

ISSN: 2582-6433



# INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

Open Access, Refereed Journal Multi Disciplinary  
Peer Reviewed 6th Edition

VOLUME 2 ISSUE 7

[www.ijlra.com](http://www.ijlra.com)

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# **AUGUMENT OF NUPTIAL EPOCH - CALLS** **FOR THE MODERN ERA**

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## **Abstract**

Poverty, rising dowry demands, or sexual assault of the females, we have observed numerous instances of parents forcing their Eighteen-year-old daughters into marriage. Women get more mature at the age of twenty-one; however they are frailer at the age of eighteen. An Eighteen-year-old girl can only be viewed as an adult who has just begun the adolescent stage; she cannot be recognised as a fully formed woman. Every individual goes through this era, which comes between childhood and adolescence. However, adulthood is a stage in the human lifespan where a youngster has acquired full physical and intellectual development. It is not logical to send a young lady out of school at the age of eighteen to take care of the house in the name of marriage. With the knowledge she received at that age, she might not even be able to find a good job, which could lead to women becoming forced into odd jobs in order to secure employment at the whim of the employer. If a woman marries before the age of eighteen, it compromises her growth, results in an early pregnancy, creates social isolation, delays her schooling, and restricts her ability to advance in her career and profession. The impact of early marriage on women is therefore examined in the current study. Most of the study's data comes from secondary sources. The parliament has put-forth a bill i.e. Prohibition of Child Marriage Act, 2021 emphasises on the swap of age from eighteen to twenty-one which mainly focuses on educating girls, increasing their access to better health care, equal opportunities. Change in the laws and attitudes towards women will definitely empower women and thereby helps to conquer the world itself. In this paper the author analyses social, economical and psychological impact of early marriage of female.

**Keywords: Women Empowerment, Forced employment, early pregnancy.**

## Introduction

“Extremists have shown what frightens them most: A girl with a book” –MalalaYousafzai

While the rest of the globe is waking up to the cry of progressive feminism in the twenty-first century, India is still mired in the sludge of archaic misogyny. Women are still viewed as a burdensome appendage and a financial drain in many parts of our nation. Discrimination starts at birth or possibly earlier and lasts until the woman dies. The mother and child mortality rate (IMR and MMR), nutritional status, the sex ratio at birth (SRB), female labour force participation, gender equality, and women's empowerment are only a few of the objectives that will be helped by raising the marriage age. A woman has been dealing with this problem for centuries, so it is not a new one.

On December 21, 2021, the bill was introduced in the Lok Sabha regarding the increase in the age of marriage to 21. However, in response to opposition protests, a parliamentary panel was asked to do additional research. In many females, early marriage leads to serious mental health issues. Many females are currently compelled to leave school to get married. Therefore, lowering the marriage age to 21 would enable them to finish their education. More women will enrol in higher education if this happens.

The Age of Consent Act, which was passed in 1891, raised the legal age of consent for sexual activity to 12. Later, however, an association made up of Annie Basant, Kaladevi, Margaret Cousins, and other independence activists asked for a raise in the marriage age. The Sarda Act of 1926, also known as the Child Marriage Control Bill, which set the minimum age for marriage at 14 for females and 18 for males, heralded the association's victory in 1926. The age of marriage for women was altered twice after the country gained independence in 1945, in 1949 and 1978, respectively. By 1978, girls were allowed to marry at 18 and women at 21, respectively.

The Child Marriage Prohibition Act of 2006 has taken the place of the Child Marriage Control Act and maintains the current marriage age. This law makes marriage between a boy between the ages of 18 and 21 and marrying a girl under the age of 18 illegal. In order to empower women and ensure that the marriageable age for men and women is the same, a new measure that would raise

the age at which girls can be married to 21 has been introduced in the Lok Sabha.

However, the law was challenged on the grounds of discrimination and was included in the Union Budget 2020-2021 that was presented in Lok Sabha on December 21. Articles 14 of the Indian Constitution, “bars discrimination and prohibits discriminatory laws”<sup>1</sup>. Under Article 21 of the Constitution in India guarantees right to life and personal liberty<sup>2</sup>. The measure must address gender discrimination and inequality, and it must take the necessary actions to protect the health, well-being, and empowerment of our women and girls and to guarantee their equality with males in terms of status and possibilities. It aims to alter the Seventh Personal Act. Hindu Marriage Law, Parsi Marriage Law, Special Marriage Law, Divorce Law, Muslim Personal Law and Application Law, and Foreign Marriage Law all apply to marriages in India.

