

**Modified centrally sponsored scheme (CSS) for PWDVA integrated with
Integrated Child Protection Scheme (ICPS)**

Ministry of Women and Child Development is considering amalgamation of the **“Centrally Sponsored Scheme (CSS) to provide matching assistance to State Governments for effective implementation of PWDVA, 2005”**, proposed by NCW with the ICPS of the Ministry of Women and Child Development. While examining the proposed guidelines and staffing pattern of the ICPS in the District Child Protection Society (DCPS) it is observed **“In districts where a District level officer of the line department implementing the scheme (Social Welfare/Women and Child Development) is available s/he will function as the DCPO.”** A District level Officer of the implementing department (Social Welfare/Women and Child Development) functioning as District Child Protection Officer heading the (DCPS) is not be feasible as the District Level officer is already overburdened and may not be able to deliver justice to the women issues . The main objective of the scheme proposed by NCW is to put in place an independent Protection Officer for implementation of PWDV Act, 2005. This officer can also be designated as Dowry/Child Marriage Prohibition Officer.

Some inevitable features which are vital for the **“Special Cell”** and which are not provided in the ICPS are as follows:

Collaboration with NGOs & Institutions providing Social Services for Violated Women within the Criminal Justice System through the Special Cell:-

The Special Cell will serve as a model of social service **within the police system**, with a pro-woman understanding. The collaboration of the Special Cell and the police system will enrich the systemic response to the issue of violence against women, and enable the needs of the violated woman to be addressed holistically in the following ways:

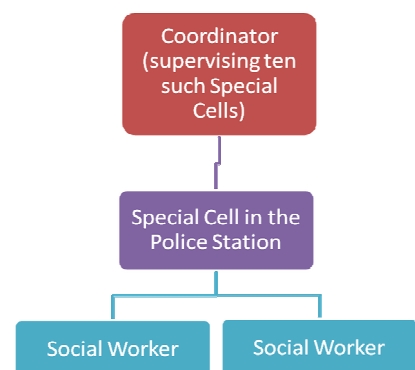
- * *the police system addresses the legal aspects; the Special Cell works with the psycho-social-legal aspects of the problem of violence against women,*

- * *the police system addresses the problem in the here and now; the Special Cell engages in problem-solving by taking into account the context and history of the violated women, and empowers her to take control over her life.*

- * *the police system accepts the woman's context of violence as a reality, and uses state power to discriminatorily repress / protect; the Special Cell's work is focussed on bringing about change in the violated woman's position and situation, and it works on the basis of trust in the violated woman, with the aim of empowering her to protect herself and her rights.*

The synergy resulting from the differential strengths and contributions of the police system and the Special Cell would enable a coordinated, multi-agency response to the issue of violence against women. Such a coordinated response is needed as a violated woman has complex needs arising from her context of violence, which require specialized social services, along with legal measures. Moreover, the Special Cell will link the police system with women's organizations and other social service groups, thereby enhancing a coordinated response to the violated woman's needs. Through its location in the police system, the Special Cell will create emotional, physical, mental, and legal space for the violated woman within the Criminal Justice System, where she can engage in addressing her needs and concerns in the problem-solving process within a facilitative environment. The Special Cell will work towards integrating social services for the violated woman within the police system.

Structure of the Special Cell and Services offered



The Special Cell will be located at each police station at Block Head Quarter. The structure of the Special Cells will consist of 2 Social Workers in each Unit. One of them may be given the powers of APO by the State Govt. to authorize them to file DIR & exercise other provisions of the law. The ICPS provides for only 2 social workers responsible for coordinating field level activities whereas the special cell requires 2 social workers per block. Hence the number of social workers requires augmentation accordingly.

The social worker will be a trained and qualified professional. The role of the social worker requires skills in undertaking simultaneous actions at multiple levels of intervention, as the issue of violence against women is a complex one. The complexity of the issue demands interventions at the individual level, as well as in the home through home visits and at the level of various health, legal, police etc., systems. The Special Cell will be housed in the Police Station/Office at/Block level; sharing the Police's Infrastructure e.g. Space, Furniture, Telephone, Vehicle, and administrative support. The on going staff development of the Special Cell organisation will be the responsibility of the department of Women & Child Development in association with a collaborating NGO/Institution to be notified by the State Government in consultation with the Police. The State Governments may be left free to select the NGO/Institutions Collaborator who will provide training & counselling support to the Special Cell. **A State-level Monitoring Committee consisting of senior officials of the Police, Departments of Home and Women and Child, and representatives of the women's organisation from the State will oversee the functioning of the Special Cells & Protection Office.** The Key Defining Areas of Intervention identified over the years of practice are as follows:

- *Filing of Domestic Incident report.*
- *Providing a multi-faceted response to the complex issue of violence.*
- *Providing emotional support and strengthening the psychological self*
- *Negotiating for non-violence with various stakeholders*
- *Building support systems*
- *Engaging police help*
- *Legal aid*

- *Development counselling*
- *Advocacy for group entitlement*
- *Re-establishment of women's relationships with their economic assets*
- *Arranging shelter*
- *Working with men in the interest of violated women*

