

## RTI IN REPORTING CHILD RIGHTS VIOLATIONS AND POLICY INTERVENTIONS: A CASE STUDY ANALYSIS

**R. Arunkumar<sup>1</sup> and Dr. B. Radha<sup>2</sup>**

<sup>1</sup> Ph.D Research Scholar, Reg. No. 18124011021005, Department of Communication, Manonmaniam Sundaranar University, Tirunelveli, arunkumar.shgm@gmail.com

<sup>2</sup> Associate Professor, Department of Media and Communication, Central University of Tamil Nadu (CUTN), Thiruvarur, Tamilnadu, Email id - radha@cutn.ac.in

### **Abstract**

The Right to Information (RTI) Act 2005 plays a prominent role in exposing critical social issues to the public domain via news media. RTI by journalists and activists over the years in India has ensured legal and policy-level interventions to a more significant extent. This paper deals with the case of media exposure of child marriages in Tamil Nadu using RTI intervention by a child rights activist. In an environment where girls are fighting for equal rights, they are being affected directly and indirectly by several forms of human rights violations. This paper is a case study analysis of the role of RTI in ensuring the government initiates action on the socially vital issue of prevention of child marriages. The case study taken for research is based on the RTI filed by child rights activists in Tamil Nadu, the subsequent media coverage of the issue, followed by policy-level intervention by the state. It describes the effectiveness of RTI data as a secondary source in news production towards state response, ensuring transparency and accountability of the state.

**(Keyword:** Right to Information (RTI) Act, Media and RTI, Child Marriage Prohibition Act 2009, Girl Child Rights, Child Welfare, Social problems, Social Awareness News, Tamil News Reporting)

### **Introduction**

Freedom of Information worldwide is recognized as a core fundamental right of citizens of a country. It is essential to ensure accountability and transparency of the governments by empowering the citizens with vital information on their state. India is a democratic country that has guaranteed the right to information using the Right to Information (RTI) Act 2005. Right to Information empowers its citizens with authentic information from the government. In the context of mass media, the RTI Act serves as a vital tool to access information from government bodies. Media professionals use the RTI Act to obtain authentic information for their news stories. Especially on matters relating to the functioning of the government, implementation of policies, schemes, and people-centred projects, the RTI empowers media with authentic data. A significant way to spread knowledge of socially essential issues is through the mass media. This paper tries to describe the news discourse and its consequences concerning the case of unearthing the alarming trends in child marriages by using RTI data. The reporting based on RTI data takes the issue to the next level through government and civil society policy-level interventions. This paper analyses the

role of RTI in alerting the government and its stakeholders for immediate action to take steps to prevent child marriages and address related issues in Tamil Nadu.

### **Child Marriages**

Child marriage is a violation of the human rights of children in any society. Marriage of girls or boys under the age of 18 years comes under the category of child marriage. It takes away the childhood of children, making them vulnerable to sexual abuse and exploitation, early pregnancies, maternal mortality, infanticides, malnutrition of mothers and children, and several other related consequences. India is a country with an age-old practice of child marriages as a societal norm. The families of the children widely arrange such marriages and include customs of dowry and moving of the bride to the in-law's house. Social reformers like Raja Ram Mohan Roy fought vehemently against child marriages and related issues like child widows and sati in India.

### **Prevalence and Impact**

Child marriages exist globally in many other Asian and African countries, resulting in early or teenage pregnancies. In India, the government has been putting in enhanced efforts towards the prevention of child marriages at different levels. However, the prevalence of child marriages is a more significant concern. According to a study by UNICEF (2012), up to 42.9% of married women in the 20–24 age range surveyed in 2007–2008 had been married before turning eighteen. As per the UNICEF (2023) report, child marriages are becoming less common in India, yet the country is said to account for one-third of the world's child brides. The report states that over half of the girls and women in India who underwent or underwent child marriage are from states like Uttar Pradesh, Bihar, West Bengal, Maharashtra, and Madhya Pradesh. This denies the children their fundamental rights to life, freedom, equality, dignity, and other related rights. There are sincere efforts from all stakeholders to ensure the Sustainable Development Goals (SDG) that target to eliminate child marriages globally by 2030.