The bill was opposed on numerous grounds, including: Adhir Ranjan Chaudhary, a member of the opposition, said that the law violated Article 25 of the Constitution and was illegal. You are denying a girl the right to marry at the age of 18, even though she may select her prime minister and sexual orientation. In response to the opposition, Minister of Women and Child Development Irani stated that we are 75 years late as a democracy in granting equal rights to men and women to engage into marriage. It was discovered that between the ages of 15 and 18, 7% of females become pregnant, and between 18 and 21, 23% of girls get married<sup>3</sup>.

In order to offer everyone a fair chance to participate in group efforts and inclusive progress, the Bill's changes will take effect two years after the President gives his or her assent, while other sections would go into effect right away.

## Literature Review

Raj et.al., (2009) assessed the prevalence of child marriage that is before 18 years of age in young adult women in India, and the associations between child marriage and women's fertility and fertility-control outcomes. Their study showed that the association between child marriage and high fertility, a repeat childbirth in less than 24 months, multiple unwanted pregnancies,

<sup>1</sup>M.P. Jain, Indian Constitutional Law 907(Lexis Nexis, New Delhi, 8<sup>th</sup>edn., 2018).

<sup>2</sup> Prof. G.S. Pande, Constitutional Law of India 248(University Book House, Jaipur, 14th edn.,2019).

<sup>3</sup> Will increasing marriage age to 21 help women?, available at:

<https://www.newindianexpress.com/opinions/columns/2022/jan/29/will-increasing-marriage-age-to-21-help-women-2412524.amp> (last visited on August 5, 2022).

pregnancy termination, and sterilization all remained significant after controlling for duration of marriage<sup>4</sup>. Gangopadhyay (2021) in his study showed the practice of gender-based discrimination and sought to comprehend the effects of increasing the minimum legal age for women to be married in India<sup>5</sup>.

Goli (2015) et.al examined the impact of early marriage and childbirth on Indian women's nutritional health, with a particular focus on Bihar and Andhra Pradesh, the two states having the highest rates of early marriage and first pregnancies among women under the age of 18. They showed that many women were married before turning 18 and were therefore subjected to early pregnancies. They recommended preventing early marriages and the high number of adolescent pregnancies that result in India, especially in states with a high frequency<sup>6</sup>.

The link between mother age at marriage and a few specific pregnancy outcomes—stillbirth, miscarriage, and problems during pregnancy, labour, and the postpartum period—was studied by Paul (2018). The study demonstrated that early maternal age at marriage significantly rises the risk of unfavourable pregnancy outcomes and recommended strengthening current laws and policies to rise the age at which girls can get married. It also recommended making an effort to improve the health status of married adolescents in the study<sup>7</sup>. Waite (1981), in a nuclear family where the parents are highly educated and also have profiled occupation in the society is likely to reduce the chances of marriage during the early teens<sup>8</sup>.

Fergusson and Woodward (2000) this study was an examination in the relationship between the adolescent pregnancy and educational fields. The women who became pregnant at the age of 18 were prone to a high risk of under achievements and the outcome of this was due to leaving the

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<sup>4</sup>Raj, A., Saggurti, N., Balaiah, D., & Silverman, J. G. (2009). Prevalence of child marriage and its effect on fertility and fertility-control outcomes of young women in India: a cross-sectional, observational study. *The Lancet*, 373(9678), 1883-1889.

<sup>5</sup>Gangopadhyay, J. (2021). Does an Increase in the Legal Age of Marriage for Women Guarantee Equality for Women in India?. *J. Indian L. & Soc'y*, 12, 23.

<sup>6</sup>Goli, S., Rammohan, A., & Singh, D. (2015). The effect of early marriages and early childbearing on women's nutritional status in India. *Maternal and child health journal*, 19(8), 1864-1880.

<sup>7</sup>Paul, P. (2018). Maternal age at marriage and adverse pregnancy outcomes: findings from the India human development survey, 2011-2012. *Journal of pediatric and adolescent gynecology*, 31(6), 620-624.

<sup>8</sup> Linda J Waite (1981). *Young Women's Transition to Marriage*. *Demography* 18 (4), 681-694.

school before reaching qualification<sup>9</sup>.

Raj et.al., (2012) highlights Adolescent marriage is rampant in India, increasing the risk of marital violence against women also this appears to maintain wives' risk of experiencing marital violence in adulthood<sup>10</sup>. Levine et.al., (2001) in their study highlights the effect of adolescent parenthood on children and young mother as a cause of early marriage also the early parenting ties women to many disadvantages such as health issues, unemployment, lack of knowledge and more<sup>11</sup>.

