected for the Study. A large number of State officials of Women Development & Child Welfare Department of Telangana, district nodal officers/officials including DCPU in Sangareddy and Gadwal districts, *mandal* and village level CMPOs and connected key stakeholders in Jogipet and Pulkal *mandals* were interviewed to see the level of their awareness about the CRM Act, 2002 and State Rules, information about implementation of CRMA, level of involvement of CMPOs and other duty bearers for rolling out the Act, bottlenecks and suggestions on effective implementation of CRM Act at all levels.

CHAPTER III

STATE LEVEL REVIEWS AND FINDINGS

The implementation of Telangana Compulsory Registration of Marriage Act, 2002 (Act No.15 of 2002) is under the jurisdiction of Department of Women Development & Child Welfare of the State Government.

The Department for Women, Children, disabled & Sr. Citizens Telangana has issued a notification in the Telangana Gazette dated 31.12.2014 for appointments of Registrar General of Marriages and Marriage Officers as follows:

1. Commissioner and Inspector General of Registrar and Stamps as Registrar General of Marriages.
2. District Collector as District Registrar of Marriages of the concerned district.
3. *Gram Panchayat* Secretaries as Marriage Officers in concerned *gram panchayats*.
4. Commissioner as Marriage Officers in Municipal Corporation/ Municipalities/ *Nagar Panchayats*.

Later on, another G.O.Ms.No.23, has been issued dated: 18.12.2017, as per this G.O. "The Director, Women Development and Child Welfare Department as the Registrar General of Marriages for registration of marriages" and the following is the hierarchy to be followed:

THE HIERARCHY OF THE OFFICERS UNDER THE ACT	
Director, WD&CW Dept.,	Registrar General of Marriages
District Collector	District Registrar of Marriages
District Welfare Officer	Additional Deputy Registrar
<i>Gram Panchayat Secretaries</i>	Marriage Officers (at concerned GPs)
Municipal Commissioner	Marriage Officers (at concerned Municipal Corporation/ Municipalities/ <i>Nagar Panchayats</i>)

The roles and responsibilities of the officers as per the Act are given below:

ROLES AND RESPONSIBILITIES OF THE OFFICERS

REGISTRAR GENERAL OF MARRIAGES

- General control and overall supervision for registration of all types of marriages in the State along with printing and supply of material under the Act.

DISTRICT REGISTRAR OF MARRIAGES

- Shall manage and supervise subject to the directions of the Registrar General of Marriages.
- Shall be responsible for carrying out registration of marriages within the districts with the help of District Welfare Officers, WCD&SC Department., i.e., Additional Deputy Registrars.
- All the District Collectors shall take effective action towards the proper implementation of the Act.

ADDITIONAL DEPUTY REGISTRARS

- Discharge such functions as directed by District Registrar of Marriages from time to time.
- Organise awareness programmes/campaigns in each *mandal* to register factum of marriage under the Act. (Rs 45,000 is released to each district)
- Films made by the Telangana Women Commission and the State Legal Services Authority shall be displayed during the awareness programmes.
- Identification and of marriage service providers such as priests, *khajis*, pastors, caterers, photographers etc. and give them awareness programmes to prevent child marriages and to ensure registration of all marriages under the Act.
- Necessary trainings and awareness programmes shall be conducted at district level for successful implementation of the Act.

MARRIAGE OFFICERS

- To ensure to register all the marriages in their jurisdiction and to issue a certificate on obtaining filled in Application and Memorandum from the applicants.
- Marriage Register should be maintained and regular reporting to the District Welfare Officers be ensured.
- Shall be responsible for the conduct of necessary trainings and awareness programmes for successful implementation of the Act.

