

# CHHAYAnke

SWASTHYA SUSHIKSHIT SURAKSHIT CHHAYA



**CHHAYAnke** was recognised by Patrika, a popular print media in Northern India, for promoting legal awareness around child marriage prohibition. This Diwali, CHHAYAnke strived towards lighting the inner lamp in the minds of people still grappling through a serious social issue - CHILD MARRIAGE - which is still a prevalent practice in rural India due to lack of education and sustainable source of income. A girl child is still seen as a liability in many communities and therefore the marriage is performed before the children attain adulthood. Nidhi Trivedi Mishra, the founder of the NGO, hosted an online session covering the northern states, including MP, UP, Bihar, Rajasthan, Odisha amongst others. The session was recognised by the local dailies supporting the SURAKSHITH CHHAYA Campaign run the NGO.



## CHHAYAnke (tapati dhoop, thodi si CHHAYA)

has made it, its mission to provide Swasthya, Sushikshit, Surakshit CHHAYA. The founder, of the NGO, Mrs. Nidhi Trivedi Mishra along with her father, Mr. Umesh Trivedi, Advocate with more than 45 years of practice in MP High Court has been leading several initiatives around safety and Legal Rights of Women & Children.

To support these on-going causes, send your generous contributions to:

**M/S CHHAYANKE  
CHARITABLE TRUST  
ANDHRA BANK  
A/c. No. 235311100001866  
IFSC CODE: ANDB0002353  
MICR CODE: 500011189  
[www.chhayanke.com](http://www.chhayanke.com) |  
[chhayanke@yahoo.com](mailto:chhayanke@yahoo.com)**

Please scroll to the last page for QR Code.

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### LEGAL RIGHTS

This Diwali, CHHAYAnke empowered the girl child by spreading awareness around child marriage.

2

### SURAKSHITH CHHAYA

Timely support to Tapasvi Foundation made by Dr. Sejal Shah, Mr. Gurpreet Singh and Mrs. Mrudula Chilukuri

3

### #2020 FLASHBACK

A year to remember, with ups and downs, but a noble cause which began with a great vision must go on...

## Legal Awareness - The need of the hour

In rural India, where education and employment are still a far off dream, there are illegal practices that are still carried on, hidden behind the veil of culture and tradition. **Child Marriage** is one such illegal practice still rampant in rural parts of India, where the girl child is still seen as a liability and therefore the urgency for marriage. **Children that are forcibly married before they attain legally permissible age of 21(male) and 18(female) have legal rights through which they can seek recourse in the Court of Law. Child Marriage is punishable under Indian Penal Code. It is a cognizable and non-bailable offence.**

**Mr. Umesh Trivedi, Senior Advocate, MP High Court**, has devoted his 45 years of experience in serving justice to people of MP, and now, through the online channels by imparting his knowledge for CHHAYANke's noble cause. Each Youtube Video is a masterclass in itself, giving the necessary information and direction to people where justice is being delayed. The father-daughter duo have drawn synergies from their individual worlds and collaborated brilliantly for this humanitarian cause.

**FOLLOW CHHAYANke YouTube Channel for more information.**

**CHHAYANKE CHARITABLE TRUST**  
REG NUM 47/IV/2019  
**THE CHILD MARRIAGE RESTRAINT ACT, 1929 & PREVENTION OF CHILD MARRIAGE ACT 2006**

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**STAY TUNED TO YOU TUBE CHANNEL OF CHHAYANKE CHARITABLE TRUST**  
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REG NUM 47/IV/2019  
**THE CHILD MARRIAGE RESTRAINT ACT, 1929 & PREVENTION OF CHILD MARRIAGE ACT 2006**

An Act to restrain the Solemnisation of child marriage. This Act may be called the Child Marriage Restraint Act, (1929). It extends to the whole of India (except the State of Jammu and Kashmir) and it applies also to all citizen of India without and beyond India.