## **Main Objective**

The main objective of the study is to analyse the effect of the increase in the age of women for their marriage from 18 to 21.

## **Hypotheses**

Null Hypothesis H0: There would not be a significant effect if the marital age is raised from 18 to 21.

Alternative Hypothesis H1: There would be a significant effect if the marital age is raised from 18 to 21.

## **Research Questions**

- Will the increase in marriageable age of girls to 21 helps to reduce the problem of domestic abuse?
- Will the shift in marriageable age of girls promote gender equality and women empowerment?
- Will the raising of marriageable age to 21 guarantees holistic development of women?

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<sup>9</sup> David M Fergusson, Lianne J Woodward (2000). Teenage Pregnancy and Female Educational Underachievement: A Prospective study of a New Zealand Birth cohort. *Journal of Marriage and Family* 62 (1), 147-161.

<sup>10</sup> Anita Raj, Niranjan Saggurti, Donta Balaiah, Jay G Silverman (2009). Prevalence of child marriage and its effect on fertility and fertility control outcomes of young women in India: a cross - sectional, observational study. *The Lancet* 373 (9678), 1883-1889.

<sup>11</sup> Judith A. Levine (2001). Academic and Behavioral Outcomes Among the Children of Young Mothers. *Journal of Marriage and Family* 63 (May 2001): 355-369.

## **RESEARCH METHDODOLOGY**

The present study is a descriptive and critical analysis which is based on both primary and secondary data. Primary data has been collected from the surveys conducted through Google Forms and the collected data has been coded into tables through appropriate statistical tools. An exhaustive review of the literature has been done for the secondary data along with other sources, including official report and news articles.

## **Adverse Effects Of The Current Act**

### *GENDER INEQUALITY*

With the world being highly progressive, the countries are in the pathway of eliminating any need for discussion on gender equality. They are modifying the avenues that did not provide the same opportunities into creating a hostile environment for constructive growth irrespective of their gender orientation. A country would be considered having equality when the definition of equality will no more be required to define the citizens of the country. However in contradiction to this fact, Indian's still continue to believe that a women's birth is associated with simplifying a man's life. At such a young age of 16 or 18, a girl is supposed to get married and surrender her life for the sake of others. Age is usually a quantitative measure but the demographic attribute of age should be read with the emotional and mental growth of girls as a whole. Constitution of India, under Article 14 considers men and women with equality. However in case of the marriage age, under the Prohibition of Child Marriage Act, 2006 there is still inequality as girls could be married by 18, while men can marry only by 21. In India, it is high time that the burden of running and managing a household should fall on adult family members equally despite the gender. There is no reasonableness in differentiating the gender roles in a house by placing women in the domestic requirements while a man becomes the sole bread-winner.

Muller v. Oregon<sup>12</sup>, It is clear that the woman's physical constitution and performance of maternal

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<sup>12</sup>Mamta Rao, Law Relating To Women and Children 66 (Eastern Book Company, Lucknow, 4<sup>th</sup>edn., 2018).

functions put her at a disadvantage for subsistence. History reveals the fact that women have always been dependent on men. He established his control early on through superior physical strength, and this control continues to this day, in various forms, with diminished intensity.

Education has long been denied her, and now that the doors of the school-room are open, her opportunities for acquiring knowledge are great, and yet in spite of that and her increased capacity for business affairs, she is no equal rival to her brother in the struggle for a living. She will still be where some legislation seems necessary to protect her to ensure a real equality or right.

### *LACK OF ROBUST PHYSIQUE*

With respect to the mortality rate of girls which is very high in case married girls, India is at par with, many girls losing their lives. This can be pointed towards the health issues that girls face pertaining to early marriage. Such a change in their external physical environment and internal immature growth would cause incapacity of childbearing raising the infant mortality rate as well. Many girls have prolonged issues of low immune system and exposure to infectious diseases. As everybody ages differently, it is unreasonable to believe that every girl's womb is mature at the age of 18. As we are physically different from each other so are we internally. This can be briefly understood by the fact that pregnancy and childbirth complications are the leading cause of death among girls aged 15–19 years and the highest number of pregnancy deaths is recorded among women between the ages of 16 and 21<sup>13</sup>. Due to societal pressure, a family do not provide opportunity for their girl child to have proper physical growth and emotional stability and pressurize them to marry, conceive and take on the role of a mother early. Girls who are not ready or interested in child bearing at young age, is left helpless as they cannot dodge pregnancy due to dependency on husband.