The State Govt. also appointed the following Monitoring Committee at the district level shall the progress on implementation of the following once in (3) months:

DISTRICT LEVEL MONITORING COMMITTEE

S.No	Official Designation	Hierarchy
1	District Collector	Chairman
2	Superintendent of Police (or) Commissioner of Police	Vice Chairman
3	Secretary, District Legal Services Authority	Member
4	District Child Protection officer	Member
5	Chairperson, Child Welfare Committee	Members
6	Representative of Child Line	Member
7	All District Panchayat Officers	Members
8	All Municipal Commissioners	Members
9	District Welfare Officer, WCD & SCs	Member - Convener
10	NGO	Nominated by the District Collector who are actively working in the field of prohibition of child marriages

IMPLEMENTATION OF THE ACT

Marriage application, Memorandum, Certificate and Marriage Register and Display Board, Flex boards are printed and supplied to all DWOs by the State office and they are being supplied to all Marriage Officers in the State. Application and Memorandum is available both in English and Telugu.

PLACE OF REGISTRATION OF MARRIAGES

As per the Act, the marriages should be registered in the below mentioned places:

- i) Bride or Bridegroom's place of residence (OR)
- ii) Place of residence of the parents of Bride or Bridegroom
 - Filing of Marriage Memorandum can be done either with Marriage Officer having territorial jurisdiction of the place where bride or bridegroom or parents of bride or bridegroom are located.

DOCUMENTS REQUIRED AS PROOF OF IDENTITY AT THE TIME OF FILING ARE

- Identity proof of the bride and bridegroom (Aadhaar/Voter ID/Passport/Driving license/Ration Card/Pan Card)
- Identity proof of the parents or guardians (Aadhaar/Voter ID/Passport/Driving license/Ration Card/Pan Card)
- Identity proof of the witness. (Aadhaar/Voter ID/Passport/Driving license/Ration Card/Pan Card)
- Passport size photo of the bride and bridegroom along with the marriage photo
- Any certificate showing the date of birth or age of the bride and bridegroom

PROCESS OF MARRIAGE REGISTRATION

- Every marriage performed in the State shall be registered under the Act.
- This Act does not apply to the Marriages already registered with the Registrar of Marriages appointed by the Government.
- Bride or bridegroom or their parents or guardians can apply for registration duly signed, within 30 days from the date of the marriage in duplicate.
- The Memorandum shall be signed by the bride and bridegroom and two witnesses on each side of the bride and bridegroom in front of the Marriage Officer.
- The Marriage Officer shall maintain the Register of Marriages and he should enter the information from the Memorandum to the register and obtain the signatures of the bride and bridegroom and two witnesses on each side.
- In case of proposed marriages, Marriage Officer should visit the place in his jurisdiction and obtain the signatures of the bride and bridegroom and two witnesses on each side.
- If the Memorandum is submitted after the expiry of 30 days of marriage, a fine of Rs100/- may be collected from the couple. The fine needs to be deposited by the couple in the Bank A/C of the Registrar of Marriages and Marriage Officers can verify the DD Voucher or Bank receipt before completing the registration process.
- If the applicant provides false information, he is bound to pay a penalty of up to Rs.1000/- or undergo imprisonment up to one year or both.
- If the Marriage Officer fails to register a marriage, he is bound to pay a penalty which may extend to Rs.500/- or imprisonment up to three months or both.
- The Marriage Officer shall give the marriage certificate to the couple, free of cost.
- The marriage certificate is conclusive proof of the factum of the marriage.

BENEFITS OF MARRIAGE REGISTRATION

- Multiple marriages can be prevented if a Marriage Certificate is obtained.
- Required for legal adoption of children.
- Protection for both female and male may be ensured more.
- Marriage Certificate will be useful as a proof in case of divorce, property issues, other legal issues, harassment, domestic violence, legalisation of children, trafficking etc.
- Helpful for registration or legalisation of NRI marriages.
- Marriage Certificate will be issued for those who get remarried.

BUDGET ALLOCATION FOR IMPLEMENTATION OF CRMA, 2002

The Director, Women Development & Child Welfare is permitted to utilise the following amounts from the budget of the Safety & Security for Women for the year 2017-18.

