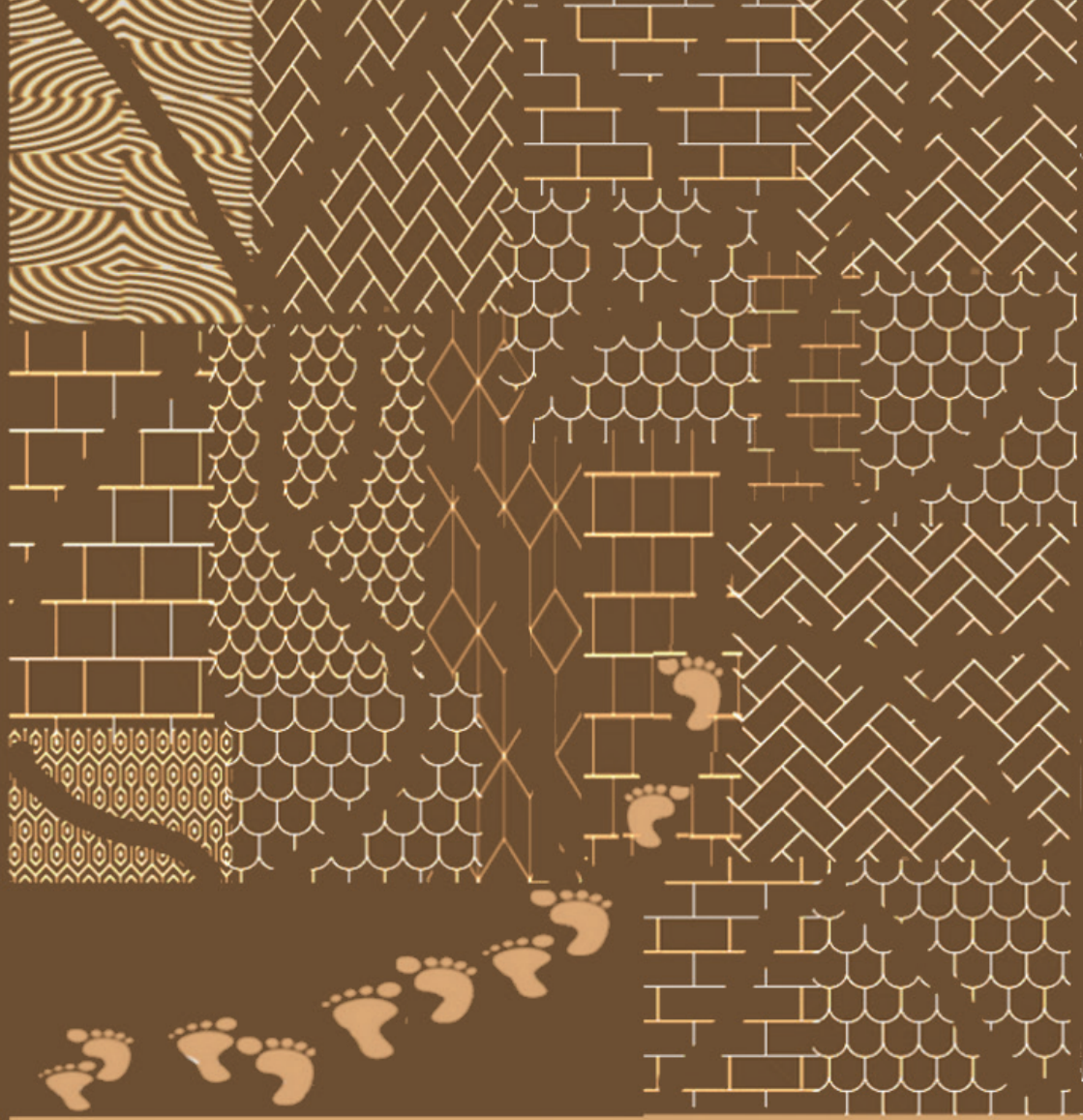

PAVING NEW PATHWAYS

Special Cell for Women and Children in Haryana (2008-2014)

Report Prepared By
Tata Institute of Social Sciences, Mumbai

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Paving New Pathways

Special Cell for Women and Children in Haryana
(2008-2014)

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Supported by GOVERNMENT OF HARYANA
2015

Preface

Under the umbrella of Strengthened Access to Justice in India (SAJI-I), a joint project of the United Nations Development Programme (UNDP) and the Government of India, UNDP approached TISS to set up Special Cell for Women and Children in two districts of Haryana in 2006. The Special Cell's approach emphasises that the state must acknowledge women as individuals with rights and entitlements, and take responsibility for addressing violence against women. We went to Haryana with this perspective, on the invitation of the UNDP. Ambala and Jind were selected after extensive research — one was the headquarters of a highly urbanised district, and the other of a highly rural one, with both having a high rate of crime against women — and the proposal was taken forward to the State government of Haryana.

Haryana posed a unique challenge for the Special Cell. It has been suggested that there is a civil society vacuum in Haryana; patriarchal voices are known to dominate, and there is no robust women's movement. It became all the more crucial in this context to best develop and strengthen the work of the Special Cell, and create a strong and sustainable response to violence against women. The best part of working with Haryana was that we were allowed to experiment with the Special Cell's model. We were welcomed by both the WCD and the Police with open arms, and were able to successfully demonstrate on ground the usefulness of the Special Cell Units to the Haryana government.

After one and a half years, when the pilot phase was drawing to a close and institutionalisation was required, we wrote an institutionalization strategy paper — a brief report on the two pilots we had conducted and the progress they had made. We took our findings to the State Department of Women and Child Development. Sh. G Prasanna Kumar (Financial Commissioner & Principal Secretary (FC & PS) to Govt. of Haryana, Department of Home), was the first one to open the gates for us. After reading our strategy paper, he personally invited me to meet Ms. Anuradha Gupta, (FC & PS), WCD. She too affirmed that this was a useful and relevant strategy for countering violence against women, and insisted we move towards institutionalisation. I had visited the WCD at the end of the pilot phase to share our learnings and bid the officials goodbye, but the clear message we received at that meeting was "you are not going anywhere".

We were requested to hold on, and extend the pilot for five more months, until the government could take over. During these five months, we really extended ourselves. We undertook fundraising, and stretched our resources to the limit to keep the programme going. After five months, the government took over the Haryana Special Cells programme and it has not looked back since — it is now running in 21 districts.

The year of institutionalisation, 2008, was also a time where pressure to implement the Protection of Women from Domestic Violence Act (PWDVA) had begun. It was at this critical juncture that the government of Haryana decided to dovetail the implementation of the PWDVA, Prevention of Child Marriage Act (PCMA), and the implementation of the Special Cell for Women and Children. TISS has played a hand-holding and consultancy role for the Haryana Special Cell program post-institutionalisation.

It was truly wonderful to see the receptiveness of the bureaucracy in Haryana. Haryana has a reputation for a patriarchal culture and we had gone expecting some resistance, but were greeted by a bureaucracy more supportive than we could have hoped. People like Sh. G Prasanna Kumar and Mr. S.S. Prasad (the FC & PS and Director WCD who took the initiative forward), Ms. Neerja Sekhar (Director, WCD), and and Ms. Anuradha Gupta (FC & PS,WCD) were instrumental in giving the Special Cell the boost they needed.

Another crucial and heartening factor was the enthusiasm and the support of the police. The office of the DGP, Haryana wrote to the Finance Commissioner and Principal Secretary, DWCD of the Haryana Government, recommending that the Special Cell programme be institutionalised. It was a major vote of confidence for us — for the police to put down their support in writing and go out of their way to advocate on our behalf.

Thus, the Special Cell model in Haryana is unique. Here three different mandates have converged — wider police-based support for violence against women, the implementation of the PWDVA, and the implementation of the PCMA — to enable a multi-pronged response to violence against women and children. In this model we see the initiative of the Haryana government, and how they have chosen to contextualize and implement these legislations. This document is an

account of the process of institutionalisation in such a context, and demonstrates a convergence intervention model for a coordinated, multi-agency response to violence against women. It encapsulates the six years of work in Haryana and the outcomes and achievements that followed. We sincerely hope the Special Cell continues to grow and thrive in Haryana in the years to come.

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This document has been prepared by the Resource Centre for Interventions on Violence Against Women (RCI-VAW) at the Tata Institute of Social Sciences (Mumbai). The RCI-VAW has been involved from the inception beginning with adapting the Special Cells approach into the Haryana context, as well as in continued strengthening & technical support of the programme in the provision of quality socio-legal services to violated women & children.

This effort has found support in individuals and institutions, to whom thanks are due, as follows:
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Acronyms

CBO	Community Based Organisation
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CHC	Community Health Centre
CJS	Criminal Justice System
CMPO	Child Marriage Prohibition Officer
CPC	Child Protection Committee
Cr PC	Criminal Penal Code
DFR	Delegation of Financial Regulations
DGP	Director General of Police
DIR	Domestic Incident Report
DLSA	District Legal Services Authority
DWCD	Department of Women and Child Development
DV	Domestic Violence
FAP	Field Action Project
GoI	Government of India
HIRD	Haryana Institute of Rural Development
HPA	Haryana Police Academy
ICDS	Integrated Child Development Scheme
ITPA	Immoral Trafficking Prevention Act
IGP	Inspector General of Police
IPC	Indian Penal Code
KUK	Kurukshetra University, Kurukshetra
MPR	Monthly Progress Report
MPW	Multi-Purpose Worker
NGO	Non-Governmental Organisation
NRHM	National Rural Health Mission
PCMA	Prohibition of Child Marriage Act
PHC	Primary Health Centre
PO	Project Officer or Protection Officer
PPO	Protection-cum-Prohibition Officers
PWDVA	Protection of Women from Domestic Violence Act
RCI-VAW	Resource Centre for Interventions on Violence Against Women
SAJI	Strengthened Access to Justice in India
SP	Superintendent of Police
TISS	Tata Institute of Social Sciences
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNIFEM	United Nations Development Fund for Women
VAW	Violence Against Women
WAMA	Women's Awareness and Management Academy

Chapter 1

Background and Context

History

For close to three decades now, Violence against Women (VAW) has been the focus of attention in the women's movement in India. Custodial rape was one of the first issues that led to public protests against the violence perpetrated on women. This led women's movements to actively seek to sensitise the Criminal Justice System (CJS) to the horrifying reality of Violence against Women (VAW), more specifically, domestic and family violence. The last twenty years have witnessed many changes in the CJS - new sections were introduced in the Indian Penal Code (IPC) in response to newly recognised dimensions of violence (specifically 498A and 304B to address dowry-related deaths).

