



Safe Homes For Runaway Couples In Haryana: A Sociological Analysis

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Abstract:

Runaway marriages are prevalent all over India. They are still considered a breach of societal norms and customary values. The law does not work on customary norms; instead, it values personal liberty and the choice of living with anyone who is an adult. This paper is based on the study of a mechanism put in place by state authorities to provide a safe space for those who are considered as breachers of societal norms, particularly in the case of runaway marriages. The state mechanism is in the form of 'Safe Homes' for runaway couples. It will also look into the structure and functioning of safe homes. It explains how couples get inside the safe home and how they are relieved. The facilities provided in the safe homes are also examined. The study is based on the safe homes in three police ranges: Ambala, Hisar and Karnal in Haryana state, where ten safe homes are functioning in ten districts.

Keywords: Runaway couples, safe home, police protection, marriage, court.

Introduction:

In newspapers, reports on runaway couples are widespread. This has become a social fact that youths of contemporary times want to live with their own choices. However, marriage is much more a concern of the family than it is of the individuals (Nanda, 2000). Eloping and marrying or marrying by choice by

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adults is not new. It has been happening for ages. However, in the literature or history books of ancient times, there is no evidence of offences committed by family members of those who married by choice without the will or consent of their family. However, we claim to live in the largest democracy but live within the frame of feudalistic ideas and social norms. This is seen in various incidents where couples are fined, threatened, punished, executed and killed by parents and relatives for not conforming to their will and not conforming to the customary norms for getting married. This is called “Honour killing” and means the killing of the couple or male or female by parents, relatives or community members as a punishment for dishonouring them and their social prestige (Chowdhry,2012).

The Supreme Court underlined “The freedom of adult girls or boys to pick their spouse asserting that nobody including parents, panchayats or society can question their right to do so” (The Indian Express, June 26, 2018). However, it is a long way to achieve the essence of this pronouncement in social reality. Till then, safe homes provided in every district by the state government of Haryana are the hope for runaway couples. The Constitution has given the right to all adults to live freely anywhere with anyone and to marry by choice. The Special Marriage Act of 1954 permits marriages across castes and communities. Still, people do not accept this and do not allow their wards to marry without their will. Only they have the sole right to solemnise the marriage ceremony (Grover, 2011). The time of marriage, choice of life partner, and the process of marriage ceremonies are decided by family members and relatives, not by the couple getting married.

Even with the process of modernisation, the evil of honour killing is still prevalent in Haryana. Recent examples of which have been seen in Rohtak where a couple was shot dead by the girl’s relatives (The Times of India, December 31, 2020); a sixteen-year-old girl was killed by parents at night and cremated to demolish the evidence of murder (The timesnownews.com, October 30, 2021), in Sonipat where a male who was a witness in her wife’s murder (dishonour killing case) was shot dead by the girl’s kins in the court premises (The Indian Express, April 23, 2022), etc. The democratisation of society is at pace, too, but it has not altered the stereotypical understanding of caste, religion and social norms concerning the law of the land. Looking at the increasing incidents of brutal killings of such couples, the government came forward with a safeguard to protect them in 2009 by setting up safe homes for runaway couples. In February 2010, the Haryana government set up temporary shelters to save runaway couples from being targeted by relatives and *khaps* (caste panchayats, which were said to be responsible for upholding the social order and implementing the social norms in rural settings) against their marriage. It was a step which helped to bring down the cases of honour killings in Haryana (The Hindustan Times, 8 February 2010). However, data compiled by the Haryana government in 2011 shows that more than 150 couples were hounded and threatened by relatives or caste-based *khap* panchayats. (The India Today, 9 May, 2011). Cases of honour killings are the brutal reality of Haryana. In 2011, the state government submitted before the Punjab and Haryana High Court that 21 FIRs have been filed against 113 people since 2005, charging them for murders in cases of honour killing (India today. in, May 9, 2011). After setting off the safe homes for runaway couples, there is hope for them to stay safe under the protection of the constitution and the state authorities. In 2014, the number of runaway couples who took shelter in safe homes was 1400, which

increased to 2028 in 2016. (The Tribune, 22 April 2018). The number has increased to more than 3000 in 2021 (the data has been retrieved from the police records).