### **Child Rights Violation**

Child abuse and denial of fundamental rights to children is a gross human rights violation and a major social evil that requires immediate attention. Children are vulnerable due to several reasons, as they may not be in a physical or mental position to protect themselves from weak conditions. Elders have a duty to prevent and protect children from any form of abuse or rights violation. Child rights violations include sexual abuse, violence, murders, physical violence like beating and stamping, and psychological violence like intimidating, shouting, or negligence of care and protection. Denial of fundamental rights to life, freedom, food, health, security, education, equality, and dignity amounts to gross child rights violations. Child marriages violate all the above rights and endanger every right entitled to children as their fundamental human rights.

### **RTI – Ensuring Transparency and Accountability**

The RTI Act 2005 was enacted in India with the primary objective of empowering its citizens by promoting transparency and accountability of the government. The Act entitles a citizen to request Information from a public authority that controls or is owned by it. The show aims to reduce corruption and increase public engagement in the political process, ultimately making democracy serve the needs of the people. Naturally, a knowledgeable citizen is better able to maintain the

essential watchfulness over the tools of government and increase the government's accountability to the people it serves. The Act is a significant step in educating the public about government operations. RTI act gives access to Information from the government to its citizens. According to the RTI Act 2005, 'Information is any material in any form. It includes records, documents, memos, e-mails, opinions, pieces of advice, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, and data material held in any electronic form. It also includes Information relating to any private body that the public authority can access under any law for the time being in force (GOI, 2013).

### **RTI in News Reporting**

Journalists find the data obtained by using RTI to be authentic sources of information, especially concerning the government. Mass media plays a vital role in exposing the prevalence of child abuse and rights violations to the larger public. The primary aim of media is to create awareness and prevent crime against children in any form. RTI is a powerful tool that can provide authentic and reliable information crucial to addressing vital social problems. All stakeholders take news production based on RTI seriously due to its credibility. It is essential to assess such cases of RTI-based news production and its impact on society and policymaking.

### **Background of the study**

In India, the minimum legal age of marriage for women is 18 years, and for men it is 21 years. The Prohibition of Child Marriage Act 2006 legally prohibits child marriages in India. In Tamil Nadu, the Act entrusts the responsibility of preventing child marriages to the social defense department, police authorities, etc. On December 30, 2009, the Tamil Nadu government formulated and published the State Rules to carry out the abovementioned Act. Effective implementation of the Child Marriage Prohibition Act is entrusted to each district's District Social Welfare Officers. In addition to having the authority to file a petition in district court seeking the annulment of the child marriage and for custody and support of the offspring, the Child Marriage Prohibition Officers are also empowered to act upon any information about a solemnization obtained through any method of communication. To track and stop child marriages in rural regions, Panchayat Presidents have chaired Panchayat Level Core Committees (TNSWWE). The government launched the Integrated Child Protection Scheme (ICPS) under the Tamil Nadu State Child Protection Society (TNSCPS) to provide secure surroundings at the village or community level.

Tamil Nadu is a progressive state in terms of its State level Human Development Index and social welfare measures towards ensuring social justice. The constant efforts of the state have enhanced the literacy rate of girl children and addressed school drop-out issues. Novel schemes like mid-day meal schemes, free notebooks, textbooks, cycles, bags, etc, are part of the initiatives to increase the Gross Enrolment Ratio in School education. However, in socio-economically backward rural regions of the state, child marriages still prevail. In the given background, the primary objective of this paper is to understand the role of RTI in addressing child marriages in Tamil Nadu. The study explores the news media discourse of RTI data regarding policy changes.