Women's groups and governments have since raised other concerns, which led to the enactment of the Protection of Women from Domestic Violence Act (PWDVA), 2005.

PWDVA recognised the need to support women survivors of Domestic Violence (DV). It brought together volunteers, voluntary organisations and Community Based Organisations (CBOs). Within the police force also, there have been a few experimental efforts such as the setting up of Vigilance Committees, all-women police stations, Crime against Women Cells, and counselling centres within police stations.

The Special Cell for Women and Children (referred to as the Special Cell or just Cell in the rest of this document) is one such initiative aimed at eliminating Violence against Women. The Special Cell is located in a police station and provides services to women survivors by trained social workers. Underlying the concept of the Special Cell (and its location in a police station) is a clear recognition that violence against women is a crime under the law and that it is the responsibility of the state to prevent and counter it. Therefore, it was expected that the initiative leads to a more co-ordinated, coherent and in-depth response to the issue of VAW by integrating social services with the police system.[1]

The First Special Cell for Women and Children was established in 1984 as a strategic collaboration between the Bombay (now Mumbai) Police and the Tata Institute of Social Sciences, Mumbai, to provide quality psycho-social-legal services to women and children who are vulnerable to violence[2].

1 Adapted from 'Mission Statement and the Monitoring Indicators for Special Cell for Women and Children – Within the Maharashtra State Police System', pp.1-2

2 Adapted from Ganesh, Indira Maya: 'Next Steps. Special Cell Strategy and Vision' (2008), pg.4

What is the Special Cells' intervention?

The model on which the Special Cell bases its interventions can be inferred from the documents and records that are available in TISS. The chief components of the model are

1. Mission: The Special Cell for Women and Children is located within the Police System. Its mandate is to address the issue of violence against women and children. The Special Cell is an explicit acknowledgement that the State that recognises that women are individuals with rights and entitlements guaranteed by the Constitution of India. Thus, the mission of the Special Cell is to work towards ensuring that women's rights are upheld and they are given equal opportunities in society, including the opportunity to live a peaceful, violence-free life. For, the Special Cell Violence against Women is clearly seen as a crime against individual women as well as against society. Consequently, it is the responsibility of the state to prevent and counter it. Hence, location of the Special Cell within the police system is a strategic choice that facilitates the state's efforts to counter VAW[3].

2. Location within the Criminal Justice System: The power and authority that is legitimately inherent in the police system enables the Special Cell to say "no to violence" at both individual and societal levels. The Special Cell's approach is to use police power and authority constructively to curb violence against women in society. Problem-solving strategies are based on the survivor's legal rights. The Special Cell's collaboration with Tata Institute of Social Sciences (TISS) as a Field Action Project has enriched the systemic

3 Ibid. 1

response to the issue of VAW.

The synergy between the strengths of the police system, and the mandate and capabilities of Special Cell enables a coordinated, multi-agency response to the issue of violence against women. Moreover, the Special Cell links the police system with women's organisations and other social service groups, thereby enhancing the quality of response to the survivor's needs[4]. The Special Cell conducts training sessions for the police that help build capacities and develop sensitivity of police personnel towards the realities of family and domestic violence. This is expected to enhance police responsiveness to cases of violence and thereby improve women's and communities' trust in the system. By working alongside Cell workers, the police are exposed to a woman-sensitive approach and techniques in dealing with domestic violence[5].

3. Approach and practice: The Special Cell's interventions draw from the framework of Social Work practice and the pro-woman perspective. Indian society remains largely patriarchal and it is the tendency of men to misuse their power that renders women vulnerable to violence. Thus Special Cells recognise that the survivor is not responsible for the violence inflicted on her. VAW cannot be treated as a personal matter between the victim and her family. It is a social issue that needs to be addressed in the public domain.

Therefore, the Special Cell's social worker is central to the intervention process. S/he is expected to intervene in the

4 Ibid. 2, at p.4
5 Ibid. 1, at p.17

interests of the survivor, initiate and coordinate actions at the level of the individual and the system[6] .Crucially, the social worker must also leverage the survivor's potential to empower herself.

4. Process of intervention: The process of intervention emphasises problem-solving jointly by the social worker and the woman. Thus, the woman determines the pace at which she wants to undertake the change process. Usually, it is the violated woman who initiates the problem-solving process by approaching the Special Cell for help. The event(s) driving her to seek assistance could be related to any of the following: mental, physical, sexual, emotional harassment or a combination of these. The Cell deals with each case by first focusing on immediate crisis intervention. Subsequently, if the woman desires, the Special Cell's interventions focus on her long-term development[7].

5. Legal aid and empowerment: The Special Cell enables women to access the legal recourses available to them. By demystifying the legal process, Special Cell workers make women aware of their rights and entitlements. Support mechanisms such as rehabilitation, retrieval of personal belongings, making requests for monetary and other forms of support within an emotionally protective environment allow women to navigate their way through the legal system in a more empowered manner[8].

6. Wider linkages: The Special Cell's macro-level interventions include building awareness among police

6 Ibid. 2, at p.6-8
7 Ibid. 2, at p.9
8 Ibid. 1, at p.18

personnel, members of women's groups, professional groups, community groups, and caste panchayats as well as among youth and children. It is also involved in advocacy for appropriate changes in law and policies. The Cell also contributes to social work education by integrating experiences gained from practice into the teaching-learning process through documentation, research and dissemination of information[9].

The Special Cell also engages with non-formal justice systems such as Caste Panchayats which many citizens may access before they approach formal justice systems[10] .Through training and capacity building on socio-legal services for women survivors, the Special Cell empowers Non-Governmental Organisations (NGOs) and academicians to improve their outreach to communities on issue of violence against women[11].

To sum up, the Special Cell's interventions take place at both systemic and individual levels. The responses are multi-faceted and always keep in view the interests of the survivor[12]. Interventions are undertaken within the framework of social work practice to provide emotional support to the survivor and strengthen her feeling of self-worth. Efforts are also made to negotiate a non-violent resolution with the various stakeholders, build support systems for the woman, and engage police help where required, arrange shelter and restore her economic assets.

9 Ibid. 2, at p.10
10 Ibid. 1, at p.17
11 Ibid. 1, at p.18
12 Ibid. 2, at p.13

Scaling up of the Special Cell Model

In 1984, the Special Cells started as a collaborative Field Action Project of TISS and the Mumbai police. Space was provided to the Cell workers in the office of the Commissioner of Police. Over the years, the Special Cell expanded to include a large number of police stations in Mumbai. In 2001, the Special Cells qualified for short-term funding by United Nations Development Fund for Women (UNIFEM). UNIFEM, TISS, and the Government of Maharashtra signed a Memorandum of Agreement that made the Special Cell a joint programme of all three partners. The main agenda of the agreement was to expand the work of the Cells across the state. Cells were established in other parts of the state. In 2005, the Department of Women and Child Development (DWCD) of the Government of Maharashtra took over funding of all the Special Cells, which were to be operated from that point in collaboration with the State Home Department. The role of TISS transformed into that of a coordinating and technical support agency At present, Special Cells in Maharashtra operate as an NGO-implemented scheme of the State Government where expansion is underway at the district and even Taluka-level.

TISS has also helped demonstrate the Special Cells model in the states of Madhya Pradesh, Delhi, Odisha, Andhra Pradesh, Rajasthan, Haryana and Gujarat. In some states - Haryana, Delhi and Rajasthan - the Cells were institutionalised with the support of the respective State Governments. This document describes in detail the Special Cells in Haryana and their impact.

Evolution of TISS' role into a technical support and coordination agency

After anchoring the Special Cell for Women and Children in Maharashtra for close to three decades, the idea of building on and disseminating the cumulative experience of multi-agency collaborative interventions in cases of VAW materialised in the form of the Resource Centre for Interventions on Violence Against Women (RCI-VAW). The Resource Centre is based in TISS. RCI-VAW was envisioned to provide technical support to existing Special Cells by assessing and addressing internal training and research needs in particular. In addition, the Centre would also endeavour to inform the larger discourse and praxis in response to VAW in India. It was planned that this would be done in the following ways:

To build capacities of different stakeholders to respond to VAW including trainings in interventions for VAW cases, building an understanding with state structures and systems to deal with cases of VAW, documentation and analysis of the different aspects of interventions, developing training modules, nurturing trainers, and mentoring individual workers and teams[13].

To promote the Special Cells Model and strategies in VAW through demonstrating effective models to interested stakeholders, developing region-specific interventions, services and strategies, and working towards institutionalising these services following review[14].

13 Draft concept note of the RCI-VAW
14 Ibid. 3 (adapted)

To initiate and sustain research, documentation and education on interventions for VAW, which includes research and documentation of the programme processes, facilitating the integration of the myriad concerns of VAW into praxis and enhancing response, and informing policy, procedures, advocacy actions and laws on Violence against Women based on the Special Cells' experiences[15].

The purpose of the RCI-VAW, as envisioned from the start, was to pursue a steady engagement with the issue of VAW by initiating, innovating, supporting and nurturing effective interventions for VAW. Through training and demonstration, the interventions seek to engage with the different stakeholders. Steady research enables deeper understanding of the issue and the intervention(s) to stop VAW[16]. In the context of continued expansion and replication of Special Cells, however, the role of TISS and RCI-VAW in particular, has simultaneously expanded into demonstrating direct and effective intervention in cases of VAW in collaboration with the police in different regional contexts through innovative strategies, and facilitation of the institutionalisation process within the government system.

In the Strategy and Vision document brought out by the RCI-VAW in 2008 for the Special Cell, it was specifically noted that "An academic institution such as TISS provides a wealth of resources to support and enable the success of Special Cells since it has been a source of training, research, staff, and the ideological and intellectual tradition that guides Special Cells. TISS continues to establish Special Cells in collaboration with

15 Ibid 3. (adapted)
16 Ibid. 3

the state/police..."[17]. The same document also envisions that "its future role could evolve in newer directions".

In Haryana, TISS identified a like-minded partner in Kurukshetra University (although, at present, there exists no formal relationship between the two institutions) and was able to offer technical guidance to undertake training/research/advocacy in addition to linking the different arms of the state. This model differs in other states. For instance, in Madhya Pradesh, TISS worked in partnerships with NGOs. Depending on the requirement, TISS could become a bridge between institutions in other states; serve as a resource centre and guide in another, or function as a more involved working partner in the third[18].

This document focuses on the establishment and operation of Special Cells in the state of Haryana.