S. No.	Subject	Budget (INR. in Lakhs)
1	Printing of Registers	Rs.50.00
2	Printing of Flex Boards (in English & Telugu) showing the designation of Marriage Officers	Rs.50.00
3	Orientation Training Programmes for the Marriage Officers	Rs.15.00
4	Awareness Programmes (Rs.5,000/- per <i>mandal</i> for 584 <i>mandals</i>)	Rs.29.20
5	Web Application Development	Rs.05.00
6	District level Workshops/ (Review Meetings @ 4 Meetings in year – each meeting Rs5000) 20,000 x 31 Districts	Rs.06.20
Total		Rs.155.40

As per the information received from state ICPS officials, the budget of Rs 45,000/- per year has been released to each district with a view to create awareness on CRMA. Registration forms, registers, flex boards and other IEC material has been distributed by the State office.

The budget of Rs 5000/- per year has been allotted to each *mandal* for awareness meetings and other expenditure, but it is not yet released due to the bifurcation of districts & *mandals*; as the budget exceeds due to increase of the *mandals*. For such meetings/district level workshops, 4 meetings are planned in a year to discuss, update the status i.e. how many marriages have been performed, prevented etc.

A sum of Rs 15,00,000/- has been released as per old districts (for all 10 districts). This amount has been bifurcated to the new 33 districts for orientation trainings as an initial awareness programme. But, after the bifurcation of districts the amount of Rs.33,00,000/- has been sanctioned for the State and the same has been distributed to all the new districts.

STATE LEVEL INITIATIVES/ PLAN OF ACTIONS

In the year 2019, orientation for Marriage Officers has been conducted to GHMC. The orientation of Marriage Officers in all other districts has been completed.

Development of a web application to facilitate the downloading of Marriage Application and Memorandum in online mode is under process and the link for downloading the same will be made available on the departmental website as well.

Online Registration of Marriages has been initiated; efforts towards this are underway. Web designing is initiated but, not progressing due to budget constraints.

Gram panchayat as a unit, the marriage registration applications and registers have been distributed to 12,924 *gram panchayats*/Administrative units (Earlier, before bifurcation it was 8855 GPs).

Current account has been opened in Nationalised Bank in the name of Registrar General of Marriages. This will be exclusively used for CMRA. Those who apply online for marriage certificate would be required to make a DD of Rs 500/- in favour of the Registrar General of Marriages. It is applicable for a duration of one month after the marriage is performed; after one month they have to pay Rs 100/- as penalty.

After receiving the application, the Marriage Officer has to provide the Marriage Certificate within 60 days, in case of delay he would be charged Rs 1000/- as a penalty. On the other way, if the applicant produces/submits any fake document or information he would have to pay a penalty of Rs 1000/-.

State level trainings were conducted to CDPOs, ICPOs, Revenue Department officials and Police officials on the prevention of Child Marriages, PCM Act, CRM Act and other child protection issues. Further, exclusive trainings were conducted for CMPOs about the importance of implementation of PCMA and CRMA.

Mapping of children to recognise the ones who are most for child marriages has been done in all 33 districts of Telangana. The effort includes school and college dropouts, out of school children, mentally retarded children, physically handicapped children, identification of orphan and semi-orphan children and children under the care of grandparents/care givers. The CMPO was then instructed to be vigilant about these children so that they may not be married off age before they turn 18.

In this connection, child tracking system is established at village level where the school Headmaster/ Teacher are responsible for monitoring the children who are vulnerable to child marriage below 18 years and also children who have been rescued after child marriage. The DCPU and CDPO or Supervisor will monitor the tracking system.

Prachara Rathalu were conducted as a campaign mode in the entire state and they helped to create awareness about child rights, Child Protection Acts including PCMA and CRMA, violation of child rights and its punishments, special focus on POCSO, legal age at marriage etc.

Awareness camps are also conducted prior to marriage seasons in the state i.e *Kartikamasam, Maghamasam* and other festival seasons. These campaigns are more focussed on *Tandas* (tribal communities) where child marriages are rampant.

The State Department of WD & CW is closely working with the Labour Department and Education Department so as to eliminate child labour ensure admission of all children in schools.

During all state level trainings conducted for ICDS Supervisors, few sessions were allotted for discussion on PCMA and CRMA where they further disseminated the knowledge to AWWs at village level.

Yuva programme has been conducted at state level for children and adolescents educating them about health and personal hygiene; this has been a platform for creating awareness about child marriages and related Acts.