A study by Children Believe (2022) in Tamil Nadu shows that for those who were married before reaching marriageable age, 48% of respondents said they were married for love, followed by

planned marriages (45%) and forced marriages (7%). Thirteen percent of married girls in the 13–18 age range had already given birth to their first kid. The most commonly mentioned reasons include the family's unpredictable income, the early marriage's lower dowry costs, the number of female offspring in the household, and the decision to wed them young. The study lists the following reasons given by parents: a) kids falling in love with unapproved suitors; b) cheaper expenses during lockdowns; c) transportation issues to schools; d) rising school costs; e) wanting girls starting jobs after marriage; f) government programs not being accessible to girls; g) parents finding it difficult to provide for the whole family and thus ignoring them; and h) in some instances pressure from neighbors and communities to marry girls at an early age.

### **Case Study Approach**

The study uses a qualitative case study approach describing the origin, process, and data obtained through RTI. The study also presents the analysis based on the outcome of the news production grounded on RTI data. The case taken for discussion is about the RTI on the prevalence of child marriages from 2015 to 2020.

### **Case Summary**

Based on the above, the RTI filed by a child rights activist, Mr. S. Prabakar, Social Institute of Education, Chennai, in the year 2021, formed the basis of the news reporting. The child rights activist stated that his work involves frequent visits to the villages to ensure there are no child marriages. In case of any information about potential child marriages, he said that he would personally go to the concerned place to investigate and stop them. During such interventions, he reported facing many challenges, and even if he stopped, the marriages would take place secretly after a month or ten days. It was stated that the role of parents was predominantly towards ensuring their daughters were married off. Primarily, they believed that after puberty, having the girl children unmarried would bring harm to their virginity. The activists state that since the prevalence of child marriages was higher during the COVID-19 pandemic, he had opted to understand the action taken by the authorities in terms of registering cases against such child marriages. So, he filed an RTI seeking data on the number of child marriages stopped in each district of Tamil Nadu from 2015 to 2020. The RTI was filed to find out the number of child marriages in the state. The RTI was filed on July 2, 2021, and a response to the RTI was received on July 7, 2021. The following data presentation is based on the secondary data received through the RTI filed by the activist in July 2021.

### **Presentation of the RTI data**

The Information obtained through RTI reveals that from 2015 to 2020, 11,553 child marriages stopped based on complaints. However, only 586 cases were reported to be booked. Also, a total of 3326 teenage pregnancies were reported during the said period. The details of the data obtained are presented as follows: the districts of Tamil Nadu are divided into six zones, namely, Chennai, North Zone, Coimbatore Zone, Trichy Zone, Madurai Zone, and Nellore Zone.

#### **i. Chennai**

As per the Right to Information Act, 80 child marriages are reported to be stopped, but only 4 cases have been registered.

## ii. North Zone

The Northern zone consists of the districts Cuddalore, Kanchipuram, Thiruvallur, Thiruvannamalai, Vellore, and Villupuram 2295 are reported to be stopped, whereas only 80 cases have been registered.

District	2015	2016	2017	2018	2019	2020
Cuddalore	58	40	56	85	70	96
Kanchipuram	10	37	14	42	49	64
Tiruvallur	17	15	40	29	33	70
Tiruvannamalai	38	28	139	150	155	202
Vellore	45	35	38	86	77	163
Villupuram	42	32	50	48	52	90
<b>Total</b>	<b>210</b>	<b>187</b>	<b>337</b>	<b>440</b>	<b>436</b>	<b>685</b>



## iii. Coimbatore Zone

The Coimbatore zone consists of the districts Coimbatore, Dharmapuri, Erode, Krishnagiri, Namakkal, Nilgiris, Salem, and Tirupur, and 3275 cases are reported to be stopped, whereas only 72 cases have been registered.

District	2015	2016	2017	2018	2019	2020
Coimbatore	17	17	11	13	47	89
Dharmapuri	138	137	183	185	156	103
Erode	41	31	45	51	44	65
Krishnagiri	25	21	47	43	19	73
Namakkal	36	27	23	70	69	224
Ooty	2	8	14	22	5	14
Salem	53	131	135	90	55	256
Tirupur	27	66	56	103	102	86
<b>Total</b>	<b>339</b>	<b>438</b>	<b>514</b>	<b>577</b>	<b>497</b>	<b>910</b>



**iv.Trichy zone**

The Trichy zone consists of the districts Trichy, Ariyalur, Karur, Nagai, Perambalur, Pudukottai, Tanjore, and Tiruvarur, 2470 cases are reported to be stopped, whereas only 247 points have been registered.