Before describing the process of setting up the Special Cells in Haryana, it is important to have an overview of the status of women and the nature of VAW that was historically prevalent in the State.

17 Ibid. 1, at p.26

18 Ibid. 1, at p.26

Chapter 2

Special Cell for Women and Children in Haryana

Bhupendra Yadav (2001)[19] noted that *"Haryana has benefited most from the Green Revolution (apart from Punjab) since the 1960s, but it is also the region in which socio-cultural movements have been conspicuous by their absence"*[20]. Consequently, it is the women in Haryana who suffer acutely from the problems created by both social underdevelopment and economic prosperity. *"Women are numerically scarcer in Haryana...One [by-product] of development has been that...the sex ratio in Haryana is 861 women to 1000 men which make it the lowest among the major states of India"*. In contrast, the sex ratio (according to the 2001 Census) in Maharashtra - where the Special Cells were set up first- was 922 women to 1000 men. It is also pertinent that, according to the 2011 Census of India, Haryana remains amongst the five states with poorest sex ratios in the country (the other four are

19 Yadav, Bhupendra (2001): Haryana's 'Setting Daughters', The Economic and Political Weekly, November 10, 2001, pp. 4257-4259

20 Ibid. 4, at p.4258

Union Territories), i.e. the sex ratio has increased to only 877 females: 1000 males over the decade.

Furthermore, Yadav says, *"Not only are women in Haryana fewer compared to men, but their numbers may dwindle further because the child (0-6 years) sex ratio is more adverse to females"*. Haryana had a child sex ratio of 820:1000 in the year 2001 as compared to 917:1000 in Maharashtra. Yadav goes on to cite the Census Commissioner's suggestion that "the child sex ratio may be falling due to neglect of the girl child resulting in high mortality rates, female infanticide and sex selective female abortions... *(although)*[21] a UNFPA (United Nations Population Fund) study points to sex-selection as the main cause for this decline".

In this context, Yadav also highlighted the educational status of women: *"Literacy is very asymmetrically distributed among the sexes in Haryana. As compared to the literacy figure of 79.25 per cent for men in 2001, the corresponding figure of women literates in Haryana was 56.31 per cent. This makes the gender gap in literacy levels of Haryana to be almost 23 per cent, which is more than the national average, i.e., 21.68 per cent... Education of men is positively related to employment but this is not so in the case of women..."* as even amongst women who are at least graduates, only 20% are employed as per the 'Report of the Time Use Survey' (2000)[22].

Ranjana Kumari, in 'Gender, Work and Power Relations: A Case Study of Haryana' (1998), undertook an analysis of the same aspects –women and work in the state – in greater detail. Her findings include that, within the household, the bias against women was visible in the allocation of domestic

21 Text in brackets added by this author

22 Ibid. 4, at pp. 42,59

responsibilities. This allocation was governed by tradition, male attitudes, kinship, inter-generational obligations as well as age considerations and level of authority. Women felt that this was their responsibility. What was not obvious to most women was that by keeping themselves confined to the home, performing domestic activities that were non-remunerative and carried low social image, their rights and needs as well as social mobility were curtailed and they were made to depend on male income, and were, consequently, subjugated. She also notes that women in Haryana generally do not have any land in their names. However, small portions of land in the names of women continue to exist either due to the fear of land ceiling legislation and fragmentation of traditional large land holdings of the family or because they received it as dowry.

Haryana is known for its strong Caste Panchayat structure that plays an influential role and impacts the women living in it. Built on patriarchal value systems, these structures tend to subvert the woman and suppress her voice. Yet, for most women this is the reality that they live with. Irrespective of education and financial independence, marriage is 'livelihood' for most women. The latest Vision document of Special Cell – 'Next Steps…' (2008) – also describes the State's *"context of North Indian cultural patterns of marriage, family and women's roles. Traditional gender roles and stereotypes prevail and women are under the control of family and 'tradition'. Local Caste Panchayats are powerful in Jind and Ambala, and women have to even seek permission to participate in discussions on community and family matters. Marital conflicts and violence are often addressed by these Panchayats but the outcomes are usually in favour of family and marital integrity, rather than the rights of the survivors of violence"*[23].

23 Ibid. 1, at p.30

Therefore, in this context, the relevance of Special Cell's efforts lies in leveraging the survivor's position in the family for a more just and equitable society, giving her a voice and supporting her as she negotiates the said kinship structures. Haryana, therefore, is both an important and urgent site for collaboration between multilateral agencies, academic institutions and the government for the replication, scale-up and institutionalisation of the Special Cell model.

UNDP-TISS collaboration

The Strengthened Access to Justice in India (SAJI-I) is a joint project of the United Nations Development Programme (UNDP) and the Government of India. It has been implemented in a total of 44 districts across Haryana, Maharashtra and Madhya Pradesh. UNDP provided the funding for the programme. The project commenced in January 2006 and ended in November 2007. The total budget was US $1 million[24]. Under the larger project umbrella, UNDP approached TISS to set up pilot Special Cells for Women and Children in Madhya Pradesh and Haryana.

UNDP's primary objective through the SAJI-I process was to enable the states to take ownership of programmes such as Special Cells and integrate them into their justice delivery mechanisms. Therefore, UNDP helped Special Cell gain access to higher levels of the administration and bureaucracy to advocate for space for these processes[25].

RCI-VAW (TISS) studied the development indicators for women in each district. The districts of Ambala and Jind

24 Retrieved from: http://www.undp.org/content/india/en/home/presscenter/pressreleases/2007/12/18/justice-for-all.html

25 Ibid.1, at p.18 (adapted from)

were selected for the pilot project based on these indicators. Ambala, is a cantonment town since the days of British rule, with 35% urban population. In comparison, only 20.34% of the population in Jind is urbanised. Economic disparity is visible in the housing pattern: 74% houses in Ambala are permanent structures as compared to 22.6% in Jind. Ambala has the highest literacy rate in the State at 75.31% compared with 62.12% in Jind. Ambala also has the lowest male-female gap in literacy rate in Haryana (14.92%). In Jind, it is higher - 25.31%.

The pilot project proposal was taken up with the State Government (Department of Home) by UNDP. In April 2007, the Additional Director General of Police in the State directed the Superintendents of Police (SP) and the Inspectors General of Police (IGP) in Ambala and Jind to take action to establish the first two Special Cells in the premises of the offices of the respective SPs, and to extend the required facilities and all possible assistance' [26] to the team of workers and Project Coordinators.

Based on RCI-VAW's proposal, UNDP's communications with the State Government outlined the following features of the pilot GoI-UNDP project (under SAJI-Phase I), which was formally named as 'Replication of Special Cells for Women and Children: A Strategic Alliance to Respond to Violence Against Women'

1. The pilot project would be implemented in Jind and Ambala by the Department of Social Work, Kurukshetra University, in collaboration with TISS and Haryana Police

26 Letter from ADGP, Haryana to SPs and IGPs, Ambala/Ambala Cantt. And Jind/ Hisar Range, dated 03.04.2007

for one year. The objectives would be the same as in the existing Special Cell model.

2. The focus areas of work will be interventions in cases of VAW within a pro-woman framework, facilitating spaces for women within the CJS, specifically in the police set-up. The objective is to deal with VAW at both structural and individual levels for dealing with a large number of potential socio-legal cases of VAW and children, and appointing and training full-time personnel for this.

3. Interventions to be undertaken by the Special Cells to provide help to survivors were described in detail (see Annexure 2).

4. Structure and administrative requirements of the Cells: Two full-time trained social workers would be hired on a salaried basis. Space would be made available in the SP's office that are easily accessible from district police headquarters. TISS and Kurukshetra University would take up the organisational development of the Cells, and infrastructure to be provided by the police (space, vehicle, furniture, telephone etc.).

5. The proposal also contained a detailed description of the facilities that the Police would have to provide for each Cell – namely an independent room for confidential counselling, furniture (tables, chairs and cupboard), stationery, access to telephone (independent or shared from Police Station Line), a vehicle for home/community visits, authority/identity letter for social workers, and use of wireless and postal service of the police station[27].

27 Enclosure of letter op.cit. Letter, Annexure 1 to this document

Role of the State Government and the Police Department, Haryana

At the end of the first financial year of the functioning of the Special Cells in Ambala and Jind, RCI-VAW (TISS) submitted a report on the progress[28]. The report acknowledged the lead taken by the State Government to undertake a multi-agency response to VAW[29]. The report also made recommendations for strengthening and institutionalisation of the Cells[30].

Thereafter, the office of the DGP, Haryana, wrote to the Finance Commissioner and Principal Secretary, DWCD of the Haryana Government, requesting the latter to finance expansion of the Cells in all districts. The communication cited the success of the pilot and stressed the need to institutionalise these Special Cells, which would be useful in implementing various acts concerning welfare of women and children and will provide assistance to those women and children who are in need'[31]. It also outlined the structural support that the Police Department proposed to continue to provide (infrastructure, establishment of Cells in district SPs' offices etc.).

The initiative shown by the Police Department is noteworthy and also demonstrates the value of working with the police and government systems directly to address VAW. It is equally important to note that, despite the challenges of a non-governmental, academic/resource institution working with

28 Letter from Project Director, RCI-VAW, TISS, to Director, DWCD, GoH, dated 18.02.2008

29 Ibid. 7, at p.6, (section C. of the report)

30 Ibid.7, at p.7

31 Letter from ADGP/L&andO, for DGP, Haryana, to Commissioner &and Secretary, DWCD, GoH, dated 25.02.2008

government departments for institutionalising a feminist praxis model, the Haryana experience of Special Cell showed the immense potential for effective collaboration and policy advocacy in such partnerships. This aspect is discussed in detail in the last chapter.

The DWCD accepted the proposal and in the first quarter of the financial year 2008-09, invited the RCI-VAW/TISS to provide consultancy services for the scale-up of the Special Cells for Women and Children in Haryana, and for strengthening and institutionalising them for an initial period of two years[32].The mandate spelt out was as follows:

1. To expand Special Cells to all 20 districts of the State;
2. Joint implementation of the project by the State Departments of Home and WCD with consultancy support from TISS based on the recommendations made by the latter; vide its report and letter at the end of the financial year 2006-07.
3. TISS' role would extend to identification, selection and training of staff, and monitoring and supervision of the project.