CONVERGENCE ACTIONS

Convergence is happening regularly between the District Collector, the Revenue Department, WCD Department, *Panchayat Raj*, stamps & registrations, priests, religious leaders and other service providers.

IEC is being developed to be shared with other line departments also at state and district levels.

Yearly, state level convergence meetings were conducted with NGOs/CSO, Stamps & Registration Department, union members of *purohits*, religious leaders, District Collectors, DROs, police officials, Education Department and Health Department officials and discussions about CRMA as a point of agenda under Child Protection are being held.

BEST PRACTICES

- Awareness has been created about marriage registrations through Mana TV/T Sat- Nipuna programmes throughout the State of Telangana.
- A short video on CRMA is being broadcasted at Hyderabad Metro trains for one day. It would reach to 3 lakhs people approximately.

CHAPTER IV

DISTRICT LEVEL REVIEWS AND FINDINGS

District level trainings were conducted for *Panchayat* Secretaries on 2nd July 2019 for implementation of CRMA.

Marriage registration certificate can be issued by *Panchayat* Secretary as per CRMA; but there is no data received from DPO (District *Panchayat* Office) by DCPU. It shows lack of coordination between *Panchayat Raj* Department (DPO) and DCPU.

There is no specific budget allocation for CRMA, only budget allocated under CP is being utilised after taking prior approval from DWOs.

There is no convergence happening at district and below levels, as well. The discussions on implementation of CRMA and other related legislations has been conducted with the District Welfare Officer (DWO) and District Child Protection Unit (DCPU) including District Child Protection Officer (DCPO) at Sangareddy and Gadwal districts of Telangana.

BUDGET ALLOCATION

There is no budget allocated for the implementation of CRMA at district and/or below levels; but there is a budget provision under overall child protection head for districts which can be used after taking prior approval from DWOs; but it is mostly used only for awareness meetings and trainings.

HR AVAILABILITY

Sufficient human resource is available at both state and district level under DCPU to implement CRMA under ICPS; but most of the district level staff are appointed on contract basis.

IMPORTANCE OF IMPLEMENTATION OF THE CRMA

The DWOs expressed that none of the departments at district level are taking child marriage as a priority issue, which includes implantation of CRMA; whenever they organise meetings for their priority issues they will discuss the child marriages issue as a point of discussion in agenda which is initiated by the DWO of WD&CW Department as a Nodal Officer.

ACTION PLANS

The District Child Protection Unit says there are no specific action plans made so far at district, *mandal* or village level about the implementation of CRMA; however, the below activities have been conducted under the child protection premise on awareness generation.

- Awareness activities were conducted for Marriage Registration Officers, CDPOs and DCPUs about child protection issues, PCMA and CRMA during their regular meetings in all villages, *mandals* and also at the district level.
- District level awareness camps were conducted through ICDS on PCMA and CRMA.

CAPACITY BUILDING TRAINING'S CONDUCTED ON CRMA

- Exclusive district level orientations were conducted on PCMA & CRMA to all *Panchayat* Secretaries.
- The capacity building trainings were conducted twice yearly (June & Dec) by the DCPUs and DLSAs for the key stake holders of PCMA & CRMA i.e., Marriage Registration Officers, CDPOs, Police, CSOs, youth leaders, NGOs and religious heads at the district and *mandal* levels about the prevention of child marriages and its related Acts.
- Trainings were conducted for the religious heads and *purohits* on PCMA at the *mandal* level.

COLLABORATION WITH OTHER NGO/CSO PARTNERS ON IMPLEMENTATION OF CRMA

The DCPU in collaboration with Mahita and MEDVAN organisations and *Nehru Yuva Kendra* (NYK) has conducted awareness campaigns about PCMA & CRMA and other Acts related to child protection. As a part of the Girls Advocacy Alliance, Mahita has conducted many advocacy meetings at the district level with government line departments, discussing the importance of the implementation of PCMA & CRMA.