“With any breach of the norms, couples have to face consequences like social boycotts or severe punishment like killing. There are many such incidents where parents and relatives, with the support of community members, kill the couples, sometimes to protect and sometimes in the quest for regaining the honour of the family” (Choudhry, 2007). “Manoj and Babli” and “Garnauthi” (a village in Rohtak district of Haryana) killing cases are examples of extreme barbarism of the families in such contentious marriages. The couple ran away and got married but were later murdered brutally. To protect such couples from such heinous acts and atrocities, the Hon’ble High Court of Punjab and Haryana ordered the state authorities on 31st March 2010 to establish couple protection homes in each district to provide shelter to those who eloped or got married without parents’ consent. The purpose of these safe homes is to provide a safe space for runaway couples from the family and relatives who are against their union. Couples are given protection for some days or sometimes for some months till the matter gets cool or the threat subsides. These safe homes operate under the authority of the District Commissioner/Chief Judicial Magistrate, Superintendent of Police in districts, and Deputy Commissioner of Police in police commissionaire. The Police Department is primarily responsible for the safety of couples in safe homes.

The state government has set up 22 safe homes for runaway couples who seek safety from the police administration or the court. After marriage, the runaway couples reside in these safe homes for a few days or weeks and then return to their everyday life when they feel safe outside. However, this is not true for those in the same village. The report says, “Since 2010, not a single couple belonging to the same village from any of the safe homes has ever returned home. Such a move could mean a straightaway death” (The Indian Express, 26 June 2018). Belonging to the same gotra or village, they are considered siblings according to the village community's caste norms or an extended kinship system (Ahlawat, 2015).

The objective of this paper is to examine the process through which couples get protection and the way they live in safe homes. The functional aspect of safe homes is also explored to get insight into the critical understanding of living conditions from an insider’s viewpoint. No study has been done on protection centres. For the study, 10 districts from 3 police ranges, Ambala, Hisar, and Karnal, were selected with prior permission from the police department.

Procedural Aspects of Safe Homes-

There is a standard procedure for taking shelter in safe homes in Haryana. Couples who run away and get married against the will of their parents take shelter if they find it dangerous to stay outside. For this, they go to the court for marriage as almost all of them think that they are opting for court marriage. They opt for marriage through Hindu rites and ceremonies. They hire a lawyer who takes them to any trust or temple where the marriage ceremonial rites are performed, and a certificate is given to the couple from the trust, temple priests or registered organisation mentioning that the couple got married through Hindu rites, which is a necessity according to The Hindu Marriage Act, 1955. In the case of Muslims, they are taken to the masjid for ‘Nikah’, where maulvi, in the presence of two witnesses, solemnises the ceremony. The

lawyer takes them back and presents before the court the affidavits from both males and females, mentioning that they got married by choice with a petition for the safety of their 'life and liberty' claiming that they are under threat from the family members. The court asks them some questions about their age and consent to marry, and if the judge finds the answers satisfying and the matter genuine, the court grants them protection for a few days. The number of days of protection differs based on the 'seriousness' of the matter and the assessment of the sitting judge. It may vary from 2 to 20 days or sometimes more. Severe and sensitive cases are such where a couple is from the same village, or the same *got/gotra* or female is from the same dominating caste to which the security guard belongs.

An investigating officer (IO) from the concerned area police station of the male partner is asked to come to accompany the couple to the safe home. In the presence of the IO, the police team of the concerned district (where they get protection) escorts the couple to the police line *Rojnamcha* office/ security in-charge office/ women cell office/ the police station under whose jurisdiction the safe home is established. Sometimes, police directly take them to a safe home (as in a different district, the authority for dealing with such cases is given to the different offices). The police personnel on duty make their entry in a register, which is often named the "*premi joda* register" (lovers register or runaway couple's register). Their names, addresses, phone numbers, and police station areas are also written. In some safe homes, the officials also write their caste, educational qualifications, age and somewhere, 'Gotra'. Here, it is pertinent to mention that from higher authorities, it is directed to the district police not to mention the caste of the couples, but for the convenience of 'recognising them,' the officials write their caste. However, when the record is sent to the Director General of Police (Haryana), their caste is not mentioned. After these formalities, couples are sent to a safe home with the police team. In the safe house, couples are first asked to mark their entry in the register as they did earlier. They are checked thoroughly along with their luggage for any undesired things/materials. They are asked if they have any tablets/pills, eating or drinking material or any sharp thing. If couples are found with any such thing, guards take that and keep it in their possession till the couple stays in a safe home and then returns. After confirming that the couple is not carrying any such thing, they are instructed by the safe house in-charge or the security guard on how to live in the safe home, the do's and don'ts, like not making noise, not shouting or dancing or anything that can disturb the other residents and neighbours. They are told to live separately and not to meet or sit together if the living arrangement is separate in a safe home. After this, they are allotted their beds/cabins or mattresses, or whatever is available, in a safe home. In one of the safe homes, they are asked to pay a sum of Rupees 300/- each for LPG cylinder filling, which they can use for cooking.