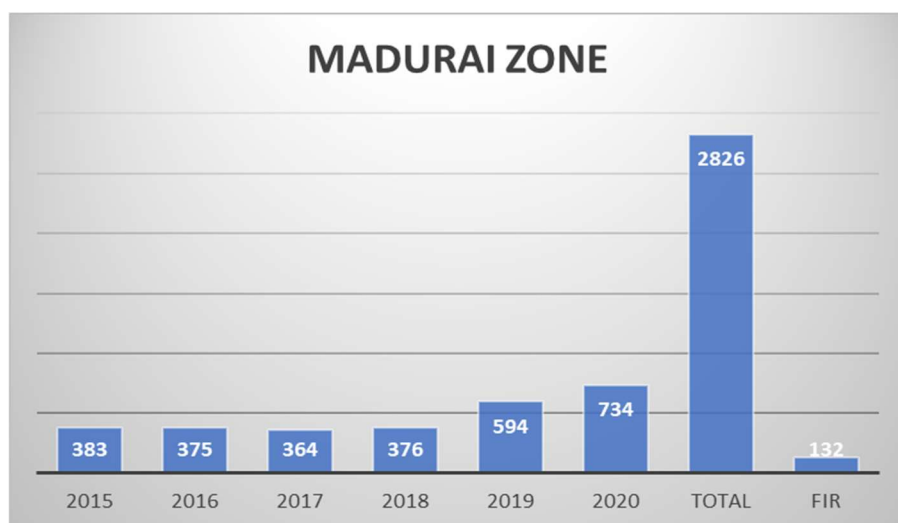
District	2015	2016	2017	2018	2019	2020
Trichy	50	50	34	117	162	175
Ariyalur	14	11	8	11	10	28
Karur	13	35	78	81	87	108
Nagai	7	11	10	10	18	23
Perambalur	103	96	108	112	109	146
Pudukkottai	22	41	63	84	105	84
Tanjore	5	12	20	22	13	63
Tiruvarur	5	7	15	16	44	24
Total	219	263	336	453	548	651



**v.Madurai Zone**

The Madurai zone consists of the districts Madurai, Dindigul, Ramanathapuram, Sivagangai, Theni, and Virudhunagar; 2826 cases are reported to be stopped, whereas only 132 cases have been registered.

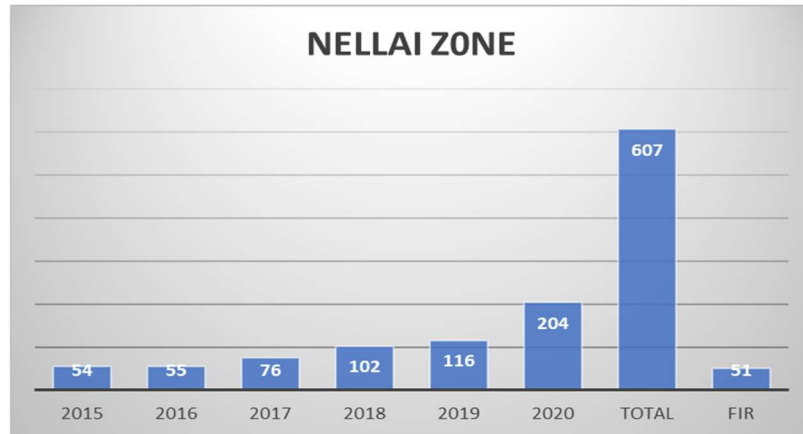
District	2015	2016	2017	2018	2019	2020
Madurai	89	90	77	74	85	74
Dindugul	66	75	53	98	198	193
Ramnad	39	49	55	72	74	68
Sivagangai	4	1	2	36	16	43
Theni	100	107	94	16	158	259
Viruthunagar	85	53	83	80	63	97
<b>Total</b>	<b>383</b>	<b>375</b>	<b>364</b>	<b>376</b>	<b>594</b>	<b>734</b>



#### vi. Tirunelveli Zone

The Tirunelveli zone consists of the districts Tirunelveli, Kanyakumari, and Thoothukudi, 607 cases are reported to be stopped whereas only 51 cases have been registered.