Service Providers: The State Governments is required to notify service providers under PWDVA with well defined area of operation consisting of one or more districts provided that the number of districts shall not exceed three per service provider. The State Government may notify more than one service provider for providing different kinds of services as envisaged in the PWDVA, however, the Central Assistance would be limited to 2 service providers per district on matching basis. The service providers will be provided a maximum annual grant @ Rs. 5,000/- per month per district which would include administrative & travel expenses. Further assistance will be provided as per actuals for shelter, legal, medical, financial and other assistance provided by the service provider as envisaged u/s 10 of the Act, on case to case basis to domestic violence victims subject to a maximum of Rs. 500 per day and Rs. 2500 per victim and Rs. 7,500 per month per service provider. **ICPS does not provide any assistance for service providers. This is critical for making it viable for service providers to make the required services available on a regular basis.**

Protection Officers

In keeping with provisions of the Protection of Women from Domestic Violence Act 2005 (PWDVA), the work of the Special Cell would be supervised at district level by a trained cadre of Women Protection Officers (POs) located within the office of the CP/SP of the District. The Protection Officer would be a full time independent /dedicated PO having minimum qualification of a Masters Degree in Social Work/ Sociology with a minimum experience 3 years in working on women and gender issues and preferably a female. **It is reiterated that the District level officer of the line department**

implementing the scheme (Social Welfare/Women and Child Development) should not function as District Child Protection Officer as envisaged under ICPS. The collaborating Partner will be a party to the selection procedure. The PO would embody the validity and visibility of the work of Special Cell, the women's movement and state-affiliated service providers through the mechanisms of the law. According to the PWDVA the PO is to assist Magistrates in their duties and functions under the Act, provide the woman client with support, enable her to access services such as medical aid, shelter etc. (PWDVA 2005 Chapter III: 4-5), and thereby serve as link between women clients and service providers and the justice system. Moreover, the Act allows for the creation of cadres of POs from the ground up, offering the possibility for a network of support systems for women. The supportive role of the PO is based on the social work model and embodies elements of that form of support and assistance. This is the model that has been adopted in Haryana where in every district a Special Cell has been set up, covering all 20 districts. In most other States the ICDS or other functionaries have been given additional charge of PO which leaves them with little scope for giving due attention to the effective implementation of the Act. It is proposed under the scheme to provide 50% matching central assistance to fund the appointment of full fledged POs and supporting staff.

The PO will be assisted by one legal assistant, one social worker, one accountant cum clerk, 1 data entry operator and 2 police constables. The legal assistant should have a degree in Law and preferably some experience in working with the social sector. The social worker should have a Masters Degree in Social Work/Sociology and a minimum of 3 years experience in the social sector. The accountant cum clerk, data entry operator & multi purpose workers would be graduates with sufficient domain knowledge and experience. The PO would be supported by the Police system for delivering summons and any other infrastructural or administrative support.

Role of Central / State Governments & National Collaborating Partner / Consultant

Such partnerships are necessary to enable the Central Government to effectively monitor the scheme and ensure its systematic implementation but this is not provided for under ICPS. NGOs have only been involved as members in the State and District Societies. **Provisions of financial assistance to National/State Collaborating partners is necessary to enable them to effectively play the role envisaged but is not provided for under ICPS.**

The Central Government may appoint a National Collaborating Partner as per the eligibility and selection procedure to be laid down by the Central Government to monitor and oversee the implementation of the Scheme at the level of Central Government and to monitor, provide support for capacity building and liaise with the State Governments. The national collaborator would serve as a bridge between state collaborators in other States, and as a resource centre and guide for setting up the office of the PO & Special Cells. It may also function as a State Collaborating partner if selected by any State Government. Thus, the national collaborator will take on initial negotiations to establish the Special Cell in the States. It could also serve as the State level collaborator as per the choice of the concerned State Govt. However, at the national level it would assist the Central Government in overall monitoring and implementation of the Scheme. The State Collaborator would be selected by State Governments. The role and responsibility of the Central / State Government collaborating partner / consultant would be as follows :

Role of State Collaborating Partner/Consultant -

- *To liaise with the National Collaborating Partner/Consultant and Central Government.*
- *Share the resources build from experience, research and documentation.*
- *Facilitation and support planning in setting up of new Special Cells*
- *Advice and Assist stakeholders of Special Cells on issues of Domestic Violence against Women/Child Marriage.*
- *Training and capacity building of different stakeholders*

- *Participate in Policy Direction/Decisions for the Sp Cells.*
- *Jointly work on research and documentation with implementing agencies, and other stakeholders of Sp Cells*
- *Supervise the implementation of the program based on the principles and objectives defined for Special Cells*
- *Facilitate co-ordination between different stakeholders of the program*
- *Facilitate on-going training and capacity building of the PPOs.*
- *Maintain documentation, reports and records of the work.*
- *Invited Member of the Steering Committee*

Role and Responsibility of the National Collaborating Partner/Consultant

- *Liaisoning with the State Governments to make budgetary provisions in the State Budget and avail of the Scheme.*
- *Policy Development for effective implementation of Special Cells in the States.*
- *Monitoring the Implementation of the programme.*
- *Advising on financial management of Fund flow to State Governments.*
- *Review the program plans/work plans of the Special Cells*
- *Facilitate coordination with different arms of the Govt and stakeholders for the smooth and effective functioning of the Special Cells*
- *Periodic monitoring of implementation of the program through reporting from the PPOs /State Consultant of the Special Cells*
- *Develop and plan newer and contextual strategies to deal with Domestic Violence against Women and Solemnisation of Child Marriages.*
- *Develop a system for monitoring and evaluation of the Special Cell and organising agencies.*