Organisational structure of safe homes:

Safe homes protect couples from the wrath of parents and community members. Such centres should not be easily accessible by commoners. Security personnel said these protection homes were established in the Police lines area or PWD rest houses of districts. The Punjab-Haryana High Court, in its judgement in the Asha and another vs state of Haryana and others on 25th July 2012, directed "the States of Punjab and Haryana and union territory of Chandigarh to comply with the directions issued by the court on 15th

October 2010. In addition, at every district headquarters, the authorities shall keep available a minimum of two rooms in the circuit houses/PWD rest houses and shelter be provided to the newly wedded couples as and when orders are issued by the district court, Deputy Commissioner and Senior Superintendent of Police of the concerned district” (civil writ petition no. 6717 of 2009). However, safe homes are available in different places for different reasons. The safe zone and building availability are crucial for setting up a safe home. Where there is availability, a safe home is maintained. In one case, it was shifted from the Police line to another place because the residents complained to the higher authorities that the presence of the couples hurt their children as they saw them hugging and sitting together inappropriately. Currently, 20 per cent of safe homes are in the police lines area, 30 per cent are in the Public Welfare Department Rest houses, and the rest are at other places. One of the safe homes in the Sirsa district will be temporarily moved to another place until the new building is ready. As the locations for the safe homes are different and district authorities on their behalf manage the place for couple protection homes, the available living space for couples is also different. Forty per cent of the safe homes are comprised of large dormitories, 40 per cent are standard rooms, and 20 per cent, separate rooms are available for them. Sixty per cent of safe homes can accommodate eight couples at a time. Twenty per cent can accommodate 15 or more couples, one safe home can accommodate 12 couples at a time, and only two can stay in one safe home. It is also to be mentioned here that the space is not absolute. In a safe home that accommodates only eight couples, 10-12 couples were adjusted during COVID-19, and sometimes 16-17 couples shifted to a place where only eight couples could live with a small space between their mattresses. A safe home with two separate small rooms for two males and two females often remains occupied by 3-4 or more couples. It is also communicated by the couples that they slept sitting in the room as there was no space for lying and could not sleep for 2 days when seven males pooled in a small room reserved for males where only three mattresses could be adjusted nose to tail after the two beds were shifted out of the room.

In 30 per cent of safe homes, beds are available for residents, and in the rest, 70 per cent, they sleep on the floor mattresses. In 80 per cent of safe homes, couples are kept together, and in the rest, 20 per cent, they live/stay separately. Asking one of the security personnel in a safe home in Karnal range about keeping the couples separate, he replied- “this is good for males as if we keep them together, they come in touch, and any case if the girl after leaving safe home for any reason changes her statement due to her parent’s pressure and lodge an FIR against her counterpart no medical claim can prove the male ‘not guilty’ of raping her. After all, they will live together after a few days, so it is ok to live separately here”. It was of the view that in most of the cases where girls change their statement in court against the boy, they come from the safe houses where they stay together. However, most couples have been in a physical relationship before entering a safe home. Thus, the girl already has a base for blaming her counterpart for sexual abuse if she wants to. A senior official stated- “if we make it a honeymoon spot, no one would leave from here”. Asking the couples about their opinion on living separately, diverse views poured in. Few couples agree with the opinion of police officers for different reasons. One male resident told me that “they never ‘touched’ before and will not touch until they bow down to their ancestor's *samadhi* (a place to worship the ancestors). Our elders followed this, and we will follow that after marriage; we have to

pray before our gods and goddesses in the village, and later, we will sleep together. So, it is fine for us to live separately”. However, most of the couples complain that it is not fair to keep us separate as in most of the other safe homes, couples stay together without any issue. Some couples narrated that “if do not allow us to stay together at night, we should be allowed to meet and stay together in the daytime so that we can share something about what to do next or at least share our worries to keep each other mentally stable and calm”.