District	2015	2016	2017	2018	2019	2020
Nellai	34	29	46	47	55	120
Kanyakumari	5	5	11	18	17	22
Tuticorin	15	21	19	37	44	62
<b>Total</b>	<b>54</b>	<b>55</b>	<b>76</b>	<b>102</b>	<b>116</b>	<b>204</b>



In total, 11553 child marriages were stopped in Tamil Nadu from 2015 to 2020, and 586 cases were registered against the marriages. The following are the top 6 districts,

Districts	Number of stopped marriages
Dharmapuri	902
Theni	734
Salem	720
Tiruvannamalai	712
Dindigul	683
Perambulator	674

### **Covid – 19 Pandemic and Child Marriages**

The data shows that child marriages have increased in the year 2020 during the Covid-19 pandemic. According to a report by Samagra Shiksha Abhiyan (SSA), at least 511 adolescent schoolgirls in Tamil Nadu were married in the first year of the COVID-19 epidemic; 10 girls in Class VIII and 37 girls in Class IX were listed as married (newslick, 2022)

### **News Production based on RTI**

Based on the RTI information obtained by the child rights activist, the following news on the above issue has been covered in leading dailies, news channels, and periodicals. The extensive coverage gave rise to statewide discussions across different platforms by educationists, policymakers, activists, etc. A few of the sources of media coverage with the titles are given below,

- i. News 18, Tamil News Channel, covered a slot on the issue in August, 2021 highlighting the prevalence of child marriages in Tamil Nadu.
- ii. SUN TV covered the issue under the title under the title, ‘Child marriage is the biggest violence against children’ - on September 2021
- iii. Thanthi TV, Tamil News Channel, Topic - Increasing teenage pregnancy: Child marriage reverberations - What is the action of the social welfare department? In October 2021



- iv. News 7, T.V. Channel covered the issue under the title, ‘What is the punishment for marrying a girl under 18 and having a child?’ on December 2021. The Hindu, Tamil Daily, covered the issue under the title, ‘If child marriage takes place - complaints can be made on helpline number ‘1098’ to Chennai District Collector in October 2021
- v. Vikatan, a monthly Tamil magazine, covered the issue under the title, ‘Child Marriage’, in October 2021
- vi. BBC covered the issue under the title, ‘318 child marriages took place in Tamil Nadu during the Corona period - shocking reason revealed by the Minister in December 2021.
- vii. Sathyam TV covered the issue titled ‘Where and how to complain about child marriage’ in December 2021.
- viii. The Hindu, Tamil Daily, covered the issue under the title, ‘2,816 child marriages stopped in Tamil Nadu in 2021 alone: What are the steps taken by the government?’ in April 2022
- ix. Malaimalar, Tamil Daily, covered the issue under the title, ‘CHILD MARRIAGE PREVENTION ACT: 2 years imprisonment and a fine of 1 lakh for those involved in child marriage’ in May 2022.

### **Government Intervention**

As the media coverage started, news channels had extensive debates and talk shows on the above issue, quoting the RTI data and the alarming child rights violations. Within a few days of the news coverage, the Minister took up the issue, and a Government Order was passed to address it. On August 3, 312021, the Government of Tamil Nadu passed a government order on the above problem. According to the Thanthi TV news story on August 3, 312021, it was stated that during the Covid pandemic, child marriages increased by 40 percent in May 2020 alone, especially in 72 tribal villages in Salem, Dharmapuri, Ramanathapuram and Dindigul districts. The news report stated that some parents are taking advantage of the fact that the schoolgirls are paralyzed at home due to the lockdown owing to the pandemic. It reported that the Social Welfare Minister of Tamil Nadu had issued a warning that strict legal action would be taken against those who conduct child marriages and those who participate in the unions. It was reported that the Minister also consulted with district officials to prevent the increasing number of child marriages during the lockdown period in Tamil Nadu.