### *EDUCATION*

Even though we are way away from how our culture was regarding women being educated, there is still practice of not letting a girl child go beyond higher secondary education due to marriage,

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<sup>13</sup>Adolescent Marriage, available at: <https://www.who.int/news-room/fact-sheets/detail/adolescent-pregnancy> (last visited on August 7, 2022).

due to which many girls who would have been the future President, Prime Minister, Doctor, lawyer and many more are curtailed in the four walls. Educating every girl child in our country will only increase their inner capabilities and be independent and not be a burden on any men in their life. The education a girl receives till her higher secondary is knowledge but it does not give them the expertise of having themselves recognised in the society.

Education is a weapon for anyone against injustice towards them. For women not only it is a weapon against injustice to her by the society but also in her marital house. Though now a day's marital house encourages education, due to early pregnancy a girl is compelled to drop out from her further studies. Education is not just a necessity but a human right.

### *DOMESTIC VIOLENCE*

Domestic violence being a social evil contains both aggressive and passive aggressive advances towards girl. Being subjected to various forms of abuse, be it, verbal, physical, emotional or psychological, abuse takes forms that are more subtle than the violence elsewhere in society. It is an act which intends to hamper a person's autonomy and identity with actions that tends to cross the boundary of the human causing them to think and act in ways which they would not have if there is a presence of free will. At 18 most girls are not aware of her marital rights as there is no exposure towards the real life scenarios at a small age. Such coercion is intended to victimize girls, which in turn make their lives much more difficult and helpless<sup>14</sup>. Most of the girls subjected to abuse perceive it as a normal domestic issue, which is ought to be kept within the four walls. It is very common for girls to keep silence as they are made to bear the responsibility of keeping their family reputation held high, thereby jeopardizing their own life.

### *CURTAILED IN THE FOUR WALLS*

The age of 18 to 20 is a period, where girls are exposed to new opportunities, creating companionship and being able to get in touch with their emotional and mental capacities and capabilities. At this age, the door of new world opens before them providing knowledge, skills, wisdom and abilities to face the dynamic consequences of the outside world. Such a growing phase would be snatched away if the girl is supposed to move away to stay with the husband's

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<sup>14</sup>Balam Singh Aswal, Readings in Women's and Girls' Rights (Cyber Tech Publications, New Delhi, 1<sup>st</sup>edn., 2014).

family. Being unknown to the unfamiliar environment, the girls often tend to isolate themselves into the confines of the house, leaving them unable to hone their skills. With the new roles of being wives and mothers, they also inherit the primary job of tending to the domestic needs of the house. As a result, these young girls will be deviated from the real mission of their life as to develop their own identity by playing, developing friendships, creating bonds, becoming educated, and building extraordinary achievements for the benefit of the entire world.

### *FORCED ODD JOBS*

In almost all spheres of social life, the condition of women in India is much worse in comparison to other countries where women are able to flourish and prosper. In India, the budget to run a household is sky rocketing which renders the income of the husband insufficient to fulfil the basic needs of a family. Sometimes these issues are also blamed on the wife causing her to feel responsible for the imbalance in income and expenses. Such a misconception, read with emotional instability, most married girls are forced to take odd jobs to run the household chores. In a well advanced society where graduation is the basic requirement to get a worthwhile job, the girls who possess a maximum of secondary education, without any primary choice they is forced to choose jobs available like prostitution, slavery, panhandler, forced labour in hazardous environment. Despite being employed in the same job, they receive only 75% of the income their male counterparts earn for the same work<sup>15</sup>.

### **Pathway To The New Bill:**

A teenage marriage can lead to conceiving a child; this can lead to many consequences for adolescent girls. From UNICEF studies, in the global context, 82 percent of adolescents aged 15-19 have received only one antenatal care visit, compared to an increased proportion of 87 percent of all women and girls aged 15-49. Globally, adolescent girls received about the same amount of skilled delivery care as the general population (75 to 81 percent). In terms of the percentage of girls who received antenatal care, 65% was comparable among adolescent girls and among all women and girls, with some regions having relative differences in terms of postnatal care for newborns. In South Asian countries, 31 percent of newborns to adolescent mothers received postnatal contact, while 37 percent of newborns were contacted by all mothers. Overall, these

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<sup>15</sup> R.A. Singh, Women's Rights and Social Change (Centrum Press, New Delhi, 1<sup>st</sup>edn., 2015)

findings highlight the high need to support adolescent girls in realizing their sexual and reproductive health rights and progressing into safe and healthy adulthood<sup>16</sup>.

The Nepal Demographic and Health Survey (NDHS) 2016 uncovered that “teenage marriage leads to an increase in physical violence.