Eventually, the tenure of this consultancy was increased to the third year. After discussion of various drafts with the State Government, RCI-VAW presented a final proposal at the end of June, 2008 to the DWCD, Haryana, outlining the phases in which work was planned and the scope: establishment/ setting-up of Special Cells in all 20 districts, strengthening and capacity-building of Protection-cum-Prohibition Officers

32 Letter from Director, DWCD, GoH, to Project Director, RCI-VAW, TISS, dated 12.06.2008

(PPOs) and operation of the Cells, and finally, monitoring and review of the Cells, refresher training and institutionalisation or mainstreaming of the Cells.

Also, after discussion, it was decided that in light of the challenges in implementing PWDVA 2005 and the Prohibition of Child Marriage Act (PCMA) 2006, Protection-cum-Prohibition Officers (PPOs) would be appointed by the DWCD to carry out Special Cell interventions. The State Government advertised for the posts of PPOs in the 20 districts in the same month[33]. Considering its expertise, RCI-VAW's (TISS) Project Coordinator was invited to participate in the process of selecting a State Consultant (of DWCD, Haryana, for implementation of PWDVA) and the PPOs at the end of October 2008[34]. It was also decided that support staff – Office Assistant and Social/Multi-Purpose Worker – would be appointed at each Cell[35]. All 20 PPOs were appointed (on contractual basis for a period of three years) with effect from 17.11.2008[36] and commenced duty in December 2008 (their initial training was conducted in November 2008, the details of which are provided further on in the document).

Collaboration and constant communication between the Departments of WCD and Home have been the standout features of establishment of Special Cells and their institutionalisation. This continued into the second phase of the project with the DWCD formally requesting the Haryana

33 DainikBhaskar, 11.06.2008, and DainikJagaran, 07.06.2008

34 Letter dated 17.10.2008 from Director, DWCD, GoH, to RCI-VAW (TISS) inviting the Project Coordinator as expert on Selection Committee for recruitment of State Consultant and PPOs

35 Letter from Director, DWCD to RCI-VAW (TISS), dated 03.10.2008

36 Notification from the FC and Principal Secy, WCD Department, GoH dated 09.06.2009/09.08.09 (Extract from the Haryana Government Gazette, dtd.08.09.2009)

Police to provide rooms (two for each Cell, one each for staff and for counselling/case work) starting district-level Cells in the offices of the respective SPs offices. The DWCD committed furniture, electricity and telephone lines[37].

The sustained interest and engagement of these Departments was also visible in other initiatives through the calendar years 2009 and 2010:

» In January 2009, the DWCD wrote to RCI-VAW requesting a second phase of training for PPOs for disseminating specific content on counselling techniques, roles and responsibilities of Child Marriage Prohibition Officers, monitoring of PPOs and indicators to evaluate their performance, monthly reporting and other documentation, awareness building and coordination with different stakeholders.

» In the same month, the DWCD organised a joint meeting of the Home Department, the Police, TISS and DWCD under the Chairpersonship of the Finance Commissioner & Principal Secretary (WCD) to discuss establishment of the Special Cells, provision of rooms in the SPs' offices, ID cards/authority letters to PPOs and most importantly, the setting up of a State-level Monitoring Committee[38]. The following issues were discussed in this meeting[39]:

37 Letter from Financial Commissioner and Secretary, DWCD, to DGP, Haryana, dated 02.12.2008

38 Memo/letter dated 12.01.2009 from DWCD to FCandPS(Home), DGP (Haryana) and TIS to attend meeting on 16.01.09 under Chairpersonship of FCandPr. Secy. (WCD) to discuss establishment of Special Cells, constitution of Monitoring Committee etc.

39 Letter dated 06.02.2009 from Director, DWCD, GoH, to Project Coordinator, RCI-VAW (TISS) sharing proceedings (minutes) of meeting for the establishment of Special Cell for Women and Children held under Chairpersonship of FC andPr. Secy.(Home), GoH, on 16.01.09

i. The appointment of PPOs for effective implementation of the PWDVA 2005 and PCMA 2006 was completed in 2008. They were working out of the office of respective Project/Programme Officers (Integrated Child Development Scheme) at district-level. The meeting took a unanimous decision to establish Special Cells in the offices of SPs of all districts, as the nature of the PPOs' responsibilities under the PWDVA and PCMA require effective coordination with the Police.

ii. The draft concept note of Special Cells for Women and Children was approved and it was decided that the Cells will function, and the officials of the concerned will discharge their duties as per the concept note.

iii. The Home Department and representative of DGP, Haryana, agreed to provide facilities (2 rooms with adequate space, electricity and water facility in the SP's offices of every district, one each for PPO's office and counselling, two police personnel who must be at least graduates and one of whom must be female) deputed to the Cells on full-time basis to help and support the PPOs' work.

iv. It was also agreed that identity cards would be issued to the PPOs to facilitate access to police stations, records, lock-ups etc. Vehicle support would be provided, when required, for field visits by PPOs. Assistance would also be made available for postal services to deliver notices to clients. Telephone extensions and fax facility would be provided to receive complaints/information about incidents

of DV or child marriage. To ensure effectiveness and smooth functioning of the Cells, the DWCD committed to providing, in addition to the PPO, a clerk-cum-DEO (data entry operator) and a multi-purpose worker in each Cell, the requisite furniture, computers with the necessary accessories, reimbursement of PPOs' mobile telephone and other expenses incurred in the course of his/her duties, and periodic trainings/orientation of PPOs.

v. It was also decided that the PPOs should report to the SPs of the respective districts for daily functioning and for administrative issues, to the Director, DWCD. The SPs were to invite PPOs to meetings regarding implementation of PWDVA and PCMA.

vi. On the suggestion of the IGP (Headquarters) RCI-VAW (TISS) was requested to undertake a joint training for PPOs and police personnel deputed to the Cells.

vii. It was also decided that all complaints related to family violence received by the Police would first be forwarded to the Special Cells for counselling. In event that the complaint could not be resolved would the case be either referred back to the police for registration of an FIR – a First Information Report or the court of the magistrate for filing of an application under the PWDVA.

In the same meeting, the DWCD directed all PPOs to report to the SPs of respective districts and to work to establish

Special Cell in the latter's offices, preferably by the end of the month[40].

» In May 2009, the Coordinator, RCI-VAW (TISS), and the State Consultant for Special Cells in Haryana, met the Director General of Police, Haryana: the outcome was the issue of an order appointing the IGP, Haryana, as Nodal Officer for the scaling-up of the Cells, and charging him with the responsibility of ensuring that, through the district SPs, a short report on the success of the activities of the new Cells would be shared with the Department every two months. A review meeting with the PPOs was also held in the same month.

» Based on the above mentioned order, in the same month, the Haryana Police invited the Project Coordinator, RCI-VAW (TISS), to orient trainees of the Haryana Police Academy (HPA) to the Special Cells for Women and Children in the State. Later, in April 2010, the HPA also hosted the PPOs' training. DWCD continued to play an active role in ensuring systematic functioning of the Special Cells by issuing directives to PPOs for attending residential training programmes (e.g. Training at HIRD, Karnal, in July-August 2009), inviting RCI-VAW to attend the first meeting of PPOs that was chaired by the Director, DWCD (on 19.05.2009)[41], and organising a joint consultation in November 2009 with both TISS and the PPOs to discuss and finalise the appraisal process

40 Letter dated 24.02.2009 from Director, DWCD, to all PPOs sharing memo (dated 05.02.09) reg. Establishment of Sp. Cells from DGP to all distt. SPs and Dy. CPs (Gurgaon) and SP Railways (H), Ambala Cantt.

41 Letter dated 05.06.2009 from Joint Director, DWCD, GoH, copied to Project Coordinator, RCI-VAW, TISS, sharing minutes of the meeting of PPOs held under Chairpersonship of Director, DWCD on 19.05.09

(method and formats) to review the PPOs' work[42]. Another review meeting with the PPOs was held under the Chairpersonship of Director, DWCD, on 24.09.2010 in which PPOs were directed to give Action-Taken reports with respect to the decisions taken at the meeting by 31.10.2010[43].

» The Department, issued an order based on a concept note on Special Cells prepared by RCI-VAW (TISS)[44]. The note - describes structural components of intervention as well as their implementation. A crucial feature of the concept note was its elucidation of Special Cell's approach to work, its objectives as well as the respective roles of the State-level Monitoring Committee, WCD as the nodal Department, Haryana Police headquarters, the SP's Office where the district-level Cell is located, the Deputy Commissioner. The circular is reproduced in Annexure 2 to this document.

It is necessary to refer to the meetings with PPOs as they provide a direct link to the institutionalisation of programme review and support structure activities through the active engagement of the Department and officials. This resulted in better participation of programme implementers at various levels, especially the grassroots (i.e. the PPOs). The meeting of May, 2009 was particularly productive as it addressed the issues that emerged during the implementation. The

42 Letter dated 16.11.2009 from Director, DWCD, inviting the Project Coordinator, RCI-VAW, to meeting with DWCD (dated 19.11.09) to discuss and finalise formats PPO appraisal formats and concept note for judicial magistrates' seminar, and meeting (dtd. 20.11.09) with PPOs Chaired by Director, DWCD

43 Letter dated 14.10.2010 from Director, DWCD, GoH, to all PPOs, sharing minutes of meeting held on 24.09.10

44 Government of Haryana Circular Number of MSK-2005/C.R.-202/D-2, DWCD – Special Cell for Women and Children Guidelines

discussions addressed, among others:

a. The need for PPOs to engage in awareness building activities within local communities, networking with all stakeholders at district-level, arranging free legal aid, etc.

b. The need for the PPOs of 6 districts to follow-up with their respective SPs for the provision of space for the Special Cells in compliance with the DGP's directives.

c. The need for POs (ICDS) to ensure that the grant released by DWCD has provision for furniture for the Special Cells in compliance with the orders of the Director, DWCD.

d. The need for POs (ICDS) to ensure payment of salaries to PPOs as well as timely reimbursement of the expenses incurred by them in the course of duty. It was also decided that the PPOs should submit photocopy of attendance registers at the Cells directly to the respective POs (ICDS) on a monthly basis for timely payment of salaries.

e. The need for PPOs to make weekly field visits to generate awareness at community-level, follow-up on pending/resolved complaints, network with officials of the District Administration, etc. and also conduct group-wise meetings twice a month with specific stakeholder groups (police, teachers, students, Anganwadi workers etc.).

f. The need for PPOs and other Cell workers to maintain appropriate registers and use designated reporting formats for effective functioning of the Cells. It was

also decided that PPOs must submit monthly reports to the DWCD/State Consultant's office by the 5th of every month.

g. The need to implement suggestions made by RCI-VAW representatives regarding operational aspects such as ensuring monthly meetings with the SP for better coordination, regular home visits to follow-up on cases and awareness building activities in the community, regular visits to all Police stations in the districts for better awareness, networking and improved coordination in response to cases of VAW. On other aspects, the suggestions largely pertained to the maintenance of daily diary for better reporting, monitoring and management of work, spending at least half a day per week for interacting with other government functionaries within the district for improved coordination and monitoring response to cases of VAW.