BEST PRACTICES ADOPTED IN LAST 5 YEARS

- Orientations were conducted about both PCMA & CRMA for VCPCs (Village Child Protection Committees) and MCPCs (*Mandal* Child Protection Committees).
- Awareness programmes were conducted through *Prachara Rathnamas* a campaign mode on PCMA and CRMA in 300 villages of Sangareddy in 2017, 2018 and 2019.
- Awareness is being created about CRMA programmes during the CRC week, every November.

MANDAL AND PANCHAYAT LEVEL REVIEWS AND FINDINGS

MANDAL LEVEL MONITORING COMMITTEE UNDER CRMA, 2002

A committee has been constituted in every *mandal* to monitor and supervise the implementation of the Act and the rules within that *mandal*. The committee shall comprise of the following persons:

S.No	Designation
1	Tehsildar
2	<i>Mandal</i> Parishad Development Officer
3	Child Development Project Officer
4	<i>Anganwadi</i> Supervisor (nominated by CDPO)

As a part of the Girls Advocacy Alliance (GAA) Programme, Mahita has also provided registers to *gram panchayat* offices for the registration of marriages.

As per the CDPO of Jogipet, Rs 4000/- per *mandal* has been released to CDPOs for CRC Week celebrations during November. During these CRC Week celebrations, the awareness is also created about the implementation of CRMA for the Marriage Registrar Officers, Monitoring Committee members and CMPO.

The reviews have been conducted at Jogipet and Pulkal *mandals* in Sangareddy District with CDPOs, ICDS supervisors, *anganwadi* workers, ANM, school teachers, PRI members, ASHA, SHG members, VCPC members and Marriage Registration Committee members.

REVIEW AND FINDINGS WITH THE TEAM

Awareness meetings about CRMA and PCMA were conducted at the *panchayat* level, *anganwadi* centre level and school level involving PRI members, Police, school teachers, Child Line etc. These meetings are held randomly as a part of ICDS *mandal* level meetings and not with the agenda of ICDS. The discussions in these meetings are mostly about strategies of preventing child marriages, complaint registration mechanism of child marriages, rescue & rehabilitation and follow up etc.

The impact of *Kalyana Lakshmi* Scheme³ introduced by the Government of Telangana has caused a significant increase in registration of marriages as they get benefits of the Scheme only when they get registration of the marriage done and produce the Marriage Certificate. The awareness platforms of *Kalyana Lakshmi* Scheme at village levels are also used to create awareness about the implementation of CRMA.

³ Kalyana Lakshmi scheme or and Shaadi Mubarak is a welfare scheme for providing financial assistance for marriages by the Government of Telangana, a novel scheme for all poor people in the State.

CHAPTER V

BOTTLENECKS

- Marriage registration certificate can be issued by Panchayat Secretary, as per CRMA, 2002, and this data is not regularly shared with DPO (District Panchayat Office); there is no data received by DCPU from DPO (District Panchayat Office) so far. It shows lack of coordination between *Panchayat Raj* Department and DCPU.
- Implementation of the CRMA/administration is a challenge due to the reorganisation of Telangana i.e bifurcation of the districts/*mandals*. Budget is also a constraint as there is an increase in administrative units from 8855 to 12924.
- There is no specific budget allocation for CRMA, only budget allocated under CP is being utilised after taking prior approval from DWOs. The budget of Rs 5000/- has been allotted per year to each *mandal* for awareness meetings and other allied expenditure, but it is not yet released due to bifurcation of the districts & *mandals*.
- Convergence at district and below levels, as well on CRMA is not happening.
- There is duplication of issuing the marriage certificates caused due to manual issuance. Hence, online registration is required, but online registration is initiated and not progressing due to budget constraints. The budget of Rs 5,00,000/- has been released by the Department in 2017-18 budget, which is not sufficient as per the vendor quotes for completing the web design as desired by the Department.
- Duplication of marriage registration is arising in few cases between two departments. i.e. Stamps & Registrations and Marriage Registrar Office from WCD.
- The Marriage Registration Officer has confusion in issuing the Marriage Certificate. The question arises as to where the Marriage Certificate is to be issued, the bride's birth place, or the bridegroom's birthplace or the place where the marriage is solemnized, or any place where the marriage is registered.