Physical violence had hit upon those women who are married early (about 34 percent marry before the age of 15, 25 percent marry between the ages of 15-17 and 21 percent marry between the ages of 18-19). But physical violence was less common among married women aged 20 years or above (12 per cent)<sup>17</sup>.

The United Nations and many other governments have acknowledged that teenage marriage is an outline of gender-based violence. Ferocity in Childhood and subsequent to later stage violence can impair girls' and women's ability to participate in schooling and employment, hampering their lifelong prospects for education and employment. Research conducted in India, Pakistan and Bangladesh explained that child marriage and early marriage are recognized threat factors in women's lives.

A survey conducted by National family health revealed that “23.3 per cent of women in the age group among 20 to 24 were married before getting 18 years of age. Around 6.8 per cent of girls between 15-19 years were already mothers and carrying during the phase of study”. Only 41 per cent of women had 10 years of schooling hostile to 50.2 per cent of men. In terms of economic progress, only 54 percent of women own a mobile phone which they use. Labour force participation has declined as household responsibilities have increased in teenage women<sup>18</sup>.

A survey has been conducted for the purpose of this research to show adverse effect of the idea which the current Act profess. 150 respondents from legal fraternity have been participated in the survey by answering the proposed questions through google form. The results have been discussed below:

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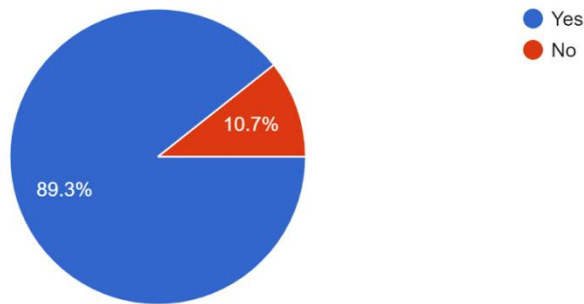
<sup>16</sup>Early Childbearing can have severe consequences for adolescent girls, available at: <https://data.unicef.org/topic/child-health/adolescent-health/> (visited on August 15, 2022).

<sup>17</sup> Ramesh Adhikari (2018). Child Marriage and Physical Violence: Results from a Nationally Representative Study in Nepal. Journal of health promotion vol. 6, June 2018.

<sup>18</sup> Impact of raising the Legal age of Marriage for women, available at: <https://www.thehindubusinessline.com> (last visited on August 15, 2022).

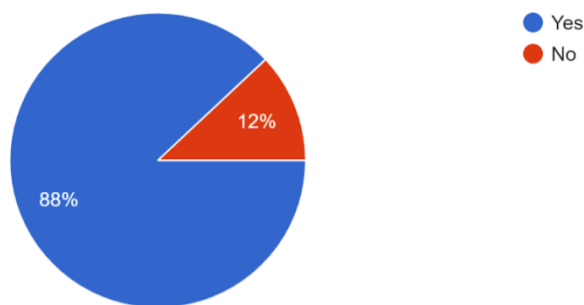
Do you think whether there is any need in increase in the age of marriage of girls from 18 to 21

150 responses



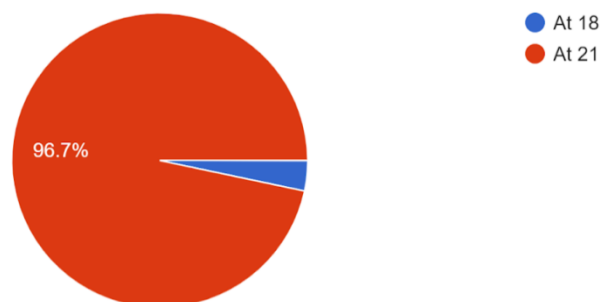
Do you think raising women's age from 18 to 21 for marriage would benefit in the education excellence?

150 responses



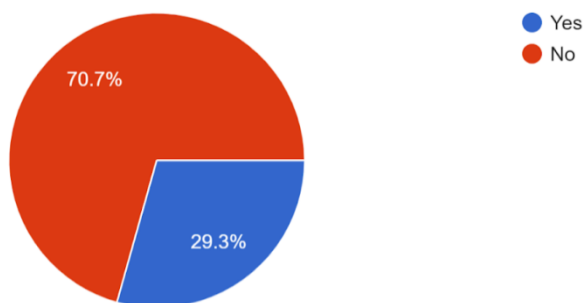
Whether a female at the age of 18 or at the age of 21 is more capable of handling family problems, in your opinion

150 responses



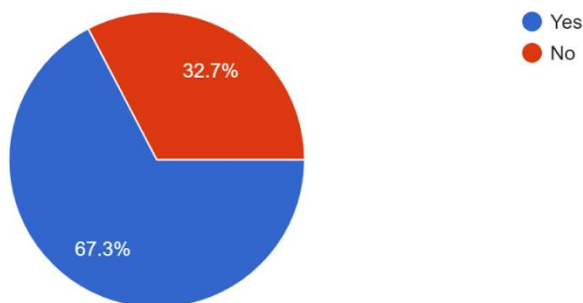
Do you think that the girl, who is between the ages of 18 and 21, would be in sufficient health to bear a child?