This meeting was followed by a letter from the Department to RCI-VAW specifically requesting the latter's action in ensuring effective functioning of Special Cells through the provision of intake registers in each cell, development of appraisal formats for the PPOs, submission of field visit reports by the RCI's Project Officer in Haryana, conducting training for PPOs during the Courts' summer vacations, and conducting seminar for judiciary on the PWDVA[45].

At the meeting of November 2009, the Department of WCD employed a participatory and consultative approach

45 Letter from Director, DWCD, GoH, to Project Coordinator, RCI-VAW (TISS), dated 09.06.2009

to finalisation of PPO performance appraisal formats and the concept note for a seminar for judicial magistrates by involving both RCI-VAW (TISS) as the technical support agency and the PPOs themselves as grassroots implementers of Special Cell in the State.

The meeting was also the forum for reviewing the work of the Special Cells for the quarter, which was based on presentations made by individual PPOs. It also invited PPOs' suggestions on the performance appraisal formats and concept note for the proposed seminar. The new monthly reporting format designed by the RCI-VAW was presented and the PPOs were oriented to its use. The PPOs' capacities to respond to queries for information sought under the RTI were enhanced[46].

The meeting of PPOs held by the DWCD in September 2010 reviewed the functioning of the Special Cells, issue status and actions taken in respect of the previous year's meetings. It took clear decisions on record, regarding the action to be taken by different stakeholders. The same was followed up with a directive from the Department to all PPOs to submit a report on Action Taken within seven weeks from the said meeting. The points covered therein included:

1. Furniture had been provided to all district Special Cells that had requested the same;

2. On the issue of delays in the release of PPOs' salary and reimbursement of their travel/DA expenses, directions were given for strict compliance with previous directions for payment of the same by the 1st of every month;

46 Ibid. 19 (adapted from)

3. Based on the review of implementation in previous meetings, awareness programmes with various stakeholders were undertaken by all PPOs except that of Jind, who was then directed to initiate the programmes for that district as well.

4. RCI-VAW Project Officers found in their field visits that records of child marriage complaints etc. were not being maintained in the DIR file, at the Jind Special Cell. Directions were issued to complete entries and maintain them. The DWCD also instructed that, at the least, brief details of the counselling/casework session facilitated by the PPO must be maintained on record.

5. Update on progress of PPOs' performance appraisal process was given by State Consultant.

6. Data was compiled to reflect the effectiveness with which the cases were dealt in each Cell. It was found that the resignation of PPOs Panchkula and Bhiwani had affected the functioning of the Cells in the respective districts. The State Consultant shared progress made on filling the vacant posts. The PPO of Rohtak was given additional charge of Bhiwani, which posed several challenges. It was also found that in Jhajjar, very few cases had been registered in the past 5 months, and none of these had been filed in the Court to obtain the necessary orders for the victims. In the light of this observation, all PPOs were directed to ensure effective implementation of the provisions of the PWDVA and the PCMA.

7. In 10 districts, the PPOs had organised legal literacy classes and in 15 districts, legal aid clinics were established at the site of the Special Cells in coordination

with the District Legal Services Authority (DLSA). Making note of this positive development, it was directed that PPOs should replicate these initiatives in the other districts in coordination with the respective DLSA Secretaries. The objective was to create maximum awareness about the Acts and to ensure their effective implementation.

8. The new monthly progress report format was discussed with PPOs and finalised after incorporating their suggestions. The Department also directed the PPOs to submit monthly reports in the new format from that point on.

9. Where only one service providers registered under PWDVA or none were available, the PPOs were directed to nominate locally active NGOs to the Department. In cases where the registered service providers were not proactive the PPOs were instructed to suitably orient them.

10. Directions were given to POs (ICDS) to facilitate the immediate issue of folders (1500 per Special Cell) for distribution by PPOs among all stakeholders to increase awareness of the Special Cell for Women and Children.

11. The PPOs drew attention to the fact that though most government hospitals provide medical treatment to survivors of domestic violence, they do not refer the cases to the PPOs. The PPOs were then instructed to discuss this issue with the concerned Chief Medical Officers and get the necessary directions issued to all government hospitals, CHCs, PHCs and sub-centres citing on the instructions issued earlier by the Director-

General of Health Services in this regard.

12. Most PPOs present suggested that next training for them may be organised in the month of November 2010 instead of October as originally proposed.

13. The PPOs had expressed concern over the delay in the supply of computers as this constrained their capacity to handle the increasing number of cases. The Director, DWCD, instructed that computers should be provided to the Cells at the earliest. However, the State Consultant pointed out that approval for the revised IT plan was pending and it was necessary to follow this up with the Publicity branch of the Department.

14. Non-fulfilment of the DGP's directions for allocation of vehicles and two police personnel was also discussed. The Director (WCD) said that the Department will write to the DGP in this regard with a request for an additional room for counselling in the SP's office. PPOs were also told to directly contact the SPs concerned.

15. POs (ICDS) were instructed to immediately appoint multipurpose workers at all Cells where none had been appointed till that point, or had not joined after appointment or had resigned and left.

16. It was also decided that the matter of issuing instructions from the DWCD would be examined and action would be taken in respect of Travel and Dearness Allowances (TA/DA) of Clerk-cum-DEO at the Special Cell, Sirsa, whenever there is a need to travel out of station on work.

17. All POs (ICDS) were also directed to submit details of

additional funds required to meet the expenses of the respective district Special Cells for the remaining period of the current financial year in addition to the rupees 2.3 lakhs that was allocated for salary and office expenses in each Cell.

That these meetings helped in establishing the much needed direct contact between the grassroots implementers and the sponsoring Departments cannot be emphasised enough. This is crucial to the effective implementation and institutionalisation of such a programme in any State. The actions taken by the Department in its capacity as the administrative and financial authority to respond to on-ground needs and the challenges faced by PPOs was essential to maintaining the dynamism needed in a newly scaled-up programme that was in the initial stages of institutionalisation.

To discuss with an example, in (11) above, the Department took the facilitative measure of (a) issuing a notification to all Government hospitals, PHCs and CHCs to provide medical facilities to the women victims[47] and (b) successfully requesting the DGHS, Haryana, to issue a directive to all Civil Surgeons in the State to refer all women who come for treatment to Government hospitals, PHCs, CHCs and Sub-centres, and who appear to be experiencing DV, to forward such women's details to the Special Cell of the concerned district as per Rule 17 of the PWDV Rules 2006[48]. In the latter case, the

47 Notification from FCand Pr.Secy. (WCD), GoH, dated 07.11.2008/11.12.08 (Extract from Haryana Government Gazette dated 23.12.2008)

48 Letter dated 21.12.2009 from Director, DWCD, GoH, to all PPOs enclosing copy of directions (dtd.04.12.09) issued by DGHS (Haryana) to all Civil Surgeons to refer cases of DV to Special Cells and to ensure provision of free medical treatment to women survivors of DV as per Section2(j) read with Section 7 of the PWDVA 2005. The directive to Civil Surgeons issued by the DGHS itself also enclosed the original communication dated.15.09.09 from the Director, DWCD, to DGHS (Haryana) requesting issue of such directive

Department also directed all PPOs to follow-up regarding the referral of these cases by meeting the Civil Surgeons of respective districts and to then submit to the Department an action taken report in this matter at the earliest. This also serves as an example of continued and expanding inter-Departmental collaboration to maximise the effectiveness and reach of the Special Cell by providing a coordinated multi-agency response to women.

Chapter 3

The Role of the RCI-VAW (TISS) as the resource agency

The role of the RCI-VAW (TISS) — with particular reference to its vision and broad objectives — is briefly described in this chapter. In addition, the planned phases of engagement that were mentioned in the earlier sections are also elaborated here.

The main areas of RCI-VAW's engagement are shown in the table that follows. These are also described in some detail in the text.

The above mentioned components of TISS' work with Special Cells in Haryana are detailed as follows:

I. Direct implementation of the Special Cells Pilot: RCI-VAW's mandate included demonstration of the concept and functioning of Special Cells with pilot project in Ambala and Jind. This was done a Project Coordinator and two project officers who, working from Haryana and Mumbai, liaised with the Departments of

Scope of RCI-VAW's engagement with the Special Cells Project in Haryana	
1. Implementation of the Special Cells Pilot	• Demonstration of the concept of Special Cell and its functioning • Recruit and train Cell workers • Research, documentation, monitoring and reporting
2. Coordination	• Networking, advocacy and liaison with the DWCD, Home Ministry and the State Police • Facilitating inter-Departmental communications and joint actions at both pilot and scale-up phases.
3. Recruitment, documentation, research and reporting	• Participation in the recruitment (of PPOs and State Consultant at the DWCD) processes. • Responsibility for ensuring quality of socio-legal services (and their reporting)
4. Monitoring and supervision	• Monitor the work carried out by the Cells • Handholding and Support to State Consultant, PPOs to build capacities
5. Establish systems and processes for sustainability	• Facilitate the building of support structures within the administrative and procedural framework by empowered forums/ mechanisms that enabled participatory decision-making for the programme.
6. Capacity-building	Comprehensive ongoing as well as refresher training • To impart thorough understanding of the concept and functioning of Special Cells • In the feminist social work praxis for interventions in VAW cases, gender and other aspects of societal discrimination and violence, • In the relevant laws and victims' socio-legal rights, legal aid etc. • In administration and programme management, finance and budget management, documentation and reporting, networking, community mobilisation etc.

WCD, Home and Police of Haryana to recruit and train Cell workers, complete documentation, conduct research and ensured regular reporting and monitoring.

II. ***Coordination:*** Coordination included networking, advocacy, liaising with the Departments of WCD, Home and Police, and facilitating inter-departmental communications and joint actions for implementation of the pilot as well as during scale-up.

III. ***Recruitment, documentation, research and reporting:*** RCI-VAW was involved in the recruitment (of PPOs and State Consultant at the DWCD) processes. It was also involved in research and documentation. RCI-VAW was also responsible for ensuring quality of socio-legal services (and its reporting) that the Special Cell model aimed to provide to the women and child victims.