Basic amenities in safe homes:

In its order, the High Court directed that “for the first ten days, no boarding and lodging charges would be payable by runaway couples” (civil writ petition no. 6717 of 2009). There is no explicit mention of the food charges; in all safe homes, couples pay for them. In police line mess, they pay Rupees 35 to 40 per diet, and at dhaba/tiffin service, they have to pay Rupees 60/- to 90/- per diet and sometimes more if they bring something costlier than the “simple diet” which includes *chapati* and vegetable only. Though bringing food from the dhaba is costlier, *residents prefer it in the mess*. During fieldwork, we learned from the security personnel that sometimes couples complain of having unhealthy or tasteless food from a mess and refuse to take it, asking authorities to allow them to buy food outside. Security guards reported that “as they have to stay here for a shorter duration, they should have tasty food”. It is pertinent to mention that not all couples have enough money to pay for it when they come to a safe home. There have been a few instances when couples come without money and are fed by their fellow inmates or security personnel. A head constable on duty stated- “sometimes couples come with Rupees 200-400, which is not enough for even two days. We cannot see them sleeping on empty stomachs”. However, such cases are very few. Of these ten, cooking is done in two safe homes (Jind and Panipat districts). Couples pay for the raw materials they buy through security personnel, as couples are not allowed to go out. In other safe homes, inmates have to buy food from *dhaba*. They get tiffin with what they order. Though costly, there is no alternative, and they must buy to survive. Security personnel said, “Earlier, we allowed male relatives to bring food for couples, but now the authorities are more concerned for their safety, and we do not want to take any chance. So, we do not allow parents to bring eatables for them”. However, sometimes, it becomes a concern for security personnel as dhabas serve stale food, and couples complain about it. It may create health issues for them, which later can create complexities for all. In 70 per cent of safe homes, residents prepare tea inside whenever needed or according to instructions given by the security in charge. Of the rest, 30 per cent is supplied from outside.

Among all these safe homes, only one has a water cooler for drinking water. The rest of them depend on public water coolers in the compound, such as police lines, rest houses, or any other government office, or they rely on private camper water supply services for which they pay Rupees 20/- per camper daily.

Means of Recreation:

As it is a matter of security for couples, they are kept inside all the time. No outside movements are allowed for any reason, leaving the cases of bringing food from the police line mess and hanging the clothes to dry. In 40 per cent of safe homes, couples get locked in their dormitories/rooms after breakfast/brunch at about 11:00 am and are open only in the evening. Couples come out to dry clothes outside, during tea in the evening and when parents come to meet them. The outer gates get closed in the rest of the safe homes, and their rooms open to move a little in the backyard or inner compound. However, such a space is unavailable to the maximum number of safe homes.

The most prevalent entertainment in safe homes is gossiping about their past, love stories, families, and the couples who left the safe home. Today is the era of youth and the digital world, where everyone is connected to gadgets for communication. Almost all the males have phones compared to females. However, only 40 per cent of safe homes allow residents to keep phones all the time. In the rest of the 60 per cent safe homes, couples are asked to submit their phones to the security personnel before entering their rooms or dormitories, and they are given the phones only for a few minutes in the morning and evening to talk to family, relatives or friends who support their marriage. Here, it is worth mentioning that some couples found discriminatory practices from security guards in providing phones when they asked for them. The discrimination is based on two things: if both males and females belong to the same village or the same got, and if the girl belongs to the higher caste, the same caste guard is on duty. In different safe homes, we have different reasons to prohibit/ prevent the residents from using phones. One security personnel cited an incident after which their phones were confiscated. It was years back when a male took some intimate pics of theirs in the washroom and sent them to one of the family members of the girl who came with a crowd near the safe home, and the matter went to the senior officials who called security guards asking the matter. Later, it was resolved, claiming “the pics might have been taken before they entered the safe home as we took their phones at the first stage of entering inside”. One another security personnel gave a different reason for taking out phones- “if we allow them phones, it might be misused for sending pictures, location or video to anyone outside and thus their location can be traced by wrong people that may create problems for couples and us both. They may get calls from undesired people and any side if wrong words are spelt who will be responsible for the consequences”. However, they are given phones for a few minutes to about half an hour when they need it. An officer replied interestingly to the question saying- “girls are often emotional. It is not good for the male to let her talk to the parents. Who will face the bitter consequences if she talks and gets emotional hearing them crying and doing all to get her back? Who will suffer if she changes her mind and returns to her parents? The boy may land in prison. That is why we took their phones. By doing this, no one will face problems with this *dibba* (*mobile phone*). Society is already facing much abuse because of it”. He indirectly opined that mobile phones are the reasons behind all such runaway matters.