- Because of state welfare schemes such *Kalyana Lakshmi* or *Shaadi Mubarak* all BPL families are getting the registration of marriages done for financial benefits. This is not happening in 100% of the APL families.
- Lack of awareness among the public that marriage registration can be done at the village level and a marriage certificate can be received from the *Panchayat* Secretary is one of the reasons of all marriages not being registered.
- As per the CRMA, a Marriage Registration Certificate can be issued by the *Panchayat* Secretary at the *gram panchayat* level; but lack of awareness on this, people are still approaching *mandal* level offices/*tehsildar* for registration of marriages.
- There is a lack of regular and effective capacity building trainings. The capacity building training has been conducted only once after the State bifurcation (June 2014) for *Panchayat* Secretaries, CMPOs at *mandal* level on CP issues, that too not specifically on PCMA or CRMA.

LACK OF REVIEW MEETINGS AT DISTRICT/ MANDAL/GRAM PANCHAYAT LEVEL ON IMPLEMENTATION OF CRMA AS SPECIFIC AGENDA

There are no specific agendas or exclusive meetings or reviews, action plans about prohibition of child marriages and related Acts at any level, including state, district, *mandal* and *panchayat*/village. The Women and Child Welfare Department as a nodal agency for DCPU at district level used to conduct monthly review meetings in every district. In such meetings the discussions are held about the cases of child marriages that have been identified and/or prevented, number of FIRs registered, number of child marriage victims identified etc.. There is no specific plan of action about awareness creation, campaigns, convergence with other line departments and coordination with other stakeholders on the same, in general.

The *mandal*, *gram panchayat* level members and *mandal* level monitoring committees are given least priority on the implementation of the Act.

LACK OF AN EFFECTIVE MONITORING SYSTEM IN REMOTE RURAL AND TRIBAL COMMUNITIES ON THE REGISTRATION OF MARRIAGES

In spite, of the formation of monitoring committees for ensuring the registration of marriages, in many cases registrations are not happening; this trend is highly prevalent in the tribal areas. Special focus on the effective implementation of CRMA and an effective monitoring system is lacking.

FINANCIAL CONSTRAINTS AT DISTRICT AND BELOW LEVELS

The first and foremost constraint that is hindering scheme implementation, as expressed by officials at different units at the service delivery levels has been the financial crunch.

Some of the major problems coming in the way of executing the Scheme were inadequate funding and poor per unit cost at different levels of service deliveries which are largely underestimated and not keeping in consideration all possible situations and eventualities. Financial constraints as pointed out by most of the officials and staff at different levels.

INADEQUACY OF REGULAR STAFF, SUPPORT IN SERVICE DELIVERY AND STATUTORY BODIES

The major bottlenecks in implementing the Scheme have happened because of the unrealistic idea of keeping all contractual staff at the state and district levels. With this idea, DCPOs who are the overall monitoring authority of the CRMA, disbursing sponsorship fund, scrutinised functioning of CWC etc. could never be held accountable or questionable to the government for poor implementation. Officials with regular government position who can be held accountable to the government, questionable for poor implementation should be appointed as DCPOs for better functioning of the Scheme. In most of the districts, important positions under DCPU are found to be on contractual basis and some were vacant during the study period.

DCPOs are always contractual staff, as per the scheme guideline and the tenure for the same DCPOs gets extended very rarely. Hence, there are new DCPOs every year. It takes almost 6 months to orient the new DCPOs or make them acquainted with the roles and responsibilities. By the time these DCPOs are ready to take charge of their work, their tenure gets over. This is also due to bifurcation of the existing districts in Telangana⁴.

POOR CONVERGENCE BETWEEN THE LINE DEPARTMENTS AT DISTRICT AND MANDAL LEVEL LEADS TO POOR IMPLEMENTATION OF CRMA

There is no convergence between the line departments specifically on the child protection issues and the Acts at district or *mandal* level. When the district level quarterly review meetings are conducted with the District Collector or Joint Collector, RDO, DWO, DGP, DEO, SC, ST & BC Welfare Officers etc, issues of child protection are being discussed. There is no agenda for discussion about the implementation of PCMA and CRMA. Even in meetings conducted between the line department heads of DCPO with DPO, DRDO, and DLSA etc. and the District Collector, child protection issues are discussed but here too there is no specific agenda on PCMA or CRMA. The district authorities revealed that there are no convergence meetings being conducted with any *mandal* officials i.e. MRO, CDPO, SI/Police, MEO, Labour Officers, Health Department, SC, ST & BC Welfare Officers, Child Line etc. who are responsible for the prohibition of violation of child protection.