IV. ***Monitoring and supervision:*** The RCI-VAW team (Project Coordinator and Project Officer) monitored the work being done by the Cells. Handholding support was provided to build the capacities of the State Consultant (DWCD) and Project Officer in Haryana, to build their capacities so that they, in turn, could provide handholding support to the PPOs and Cells carry out reviews on their own.

V. ***Systems-setting for sustainability:*** Based on continuous assessment of needs, RCI-VAW led advocacy with the respective Government Departments to facilitate the building of supportive structures within the administrative and procedural framework by empowered forums/mechanisms that enabled participatory decision-making for the programme. Some examples are: a State-

level Monitoring committee,regular review meetings of the PPOs with DWCD, issuing of relevant G.O.s/ circulars/memos/directives on essential administrative and programmatic matters for effective functioning of the Cells, and regular performance appraisal of PPOs,etc.

VI. ***Capacity-building:*** Training is a key component of RCI-VAW's engagement for the orientation of PPOs and other Cell workers. Training was delivered in different modes — ongoing, refresher, etc. — to help the recipients develop a comprehensive understanding of the Special Cell model, the feminist social work praxis for interventionsin VAW cases, gender and other aspects of societal discrimination and violence, the relevant laws and victims' socio-legal rights, legal aid etc.Training content also included administration and programme management, financeandbudget management, documentation and reporting, networking, community mobilisation etc.

Some specific components of these key areas of engagement are need a more detailed description and highlighting in terms of their importance and long-term impact:

1. Direct implementation, coordination, and recruitment:

- RCI-VAW applied its 25 years' experience with Special Cells to demonstrate good practices through pilot projects in Ambala and Jind. This made advocacy for scale-up and inter-departmental networking and coordination effective even after completion of the UNDP-funded pilot. Implementation of the pilot also demonstrated the adaptability of the Special Cell model to State-specific contexts. It also helped RCI-

VAW gain recognition by the Haryana Government as the appropriate coordinating and technical support agency for the scale-up and institutionalisation of the Special Cells in the State.

- RCI-VAW's involvement in recruitment at both pilot and expansion stages, helped to set job profiles of the Cell workers and criteria (qualifications, experience, knowledge of the law, social work praxis, programme management, etc.).
- RCI-VAW facilitated important administrative decisions. Chief among them was the appointment of a State-level Consultant to connect the DWCD with the programme officers (RCI-VAW project officers, PPOs and POs). RCI-VAW's Project Officer in Haryana was chosen on the basis of prior Special Cell experience (as Mahila Suraksha Evam Salah Kendra, or MSSK, worker) in Rajasthan. Together with the Mumbai-based Project Officer, their role was critical to the process of continuous programme review and appropriate administrative *and* implementer-level responses.
- It also needs mention here that the roles of the State Consultant and the Project Officers in Mumbai and Haryana eventually evolved as distinct and complementary, which were equally crucial for the scale-up of the Special Cell programme with sustained quality of implementation[49].

49 This and table adapted from report of RCI-VAW - 'Summary of Work done till December 2008' - by Project Officer, Mumbai

Project Officer, Haryana

- Direct case interventions
- Inputs and Support to PPOs on counselling skills and legal procedures
- Networking with multiple stakeholders
- Monitoring of programme at field level (assessing functioning and efficiency of the Cells based on the monitoring format developed by the RCI-VAW)
- Documentation

Project Officer, Mumbai

- Providing required support to Project Officer, Haryana
- Monitoring and Evaluation of the Cells
- Monthly and Quarterly Reporting and Documentation
- Research and data analysis, analysing emerging trends
- Capacity building for Special Cells' human resources
- Planning and reviewing the movement of work in the Special Cells

State Consultant

- Overall programme development at the State-level; responsibility for management and administration of programme.
- Supervision of various roles and responsibilities, tasks of the PPOs in the - Special Cells in the region, and facilitation of programme development
- Overall responsibility for management and administration of the programme
- Financial management of the programme with assistance of Accounts section of the WCD Department

2. Training and capacity-building:

Orientation of the PPOs and their training was designed and organised by RCI-VAW. This was a crucial aspect as it laid the ground for effective programme implementation. Essential the training content was developed around the nearly three decades of TISS's experience with Special Cells, first in Maharashtra and then, in Rajasthan. The PPOs are the backbone of Special Cells. In the Haryana context, it was also necessary to add to the existing training, the key role PPOs play in implementing the PWDVA and PCMA effectively. The orientation training was carried out as follows:

» An induction training from 17 to 28 November, 2008 at the Haryana Institute of Public Administration, Gurgaon: The topics were wide ranging- knowing self, developing self and others, defining and understanding domestic violence, women-specific laws and policies, role and status of women in Haryana, personalities involved in gender-based violent situations, etc. The inductees were also briefed on women's rights as human rights and the importance of the Crime Against Women Cell. The salient features of PWDVA, Child Marriage Restraint Act and Dowry Prohibition Act were explained along with procedures for reporting and registering cases under these acts, and documentation.

  The roles and responsibilities of POs were explained. In addition, training was given in the use of computers for the work of the PPOs. Ms. Rachna Gupta was the Course Director and resource person. Other resource persons included Ms. Daisy Chauhan, Ms. Shweta Singh, Ms. Abha Yadav, Ms. Sunita Sharma, and representatives of the Lawyers' Collective, Mr. Munish Singh and K.C. Yadav.

» Based on discussions with the Department of WCD, GoH, RCI-VAW organised the next basic training session on Gender and VAW for the PPOs from 27 to 30 January, 2009 at the Women's Awareness and Management Academy (WAMA), Rai, Sonepat. On the specific request of the Department, the topics included: counselling techniques, roles and responsibilities of Child Marriage Prohibition Officer, Monitoring and Evaluation indicators of Protection Officers' performance, monthly and other reports, and awareness and coordination with different stakeholders. Training content also included 'understanding gender', and planning for the setting up of Special Cells for Women and Children with need-based stage-wise approach. Reporting formats were also presented and discussed, and the attendees were trained in their use.

» The next phase of orientation training was conducted as a three-day seminar on VAW from 18 to 20 March, 2009 at HIPA, Gurgaon. This focused on studying the nature, extent, causes of VAW, strategies for eliminating VAW, etc. Resource persons included representatives of HIPA and the Lawyer's Collective. Articles on VAW were used to generate discussion among the participating PPOs for developing understanding of the 'gender issue' and their ability to analyse it.

Refresher training was considered to be as important as orientation and induction training due to the dynamic nature of the socio-legal context of the PPOs' work. It was found that refresher training needed to incorporate discussion on specific topics varied ways so that the learning was internalised and ideas were accessible to the mixed group of

PPOs - made up of trained lawyers and social workers, some with experience in the social sector or with interventional programmes for VAW and others not having similar experience.

Thus, following activities were taken up in this regard: For deeper work-specific knowledge transactions, RCI-VAW organised a five-day training on sociological understanding of DV and child marriages for the PPOs from 31 July to 4 August, 2009 at HIRD, Nilokheri (Karnal). Inter-linkages between DV and child marriage were studied by the participants. Concerns about networking with other stakeholders and local authorities that were raised by the PPOs' and about the planning of preventive programmes VAW were also addressed. Then, a review of ongoing issues in documentation of the work was carried out. Case-studies, reporting formats and intake registers were discussed. Resource persons included representatives of RCI-VAW, ILS Law College (Pune), Women Power Connect and Lawyers' Collective.

» Refresher training was also treated as a key component of capacity-building with long-term vision for the programme. The first refresher training organised by the RCI-VAW for PPOs was held from 8th to 10th April, 2010 at the HPA, Madhuban.

  The refresher training reviewed, reflected and analysed the experiences of the PPOs and the challenges they faced while implementing the Special Cell for Women and Children with the objective of enhancing their understanding of women's rights and relevant legislation, especially Criminal law and the RTI Act of 2005.The training also reiterated the importance of implementing

the reporting and documentation processes as an integral part of the work of the Special Cell for Women and Children. Topics of the course and training content included knowledge of offences that can be treated as DV cases under PWDVA (section 4 of the training module), the relevant provisions of the Criminal Procedure Code in respect of the duties of Protection and Prohibition Officers under PWDVA 2005 and PCMA 2006, familiarity with and understanding of the judgements of the High Court and Supreme Court relating to DV. There was also a summarisation of the relevant provisions of Personal and other civil laws such as those pertaining to property and concerned with the rights of women (section 6 of training module) and RTI Act 2005 with respect to the duties of PPOs under PWDVA and PCMA. Documentation needs were covered – MPRs, DIRs, Intake register, assurance letter, inquiry reports, etc. There were presentation by PPOs of the Special Cells and discussion on performance appraisal formats.

The training module was designed and delivered by Advocate Sanober Keshwaar. Ms. Trupti Jhaveri Panchal (Project Coordinator, RCI-VAW) was co-facilitator.

» Another training session was conducted from 13th to15th February, 2012 at the HPA, Madhuban. Here, PPOs were required to make a presentation of the work done in their respective Cells during the last six months, in which three different types of DIR and two types of enquiry report (one each of PWDVA and PCMA) had to be discussed.

The first session was chaired by the Financial Commissioner and Principal Secretary, DWCD, at which the PPOs shared their experiences and the challenges

of working in the Special Cells. This was followed by discussions of issues related to the understanding and implementation of the PCMA 2006.

Topics covered by workshop facilitators in the remaining sessions included procedures (concerning Enquiry Report, Execution Report, Breach of Protection Order Report and Services of Summons under PWDV Act 2005), documentation (MPRs, DIRs, Assurance Letter, Enquiry Report, Intake Register etc.), role of awareness programmes and networking for effective functioning of Special Cell for Women and Children, and other issues related to the working of Special Cell (especially, the RTI Act 2005, counselling, role of legal aid clinic, advocate etc.).

» The last training session for the PPOs, which was organised by the RCI-VAW, was held from the 9th to 27thof April, 2012 at TISS, Mumbai. This time, the topics covered included the history of the women's movement with special reference to India, the ideology and history of the Special Cell model, concepts and issues of gender, sex and sexuality, Gender Relations Framework with reference to VAW, understanding VAW (this was done through a facilitated session and a film screening). Also included in the training content were the topics of child sexual abuse, trafficking and prostitution in India with special reference to the ITPA, principles and tools for working with the victims, the three-stage model of counselling as part of helping to build skills, and police procedures. There were also discussions on the indicators for monitoring of the Special Cell for Women and Children. There was also emphasis on understanding the various aspects of Civil

and Criminal law, sexual counselling, the importance of documentation in Special Cells, networking strategies and building alliances, and feminist social work practice.