150 responses



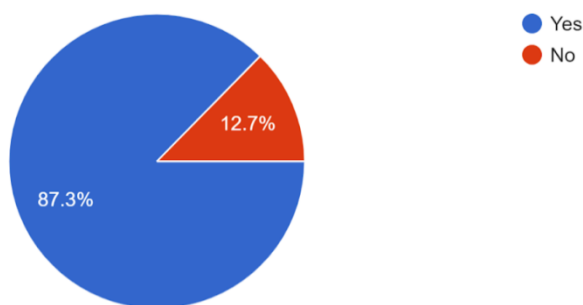
Do you think that equal age for marriage would be a step towards gender equality?.

150 responses



Do you think that raising the marriageable age from 18 to 21 would be appropriate in terms of women's personal development?

150 responses



From this survey we can conclude that by increasing the marriage age of girls from 18 to 21 years, it results in women empowerment, increase in health care, a deduction in the infant mortality ratio etc.

## **Future Prospects Of New Bill:**

On the basis of the data collected through primary and secondary data the following future prospective can be expected.

### *WOMEN EMPOWERMENT*

The 90s saw the dawn of women empowerment making it the place holder for the new millennium. Women's empowerment involves gaining knowledge and understanding about gender relations and it aims to bring about a change to these conventional relations, developing a strong belief in one's own self-worth and the ability to bring about desired changes and the right to control one's own life. The concept of women's empowerment refers to individuals' psychological sense of all aspects relating to one's life, including and not limited to all domestic, social, and the political aspects, it is a process that enables one to act autonomously and control resources. The primary and most effective component of women's empowerment involves education. Education is a basic right that enables one to write their mind, increase their self-esteem and confidence, fosters positive self-esteem; provide the ways and means of accessing information and knowledge. Education can provide anyone with the ability to negotiate from a position of power in this unequal and unjust world. A society shall remain unelaborated as long as it fails to educate its women. Women's empowerment was one of the nine primary objectives of the Ninth Plan from 1997 to 2002, this brought about better focus and importance to the basic notion that women should be freely be able exercise their rights inside as well as outside their homes as equals to men. Women face all kinds of atrocities in all their day to day activities, thus in order preserves their sanctity and dignity they are ought to be empowered<sup>19</sup>.

### *FINANCIAL INDEPENDENCE*

Work interest empowers women to stand on their own feet. Rather than chasing their dream jobs the youthful souls are forced to carry the burden of early pregnancy, child birth and breast nourishing which could be a complex issue in their growth and development phase. Employment moulds up ladies to end up autonomous and self-adequate. Education leads to employment and early marriage causes a road block.

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<sup>19</sup>Lalita Dhar Parihar, Women and Law: from impoverishment to empowerment- A Critique 413 (Eastern book company, New Delhi, 1<sup>st</sup>edn., 2011).

With the introduction of the bill the government is looking out to eradicate marriage at the age of 18, so that girl children can keep their lives without locking them in constrained odd employments such as forced labour, prostitution etc. Concurring to the Jointed together Countries Insights Division (2010), from 1990 to 2010, the number of women partaking in wage labour around the world was 52%<sup>20</sup>.

### *GENDER DISPARITIES*

Gender parity is a basic right for all the people. Women marry earlier than men, hence a gender gap exist in India to date. The question that arises is that if women can vote at the age of 18, why they should have the right to choose her life partner at the age of 21 only. The gender gap in marriage life is important because it brings differences between genders in many aspects of life. This bill objected the non-discrimination and gender parity. Raising the marriage age of women from 18 to 21 leads to gender equality. All women and men are equal in the court of law, but it has not been followed in many places. This gender discrimination affect the education of women, marriage, gender based violence etc. Gender equality has increased the Women's way in and the control over financial resources.