⁴ Government of Telangana has taken up the task of district reorganisation of the existing districts excluding Hyderabad, for better administration and development of the areas comprised therein and for matters connected there with as per the Telangana Districts Formation Act, 1974 and Telangana District Formation Rules, 2016. Including Hyderabad, the State now comprises of 33 districts with the newly bifurcation decision of the districts.

CHAPTER VI

SUGGESTIONS AND RECOMMENDATIONS

- There is a need for awareness to be created among the public that marriage registration can be done at the *gram panchayat* level and that they can get the certificate from the *Gram Panchayat* Secretary.
- As per the State and district officials, at present, marriages are being registered mostly by Below Poverty Line (BPL) families. Hence, the Department has to ensure the registration of marriages among Above Poverty Line (APL) families as well, by increasing the awareness about the importance and benefits of marriage registration.
- Action plans, awareness meetings, orientations, reviews from state to village levels need to be planned exclusively for the effective implementation of CRMA; at present the discussions are being held during the other programme priority meetings such as district/*mandal* level review meetings with line departments for their issues, during *Kalyana Lakshmi* meetings, *Arogya Lakshmi* meetings, *Swaraksha* Day campaigns, ICDS meetings such as ECCD Day, Supplementary Nutrition Programme, adolescent girls' meetings, *Poshan Abhiyaan*⁵ meetings, CRC Week celebrations and other meetings related to child protection in general.
- At present the Marriage Registration Monitoring Committees, VCPCs & MCPC are formed; but not provided any trainings/orientations about PCMA& CRMA. Hence, regular capacity building exercises should be conducted to improve their knowledge about the implementation of PCMA & CRMA, its provisions etc.
- There is a lack of monitoring committees in urban areas, as compared to rural areas for monitoring the implementation of CRMA. Hence, involvement of Corporators/Municipal Commissioners/MROs, municipal council members should be made mandatory with the implementation process of the act.

⁵ POSHAN Abhiyaan is an Indian flagship programme to improve nutritional outcomes to children, adolescents, pregnant women, lactating mothers by leveraging technology, a targetted approach and convergence.

- Regular review meetings should be conducted at district, *mandal* and village level on the incidents, awareness programmes, identification and actions on CRMA.
- Regular awareness programmes should be conducted at grass root level involving IKP women, SHGs, CSO, NGOs involving *mandal* and *gram panchayat* level Committee, monitoring committee members on the registration of marriages.
- Adolescents should be given effective counselling on the importance and benefits of the registration of marriage.
- Adequate financial support at implementation level for CRMA should be provided.
- Convergence between line departments importantly DW & CW/DCPU, Police, CWC, Municipality and *Panchayat Raj*, Child Line and NGO/CBOs at district level and *tehsildar*, MPDO, CDPO and ICDS Supervisors at *mandal* level should happen regularly for the effective implementation of CRMA.
- **Swaraksha**⁶ Day campaigns at village level can also be used as a platform for awareness creation on prevention of child marriages; not specifically about CRMA; but exclusive awareness campaigns are suggested at village and *mandal* levels involving Village Child Marriage Prohibition and Monitoring Committee on the implementation of CRMA.
- Awareness should be created at the village level about the importance of marriage registration, place of registration, documents required, the process and benefits of marriage registration; importantly community should be encouraged to get marriage registrations done at the *panchayat* level and get the certificate from the *Gram Panchayat* Secretary.

⁶ Swaraksha Days were conducted from January 9th, 2016 to May 2016, the caravan stopped in each of the districts of *Telangana*. The campaign aims to awaken the communities on the dangers of human trafficking, motivating communities to protect themselves, and giving them the tools to say 'no' to traffickers.

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