A key component of this training was the field/exposure visit by PPOs to Special Cells in Maharashtra, and the discussion of their learning from the visit.

The resource persons/session facilitators included Ms. Meena Gopal (Professor, Advanced Centre for Women's Studies, TISS), Ms. Trupti Panchal (Project Coordinator, RCI-VAW and Special Cell, Maharashtra), Ms. Divya Taneja, Ms. Pratibha Kachewar and Ms. Rani Date (Coordinators and Social Worker respectively, at the Special Cell, Maharashtra), Ms. Shubhada Maitra (Associate Professor, TISS), Ms. Priti Patkar (Founder, Prerana, Mumbai), Ms. Sharon Menezes (Asst. Professor, Centre for Criminology & Corrective Justice, TISS), Adv. Veena Gowda, and Ms. Shruti (LABIA, Mumbai).

Feedback was collected from all participants at the end of each training programme over the three-and-a-half year period. This was then used to recalibrate the planning and design of the next training programme. Suggestions made by PPOs during the Project Officers' field visits and at their meetings with the DWCD were also considered and suitably integrated into ongoing capacity-building activities. The objective was to ensure that requisite perspectives, skills and programme management expertise are transacted in an interactive manner with the PPOs according to the needs of their work in the Special Cells in Haryana.

As a component of the Special Cells implementation RCI-VAW also conducted a two-day training-cum-orientation

workshop on gender and VAW for police officers at Hissar and Ambala ranges in SAJI Phase-I. In the first year, the Cell workers and some PPOs were trained as trainers through the ongoing capacity-building efforts of RCI-VAW. These trainer of trainers were and then invited to participate as resource persons in programmes/meetings for different stakeholders such as police personnel, CBOs/community-level groups, Self Help Groups (SHGs), members of mahila mandals, nurses/ANMs, school and college/university students and teachers, PRI Committee members/elected representatives, Mahila Dakshata Samiti members, women and girls from institutional homes, etc. The Cell workers and PPOs covered a range of topics that included VAW, women's citizenship rights, police procedures, gender relations, legal provisions for women in civil and criminal law, CSA, information on the Special Cell, prevention of violence and abuse, and health[50].

3. Documentation, reporting and research

The documentation component of RCI-VAW's mandate (as part of the agreement with the UNDP) expanded to putting in place suitable systems for reporting. The systems also were necessary to facilitate capacity building. This is discussed in more detail in the next section of this chapter.

The documents prepared and shared by the RCI-VAW team (comprising the Project Coordinator and Project Officers in Mumbai and Haryana) with the State Government include:

1. Project proposal (with budget) for the UNDP under SAJI Phase-I

50 Proposal to Government of Haryana from RCI-VAW (TISS) for 3-year consultancy – 'A Strategic Response to VAW: Institutionalising Special Cells for Women and Children within the Haryana Police System: A Proposal', Section. B, pg.4

2. Project proposal (in multiple drafts) including revised budgets for three-year consultancy engagement with the State Government, Haryana, the scope of which was based on discussions

3. Concept note on Special Cells for Women and Children in Haryana – based on which State Government also drafted the comprehensive circular

4. Individual training plans and budgets

5. Draft concept note for a seminar for judicial magistrates on the implementation of PWDVA and PCMA through Special Cells in the State, and coordination with the courts for standardisation of responses to cases of women victims and processing of DIRs, requisite orders etc.

The RCI-VAW team in Mumbai was responsible for quarterly, half-yearly and annual reports on the ongoing work. Field-visit and monthly reports were prepared and collated in collaboration with the Project Officer, Haryana. The first years' report was more in the nature of a review that suggested actions for strengthening the Special Cells and laying the groundwork for expansion and institutionalization in the following three years. This was shared by RCI-VAW with both UNDP and the State government.

It was also agreed between the Haryana Government and RCI-VAW that the latter would take up a study on the effectiveness of the implementation of the PCMA 2005 in Haryana through appointment of Prohibition Officers (who functioned as PPOs under the Special Cells programme) in Haryana. RCI-VAW was given an extension till end of September 2012 to complete its research.

An internal assessment of the first two years' data (July 2007-November 2009) on cases received and dealt with by the pilot Cells in Jind and Ambala districts was also carried out. The findings are briefly described in Annexure 3 to underscore the qualitative analytical approach adopted by RCI-VAW for the research.

» ***Setting up systems to sustain programme quality and programme management:***

Setting up systems and processes to ensure that programme management capacities within the Special Cells structure are sustained was also part of RCI'-VAWs mandate. This included maintaining the quality of socio-legal services provided to the survivors. This covered the follows areas:

- Financial management: RCI-VAW advocated for increased funding for the Special Cells by the DWCD after completion of one year of the pilot project implementation during UNDP SAJI Phase-I. Once this was achieved, a system was put in place in which district-level fund flow would go through the POs (ICDS) to the Cells. This itself was a major step towards institutionalisation of the Cells in which financial and administrative sustainability was accomplished. Meetings on fund flow matters were chaired by the Finance Commissioner and Principal Secretary to GoH (WCD) and the Director (WCD) in which actions regarding reimbursement of travel, phone and other expenses incurred by the PPOs in the course of duty were discussed and taken. Here, the decisions taken always kept in view the best interests of the Special Cells Programme.

- Reporting: In addition to the periodic and theme-based documentation that was compiled, it was also necessary to give importance to add to the knowledge base (for strengthening programme knowledge and management- including programme review and planning, policy advocacy efforts and to maintain transparency accountability).

  For this purpose, RCI-VAW designed quantitative reporting formats to compile and manage data on the cases received and dealt with by every Cell. This also recorded the activities of the Cell workers that included networking, filing and linking of cases in courts, community mobilisation and awareness programmes, trainings given and attended, etc. These formats were revised periodically after discussion with the PPOs, which were based on the dynamics work and emergent ground conditions, particularly in the types of cases of VAW.

  The Cell workers' and State Consultant's capacities to understand, maintain and apply the quantitative data and the reporting formats were enhanced with additional inputs such as the training them during orientation in the use of computers. The importance given to reporting and documentation is reflected in the fact that these aspects were a component of all refresher trainings.

  The quantitative reporting/data formats that were developed to record district Cell-wise and State-wide statistics of VAW and child marriage-related cases are given as follows.

Format for VAW/PWDVA

i. New cases registered in intake register on VAW/

under PWDVA

ii. Cases referred by

iii. Total DIRs filed

iv. Application to Judicial magistrate filed by PO (Form II)

v. Enquiries conducted on court orders

vi. Total number of cases in which summons served

vii. Referral by PO for other support services

viii. Mediation done at the request of victims

ix. One-time interventions with victims (by way of information/guidance)

x. Home/court visits made by PO/Special Cell Pending cases in court/Special Cell

xi. Individual meetings at Special Cell

xii. Group meetings and joint sessions at Special Cell

xiii. Engaging police help in executing orders etc.

xiv. Court orders obtained by PO

xv. Mutually resolved cases

xvi. Final judgements received

xvii. Complaints withdrawn/closed Number of cases in which judgement went against complainant

xviii. Cases of breach of orders brought up before magistrate

xix. Number of respondents fined or imprisoned for breach of orders

xx. Liaison and networking (types of meetings)

xxi. Capacity-building activities by PO (DV/child marriage awareness)

Format for Child Marriage-related Cases (under PCMA)

i. New complaints of child marriage

ii. Complaints referred by

iii. Applications made to judicial magistrate for injunction orders

iv. Injunction orders received

v. Child marriages prevented through/with injunction orders

vi. Child marriages prevented through counselling

vii. Complaints referred to Police for necessary action

viii. Pending complaints in Special Cell

ix. Complaints found false and filed in records

The actual formats used (with sub-classifications) are shown in the following chapter, which describes experiences and impact of the Special Cell. It is pertinent to mention here that capacity-building of PPOs and Project Officer, Haryana, for writing of qualitative reports documenting process, experience, challenges and learning, was also undertaken by the RCI-VAW team based in Mumbai.

Recruitment, training and appraisal: Appointment of PPOs for Haryana's Special Cells also considered the need to sustain the programme and its institutionalisation. The clear mandate given to the PPOs and their empowered status imparted strength and effectiveness to the interventions of the Special Cells in the handling of PWDVS and PCMA cases. This area is described in more

detail in subsequent sections/chapters.

The RCI-VAW's role on the Selection Committee for recruitment of PPOs and State Consultant was to help set baseline criteria (qualifications and relevant experience) for selection and, importantly, demonstrated the need for such criteria to implement the programme effectively. As mentioned in the previous chapter, RCI-VAW was entrusted with the responsibility defining the State Consultant's responsibilities. This mandate helped to build a direct linkage between the bureaucracy (in the Departments involved) and ground-level implementation of the programme.

Induction, orientation and refresher training for PPOs and the Government's emphasis on ongoing set the basis for long-term sustainability, even in the event a change in the role of the TISS in the future. This was ensured through the appropriate orders and circulars.

The importance attached by RCI-VAW's to performance appraisal of the PPOs, and continuous engagement with them provided the inputs for programme planning by the PPOs themselves. This aspect of participatory approach merits attention because it addressed the dynamics of the situations that PPOs work in.VAW, DV and Child Abuse manifest in many forms, many of which have not been experienced before. Thus, it is the people that are working at the ground level who are best placed - and must be empowered - to address the need of the situation. The various meetings in appraisal formats were discussed and finalised have already been discussed in the previous chapter. The current format is in use since 2009 and is based on crucial aspects of the PPOs' work/ performance within the intervention framework of the Special Cell model. They are as follows.

i. Duties assigned to PPOs in the related period of time in respect of the core work of the Special Cell

ii. Duties in respect of implementation of PWDVA and PCMA

iii. Inter-personal skills (which includes teamwork within the Special Cell structure as well as communication skills, both within the Special Cell and with the stakeholders outside it)

iv. Understanding of the programme and the work connected to it.

v. Planning and review skills

The stated rationale for adoption of a standardised and institutionalised performance appraisal process was the 'imperative to...record and analyse the information on the PPOs, and to assess their contribution towards the outcomes of the Special Cell', as also to assess what 'could be reasons for their effective (or ineffective) performance which may translate into the suitability of the functionaries…and/ or lack of proper training to realise their potential[51]'. Therefore, the objectives of the appraisal process included:

- Review of the performance of functionaries over a given period of time
- Diagnosis of the strengths and weaknesses of the individuals so as to identify training and development needs for the future
- Giving feedback to functionaries regarding their performance.