### *ECONOMIC DEVELOPMENT*

Increasing marriage age leads to women empowerment, women empowerment will help in the economic growth which in turn will help in the growth of the country. All girls are starting to participate in all fields at the same rate as men. Girls have become self-sufficient in all activities going on in our country. For economic growth girls have been playing the main role in making a peaceful and secure society. It is targeted to bring out the hidden talents of girls. It has increased the girl power and has given them the opportunity to stand on their own position. By increasing the legal age of marriage we can achieve better economic development, reproductive capacity of women which will get exponentially reduced which in turn would reduce the population which is the biggest hindrance to economic development in a developing country like India.

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<sup>20</sup>Dr.Madhu Gupta, Indian Law and Gender Inequality- Economic rights and Entitlements of women (Swastik Publication, Delhi, 1<sup>st</sup>edn., 2016).

### *HEALTH PROMOTIONS*

Early marriages pave the way for health problems. All women need a specific health, but in our society, health systems have failed to provide it. Women's health is an urgent priority. If a mother has died, it would affect very badly on the health, nutrition, education and social status of their children and the society.

In our society, there is a common notion that the women should eat in last in a family, while they are the ones who suffering from all the negative issues associated with handling a household. Its effects very negatively in medical conditions like malnourishment, anaemia and many kinds of vulnerable, contagious and infectious diseases etc.

Early teen marriage of girls leads to n number of health problems affecting women's mental, physical, sexual and reproductive health. It augments the risk of depression, injuries, unplanned pregnancies, sexually transmitted infections, anxiety disorders and many other health problems.

### **Findings**

- Involvement in higher education for women will decrease the illiteracy rate.
- To ensure women's involvement in the workforce.
- Decrease in the death rate at the time of pregnancy and mental health problems.
- The outcome of the law is to prevent abuse of minors.
- It ensures gender-equality and women empowerment which would allow them to be more independent.
- By increase in the legal age of marriage leads to higher economic development by of exponentially reducing the reproductive capacity of women which causes reduction in the population level in the country.

## Suggestions

From the research it is very evident that there are few areas where India could actually improve citing to the differences in the opportunities provided to gender orientations currently present in India such as:

- ❖ To give them a comfort space so basically speaking they should have a conversion period where they would feel comfortable enough to go to another place and start their life over there.
- ❖ To give them a financial independence. Basically speaking any girl before the age of 18 is under the financial dependency of their parents. And after the marriage at the early teens, without any employment they would be under the dependency of women and in-laws which would make her completely helpless regarding to their financial dependence. Only if a girl has enough education especially at least until graduation a girl would be able to get a well worth job and get them financially independent enough to take her own credit details, decisions, how to manage or utilise their resources etc.
- ❖ To give them physical and mental growth because every human are different in their physical and mental attributes. Therefore there is no universal truth or universally accepted fact that every women would physically, mentally and completely grown by the age of 18. Everybody's age is differently in both their physique and mental structures. So only if they are physical and mentally capable enough to take on new roles of being wife, being up home manager the women would suffice to be financially, physically and emotionally independent and create her own identity to express themselves in the society.
- ❖ Giving them awareness of family planning. At a very young age of 18 no girls are in touch with the family panning procedures and programmes that are offered by the government of India as well as their own ideas of family planning which would in turn make them conceive without any contraception's or anything like that will create a huge boom in the population as well. So if they are given adequate awareness regarding the family planning procedures and programmes that are offered by the government of india it would be great enough to curtail unwanted pregnancies as well as the population of india which is going on as skyrocketing nowadays.

- ❖ To give them scholarships. India is very well worst in providing scholarships for women and children. However there is still a disparity and dis-utilisation of scholarships in terms of education, health and infrastructure facilities. So there is lots of red tapism in such structures.

Usually there is a huge practise in India where the scholarships amounts are received by the girls are used in preparing for their marriage rather than giving them the education. These people will enrol for a degree course and drop out telling that they are unable to bear the course structure not because they are married at the early age. So there should be an effective authority or centre to keep in touch with these kinds of people who are eligible for scholarships but are not getting it and also make sure that funds reach them and those funds are actually utilised for their education rather than marriage.

- ❖ To give them paternity leave. This is a new concept which is widely spread in developed countries. In India there is a misconception that child bearing, conceiving and rendering will be the responsibility of women. So if there is maternity leave there should be also paternity leave as well because child would be grown out of two people and not from just one.