There are no facilities for playing anything indoors or outdoors. No reading materials are available, not even newspapers and televisions. Those who keep their phones with them spend most of their time gossiping. Where phones are not allowed inside, couples “do nothing”, just “gossiping and sleeping” As many couples said, “What else can we do here. We are passing the time, and it is a matter of a few days”. We questioned the newspaper, which we thought to be essential reading material that must be available in safe homes and got a reply from the duty guard- “Who will pay for that”? In a safe home, it was made available at the request of couples staying there as they contributed some money; after they left, the new couples came and did not contribute to the newspaper, so it stopped. In a safe home, a couple came with a ‘ludo’ game and cards, which others shared.

Sanitation is the primary need for a place to live there. In 70 per cent of safe homes, washrooms and toilets are separate from the living rooms. In 30 per cent safe homes, a joint washroom and toilet are attached to the dormitories. That means there is no need to open the dormitory gate to access the washroom facilities. In 20 per cent safe homes only, the sweepers clean the washrooms as these are established in the buildings where other offices are also functioning, and there are common washrooms for all. In the remaining 80 per cent of safe homes, washrooms are self-maintained and cleaned by the residents. They are also responsible for the cleanliness of the living area as they are instructed before getting their beds at the first entry. After getting up in the morning, which is often not early morning, mopping is one of the routine tasks besides all the stuff that the female residents mostly carry out. Sometimes, couples deny doing this and complain that this is not for what they come into a safe home. As a girl made her concern- “is this what we have to do here? It is better to live anywhere else than here if this is what we are supposed to do”. A male complained- “madam, I will not do this(mopping) as I did yesterday”. “Couples are sometimes misguided by the lawyers who tell them that they will get separate bedrooms, free food, TV and all other facilities and that they have to stay and enjoy here”, - a security official told us.

Relieving From Safe Home:

In safe homes, couples stay for a limited period, as given by the court or the concerned district authorities, for their protection. When the couples get protection from the session court/district court, they are given a next hearing date on which the concerned family members or whose names are written in the security application are summoned by the court for undertaking that they will not harm the couple in future. On this date, couples are taken to court, and judges understand the situation to decide whether they should be given more protection or let them go free where they wish. Sometimes, the court does not mention the next hearing date, and sometimes, it leaves space to leave the safe home on the couple’s wish. The same is the case when they get protection from the police. They are not given any specific release date, but it depends on their understanding of the seriousness of the situation and their circumstances and plans when to leave a safe home.

When the hearing date comes, the investigation officer of the concerned police station escorts the couple to the court, where they are asked for an extension for protection time or if they want to go out. In most cases, couples are relieved on the first hearing itself. In other situations, if they are sent to a safe home by the police and they want to leave the safe home, they tell the security personnel, who further tell the concerned higher authority who let them go out on taking their affidavit, stating that they no longer want the protection. Couples want to leave for several reasons, even after living in safe homes. It may be because of the food served inside; they may not like that. Sometimes, they come to safe homes to escape from police cases and harassment. One of the male respondents stated- “we are not afraid of her family. We came here so that the police did not lodge an FIR against me to harass me and my relatives. This has been done, and now we want to go home.” There are different reasons for couples to leave a safe home before their due date. In a few cases, they leave if both families accept their union. Sometimes, they leave to go far places after finding that there would be no further development towards resolving the tensions between them and family. A few of them stated that they had spent all their money and now had nothing to pay for food and other needs. That is why they want to leave and go out to work and earn a livelihood.

Conclusion:

Safe homes have been running for the past 11 years since the Hon'ble High Court ordered the state to provide safety to those who marry or want to marry against the will of family or community. Even after 11 years, safe homes have not been given proper attention. As we were told, the higher authorities visit safe homes frequently, but no actions are carried out on what the couples or security guards complain about. There is not a single nodal agency responsible for its functioning. There is a complex process for entering and exiting, and there is no proper channel for couples to reach or talk to the higher authorities when necessary. There is a lack of transparency and accountability. Higher official visits are only a formality to get a place in the visitors' register. Safe homes are not established in a particular building designated for this cause. Some safe homes run at places that are easy for visitors to access, and couples' security may be compromised. No funds have been allocated to the safe homes. Higher authorities do not pay attention to the functioning of safe homes. They lack the means of recreation and entertainment, which can be a means to let runaway couples relax in the tense situations they face. Newspapers, books, or indoor games cannot be seen in safe homes. The process of entering and exiting safe homes is time-consuming and exhausting. The poor maintenance and lack of facilities in safe homes make the couples wonder if they live in security or if criminals are getting punished there.

Notes:

- *We thank the police department for their support and assistance during the fieldwork.*
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- *In the remaining 12 safe homes, situations may differ from those in which the study was conducted.*

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