The object of the Act is to prohibit solemnization of child marriage and connected and incidental matters. To ensure that child marriage is eradicated from within the society, the Government of India enacted Prevention of Child marriage Act 2006 by replacing the earlier legislation of **Child Marriage Restraint Act 1929**.

This new Act is armed with enabling provisions to prohibit (or) child marriage, protect and provide relief to victim and enhance punishment for those who abet, promote or solemnize such marriage. This Act also calls appointment of Child Marriage Prohibition Officer for whole or a part of a State by the State government.

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**Child:** A child is a person who has not completed 21 years in case of male and 18 years in case of female.

**Contracting party:** Either of the parties whose marriage is or is about to be solemnized.

**Child marriage:** A marriage to which either party is a child.

**Minor:** A person who is not deemed to be major under Majority Act.

**Voidable marriage:** Section 3 Every child marriage is voidable at the option of the contracting party who was child at the time of solemnization of marriage. A Decree of nullity can be obtained by such person by filing petition before the District court for annulment of marriage within 2 years after attaining majority. While granting a decree, the district court shall make an order directing both parties and their parents or guardians to return to the other party, money, gold, ornaments, gifts and other valuables.

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**Child marriage prohibition officers and their duties**

1. To prevent child marriage by taking action.
2. To collect evidence for effective prosecution.
3. To advise the locals not to indulge in promoting or helping or allowing solemnization of child marriage.
4. To create awareness of the evil of such child marriage.
5. To sensitize the community on the issue.
6. To furnish periodical returns and statistics when the government may direct.
7. Such other duties assigned by the Government.

The Child marriage prohibition officers are deemed to be public servant and no suit will lie on the action taken by the Child marriage prohibition officers in good faith. Child marriage Restraint Act is repealed by this new Act.

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**Marriage will be null and void in the following circumstances**

1. Where minor child is taken or enticed out of the keeping legal guardian
2. By force compelled or by any deceitful means induced to go from any place
3. Is sold for purpose of marriage and go through a form of marriage or if the minor is married after which the minor is sold off or trafficked or used for immoral purpose

**For Getting Maintenance**

For getting maintenance and residence of female contracting party or child born in such marriage and for custody of children, application can be moved before the district court having jurisdiction where

1. The defendant / child resides,
2. where marriage was solemnized or
3. where the parties last resided or
4. where the petitioner is residing on the date of presentation of petition

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**Offences and punishment under this Act**

1. Punishment for male adult: If an adult male who is above 18 years of age contracts child marriage, he shall be punishable with rigorous imprisonment for 2 years or with fine which may extend to one lakh rupees or both.
2. Punishment for solemnizing marriage: If a person performs, conducts, directs or abets any child marriage, he shall be punishable with rigorous imprisonment for 2 years or with fine which may extend to one lakh rupees or both.
3. Punishment for promoting / permitting solemnization of marriage: Any person having charge of the child whether parent or guardian or any other person including member of organization or association of persons who does any act to promote the passing or permit child marriage or negligently fails to prevent it from being solemnized, including attending or participating such marriage, shall be punishable with rigorous imprisonment for 2 years or with fine which may extend to one lakh rupees or both.

**OFFENCE UNDER THIS ACT IS COGNIZABLE AND NON BAILABLE**

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## CHHAYAnke - 2020 FLASHBACK (Pre-COVID Times)

**Jan 2020 - SHE Teams** of Hyderabad promoted women and kids safety awareness to the residents of Aparna Sarovar Grande. The mega event had 300+ participants who benefited from the session.



**Feb 2020 - SURAKSHITH CHHAYA** program by CHHAYAnke for underprivileged kids through Dental Hygiene Camps conducted by Dr. Nirupama Elisetti and Dr. Divya Nagunuri covering 1000+ kids.



**Mar 2020 - SUSHIKSHITH CHHAYA** program by CHHAYAnke on Women's Day for promoting safety and security of children, in association with Mrs. Poonam Agarwal from Masoom Yi CII HYDERABAD via POCSO law. Nidhi Mishra was honoured by IIECT on Women's Day for CHHAYAnke's contribution to social causes.