## **Conclusion**

The research paper mainly emphasis on the issues faced by a girl if they are married at the age of 18 and also deals with the benefit as to the increase in the marriage age from 18 to 21. Early teen marriages is considered as a tool to endanger a women's life in ways of domestic abuse, lack of proper care, no exposures to the new world and making them a passive character in the society. Marriage brings major drastic changes in a women's life. A girl at the age of 18 will not be in a position to accept such drastic changes like leaving their homes at a young age, taking up the responsibilities to run the household chores, physical and mental abuse by her in-laws, degrading her status in the society and many more. A girl should never be caged, and should be given the right to education and the right to choose. Education to girls will help in the development of the society and their household. Through the acceptance of this bill there will be changes in the society and rights of girls. By the age of 18 to 21 she will be developed both intellectually and mentally which will pave the way for them to be independent and fly more heights. Rights of education to girls will help in the development of their children and the society.

## References

1. Shobha Saxena, Crimes against Women and Protective Laws (Deep and Deep publication private limited, New Delhi, 1<sup>st</sup>edn., 1995).
2. Minimum legal age of marriage of women, available at: <https://www.iasepress.net/minimum-legal-age-of-marriage-for-women/> (last visited on August 13, 2022).
3. Bill to Increase marriage age for women introduced in Lok Sabha, available at: [https://wap.business-standard.com/article/current-affairs/bill-to-increase-marriage-age-for-women-introduced-in-lok-sabha-121122100646\\_1.html](https://wap.business-standard.com/article/current-affairs/bill-to-increase-marriage-age-for-women-introduced-in-lok-sabha-121122100646_1.html) (last visited at August 13, 2022).
4. Causes and effects of early marriage, available at: <https://www.legit.ng/1212318-causes-effects-early-marriage.html> (last visited on August 15, 2022)
5. Government to raise legal age of marriage for women, available at <https://zeenews.india.com/india/dna-exclusive-govt-to-raise-legal-age-of-marriage-for-women-here-s-how-the-move-will-benefit-them-2420071.html/amp> (last visited on August 14, 2022)
6. Increasing legal age for women's marriage has enormous social and economic benefits, available at: <https://m.economictimes.com/news/politics-and-nation/increasing-legal-age-for-womens-marriage-has-enormous-social-economic-benefits-sbi-ecowrap/articleshow/78805705.cms> (last visited on August 16, 2022).
7. Facts and Figures: Economic Empowerment, available at: <https://www.unwomen.org/en/what-we-do/economic-empowerment/facts-and-figures#:~:text=women's%20economic%20empowerment%20includes%20women's,economic%20decision%20making%20at%20all> (last visited on August 16, 2022).
8. The Prohibition of Child Marriage (Amendment) Bill, 2021, available at: <https://prsindia.org/billtrack/the-prohibition-of-child-marriage-amendment-bill-2021> (last visited on August 17)
9. Impact of raising legal age of marriage for women, available at: <https://www.google.com/amp/swww.thehindubusinessline.com/data-stories/data-focus/impact-of->

[raising-legal-age-of-marriage-for-women/article38046980.ece/amp/](https://www.ijlra.com/raising-legal-age-of-marriage-for-women/article38046980.ece/amp/) (last visited on August 18, 2022)

10. , Raising the age of marriage for women from 18 to 21 years – Pros & Cons, available at: <https://www.groupdiscussionideas.com/raising-the-age-of-marriage-for-women-from-18-to-21-years-pros-cons/#:~:text=Teenage%20pregnancies%20increase%20the%20risk,the%20chance%20of%20maternal%20mortality> (last visited on August 18, 2022).
11. A summary of changing marriage age of girls in India, available at: <https://aninjusticemag.com/a-summary-of-changing-marriage-age-of-girls-in-india-d70d2740fa92> (last visited on August 19, 2022).
12. Explained: The logic of, and debate around minimum age of marriage for women, available at <https://indianexpress.com/article/explained/pm-modi-74th-independence-day-women-empowerment-marriage-age-6555937/> (last visited on August 19, 2022)
13. Will increasing marriage age to 21 help women?, available at: <https://www.newindianexpress.com/opinions/columns/2022/jan/29/will-increasing-marriage-age-to-21-help-women-2412524.amp> (last visited on August 20, 2022).
14. Does the age of marriage impact a woman physically as well as mentally?, available at: [https://m.timesofindia.com/life-style/relationships/love-sex/does-the-age-of-marriage-impact-a-woman-physically-as-well-as-mentally/amp\\_articleshow/77906622.cms#amp\\_tf=From%20%251%24s&aoh=16596871072514&referrer=https%3A%2F%2Fwww.google.com](https://m.timesofindia.com/life-style/relationships/love-sex/does-the-age-of-marriage-impact-a-woman-physically-as-well-as-mentally/amp_articleshow/77906622.cms#amp_tf=From%20%251%24s&aoh=16596871072514&referrer=https%3A%2F%2Fwww.google.com) (last visited on August 21, 2022)