### **Discussion and Conclusion**

The study finds that the RTI-based news production in Junior Vikatan, Indian Express, Dinakaran, Times of India, New Generation, News 18, Tamil Hindu, and other media platforms resulted in a more significant intervention. Visual news media platforms regularly have live discussion forums with legal experts, health officials, and law enforcement officers. This gave more scope to understand the different dimensions of the crime of child marriages. Specifically, the legal dimension, holding the parents responsible and ensuring legal charges against them. The health dimension discussed the health consequences girl children face due to child marriages and teenage

pregnancies. The media platforms examined the effects of early motherhood denying a child educational, health, and security rights, resulting in complexities of acute anemia, malnutrition, postpartum depression, and other related problems. The news media discussion forums, news reports, opinion polls, and so on deliberated a rights-based discourse upholding and analyzing the different nuances of child rights. Child marriage can be reduced if parents are sensitized in a way that they can understand and requires massive awareness creation. The mass media's meaningful discourse based on RTI data has led the Tamil Nadu government to initiate the process of creating a standard operating procedure (SOP) to prevent child marriage in the state. A committee headed by the social welfare director with child rights activists and social welfare officers as members was formed in December 2021. (newindianexpress, August 1, 132023). The study identifies the potential of RTI and its appropriate use, leading to a policy-level intervention in a crucial social issue of importance.

### References:

- Ansari, A., Mapkar, S., Shaikh, A., & Khan, M. (2019). Child Abusing and Reporting System. *International Journal of Computer Sciences and Engineering*, 7(3),331-333.
- ChildrenBelieve. (2022). Policy Recommendations to End Child Marriages in Tamil Nadu: Summary Report of Research Study. Children Believe.
- GOI. (2013). Guide on the Right to Information Act 2005. G.O. No. 1/32/2013-IR. Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training. [https://rti.gov.in/RTICorner/Guide\\_2013-issue.pdf](https://rti.gov.in/RTICorner/Guide_2013-issue.pdf)
- Ngandu, P., & Chilufya, L. B. (2021). Child Rights Violation and Mechanism for Protection of Children Rights in Southern Africa: A Perspective of Central, Eastern and Luapula Provinces of Zambia. *International Journal of Innovative Science and Research Technology*, 4(8),630-642.
- PR, N., MR, T., & Dongre, A. R. (2014). Reports of Child Abuse in India from Scientific Journals and Newspapers - An Exploratory Study. *Online Journal of Health and Allied Sciences*, 2(4).
- newindianexpress. (2021,) <https://www.newindianexpress.com/states/tamil-nadu/2023/aug/13/18-monthson-panel-yet-to-ready-anti-child-marriage-sop-in-tn-2604775.html>, August 2021
- Newslick. (2023). <https://www.newslick.in/Child-Marriage-Shame-Developed-State-Tamil-Nadu-Rights-Activists>, August 2023
- TNSWWE. Tamil Nadu Social Welfare and Women Empowerment Department. <https://www.tnsocialwelfare.tn.gov.in/en/social-legislations/prohibition-of-child-marriage-act>
- UNICEF. (2012). Child Marriage in India – An analysis of available data. UNICEF. <http://www.unicef.in/documents/childmarriage.pdf>. <https://youtu.be/5BhUm9AfAq4>
- <https://www.vikatan.com/social-affairs/crime/child-pregnancy-rate-hikes-in-krishnagiri-rti-report-revealed>

**<https://youtu.be/Im7d9AjiOtQ>**

<https://youtu.be/HVeQ0RQy3wg>

<https://youtu.be/RA-RGKVcsd4>