51 Concept note 'Performance Appraisal System for the PPOs of Special Cells, Haryana'

- Providing clarity on the expectations from the functionaries in terms of their responsibilities and functions.
- Evaluation of the effectiveness of other human resource functions of the programme structure — recruitment, training, development, etc[52].

The basis of PPOs' appraisal was the principles established for the performance appraisal of the social workers of Maharashtra's Special Cells. These principles were: appraisal would be participatory in nature, appraisal would be carried by a panel constituted for the purpose, appraisal would be conducted after completion of the first year of service and annually thereafter (after completion of every subsequent year of service), decisions on continuation of service and/ or upgrading skills would be based on appraisal outcomes, merit and effort would be equally recognised, and the focus of appraisal would be on the process (i.e. how PPOs dealt with cases in the particular period) rather than the targets.

The appraisal process is in three parts in the following sequence:

I. The PPOs fill out a self-appraisal proforma (which is given to them a month in advance of the date by which appraisal must be completed) that is shared with the Project Officer (Haryana) and the DWCD through the State Consultant. The Project Officer (Haryana) and the State Consultant then fill out their observations of the PPOs capabilities and performance in a proforma. This is shared with the Department.

52 Ibid. 27 (adapted from)

II. At the final stage, the Appraisal Committee (or Panel), comprising Director (DWCD), State Consultant (Special Cells, Haryana, DWCD) and the Project Coordinator/ Director (RCI-VAW, TISS) review the PPOs self-appraisals and their appraisal by the PO and State Consultant. This is followed by an appraisal interview with the PPOs individually. The appraisal process ends with the preparation of individual appraisal reports (points/grades are awarded on a predetermined scale) that include recommendations (based on the points/grades awarded) for future capacity-building and/ or contract-related actions as appropriate.

The Director (DWCD) is the final authority for endorsing the decisions taken by the Appraisal Panel.

The presence of the RCI-VAW team and the core Special Cells approach and praxis framework in all areas, including networking and advocacy with various stakeholders at government level, programme review and handholding (especially in casework and fieldwork processes carried out by PPOs), and facilitating internalisation and spread of the Special Cell ideology and concepts at all levels through presence at all official for including meetings, selections, appraisals etc. The aim is to ensure sustained the practice of certain concepts and the pro-woman approach in the Special Cell, Haryana, even in the future in which the role of TISS may change in terms of extent/intensity of on-ground involvement.

Chapter 4

Impact and achievements

In its four years of existence, the Special Cell for Women and Children in Haryana has achieved measurable impact withits interventions in cases of domestic violence against women and children, including child marriage. This chapter examines them - qualitatively and in quantitative terms - as well as the impact of networking, training and the advocacy and mobilisation initiatives of the PPOs.

VAW

The core activity of the Special Cell is addressing VAW and applying the provisions of the law to deal with cases of VAW. This is done through various intervention activities at different levels. These are discussed in the sub-sections that follow.

VAW cases registered and dealt by Special Cells from November 2008 to September 2013

Direct approach by survivors referred by other stakeholders

Quantitative data from since November 2008 from the 20 Cells where PPOs were appointed yielded substantial information about VAW incidences, both in number and the nature of offences.

A total of 3,504 cases were registered by the Cells in the first seventeen months of their operations, which works out to an average of a little over 200 cases in a month or about 10 cases per month for each Cell. Increasing awareness and networking by the Cells resulted in an increase in the number of cases being reported. This is evident from the 4,758 cases that were reported in the year 2010-11. In 2011-12, however, the percentage of increase in new cases taken up by the Cells was only 9.26%, indicating a plateauing of case referrals. The number of new cases again increased by 40.52% in the following year, 2012-13, again plateaued at 13.52% in first half of 2013-14.

Table 1 gives the disaggregated data. The State-level numerical progress sheet may be seen at the opposite page/page overleaf. When looked at in the context of turnover, overall increase in case-load, holding of additional charge of adjoining district Cell by certain PPOs for a number of months on end, and lack of supporting facilities in the Cell offices, this trend also points to the negative impact of specific factors (absence of consistent engagement of State Consultant in recent times as well as the overburdening of district-level PPOs) that impacted their effectiveness. Overall case registration data for the years 2012-13 and 2013-14 suggest that caseload saturation levels may have been reached in the existing arrangement of one PPO per district Cell. This reinforces TISS's recommendation — and that made by the PPOs' — for the appointment of an Assistant PPO/ Counsellor at each Cell.

TABLE 1: Profile of complaints received by the Special Cells and strategies adopted

	Item	Nov. 2008 to March 2010	April 2010 to March 2011	April 2011 to March 2012	April 2012 to March 2013	April 2013 to September 2013	Total Nov. 2008 to September 2013
1	New complaints registered in intake register	3504	4758	5199	7306	4147	24914
2	Complaints referred by :			-	-	-	-
a	Judicial Magistrate/ Court	1101	1290	1422	1727	1024	6564
b	Service Provider	43	32	15	32	19	141
c	Police	1034	1514	1915	3472	2010	9945
d	Self	1169	1690	1667	1890	980	7396
e	Others	157	232	180	185	111	865
3	Total Domestic Incidence Report (DIR) filed:	1668	1758	1730	2280	1245	8681
a	by PPO-self	714	623	528	736	447	3048
b	by PPO on court orders	954	1135	1202	1544	934	5769
4	Application to the Judicial Magistrate filed by PPO (Form II)	403	446	444	681	406	2380
5	Enquiries conducted on court orders	439	307	370	523	277	1916
6	Execution/compliance on court orders	-	-	-	-	149	149
7	Total no.of cases in which summon served	1729	2685	2940	3917	2224	13495
8	Referral by PPO for:						
a	Counseling	2426	2959	2680	925	159	9149
b	Shelter home	18	40	56	65	28	207
c	Medical aid	51	55	74	70	49	299
d	Legal aid	406	532	489	731	465	2623
e	Police action	0	116	144	378	284	922
f	Any other	31	237	194	543	287	1292

	Item	Nov. 2008 to March 2010	April 2010 to March 2011	April 2011 to March 2012	April 2012 to March 2013	April 2013 to September 2013	Total Nov. 2008 to September 2013
9	Mediation done at the request of victims	0	3205	3549	5072	2655	14481
10	One iime interventions with violated woman (information/guidance)	3395	2708	3216	3768	2462	15549
11	Visits made by PPO/ Special Cell:						
a	Home visits	610	390	410	NM	NM	1410
b	Court visits	2221	1453	1121	NM	NM	4795
12	On going cases/ complaints:						
a	In Court	444	471	803	886	541	3145
b	In Special cell	221	408	2352	499	1757	5237
13	Individual meetings at Special Cell	5977	9831	9284	10335	6943	42370
14	Group meetings and joint sessions at special cell	3148	4837	5449	6342	3988	23764
15	Engaging police help in executing orders, inquiry, home visits, etc.	173	262	279	217	127	1058
16	Court orders obtained:						
(a)	Protection orders	42	47	47	42	24	202
(b)	Residence orders	46	37	40	51	30	204
(c)	Custody orders	12	9	7	5	3	273
(d)	Interim orders	47	32	25	29	16	104
(e)	Exparte orders	20	18	17	6	4	302
(f)	Compensation orders	7	8	0	4	7	15
(g)	Monetary relief orders	59	30	46	29	24	188

16	Complaints resolved through mediation	1263	1798	1721	2748	1512	9042
17	Final judgments received in PWDVA cases	27	47	66	49	13	202
18	Complaints withdrawn/ closed:			0			0
(a)	Special cell	0	347	518	0	0	865
(b)	Courts	0	55	45	0	0	100
19	Number of cases in which judgment gone against violated women	4	1	0	1	0	6
20	Cases of Breach of Orders brought up before Magistrate	4	11	4	2	1	22
21	Number of respondents fined or imprisoned for Breach of Orders	3	6	0	4	4	17
22	Liaison and networking			0			0
(a)	Meetings with Govt./ Police/ Court officials	1888	1347	820	0	0	4055
(b)	Meetings with Women's Organisation, Service Providers, NGOs	304	659	321	0	0	1284
23	Capacity vuilding activities by PPO (domestic violence/child marriage)			53	NM	NM	53
(a)	Trainings/ Workshops with Police, PO(ICDS), NGOs, other stakeholders	60	83	45	NM	NM	188
(b)	Awareness activities for general public	760	777	621	831	372	2158
(c)	Trainings received by PPO	75	19	6	NM	NM	100

Table 2: Complaints of Child Marriages received and action taken

	Item	Nov. 2008 to March 2010	April 2010 to March 2011	April 2011 to Dec. 2011	April 2012 to March 2013	April to September 2013	Total from Nov. 2008 to September 2013
Format B for Child Marriage Complaints (PCMA)			0			0	
1	New complaints of Child Marriage	73	186	338	313	164	1074
2	Complaints referred by :						
a	Verbal/ Telephonic	11	64	178	164	71	488
b	Police	19	31	49	62	38	199
c	Self	16	30	59	58	45	105
d	Others	17	36	52	28	11	144
3	Application to judicial magistrate for injunction orders	18	42	85	62	60	267
4	Injunction orders received	18	32	75			
5	Child marriages prevented with injunction orders	18	35	107	58	53	271
6	Child marriages prevented through counseling	47	121	96	145	55	464

7	Complaints referred to Police for necessary action	0	10	23	23	23	79
8	Pending complaints in Special Cell	0	1	51	10	52	114
9	Complaints not proven to be of child marriage and filed in records	0	21	62	63	31	177

It is also important to note that cases do not get 'resolved' necessarily in the same year in which they are registered at the Cell. This is due to several factors: the survivors, respondents, Police, Courts, community and other stakeholders in the process influence the process. Therefore, at any point, there are also a number of 'ongoing' cases in the Cells which, from 221 in the initial 17-month period almost doubled to 408 in 2010-11, and then increased by about 400% to 2342 in 2012-13. While the end of phased intervention in a large number of cases initiated at the same time at the start may be the main reason for only 499 ongoing cases in the Cells in 2012-13, accumulation of new cases and continuation of earlier ones are reflected in a sharp increase of 400% - to 1799 - in just the first half of 2013-14. The increase may also indicate the sudden increase in quantum of work not matched with a commensurate increase in human resources at the Cells.

Table 3 shows how the case intakes were classified. In essence, it shows how the Special Cells were accessed by the survivors.

In the initial period (November 2008 to the end of March 2010), exactly a third of the new cases taken up by the Cells were based on complaints made directly by the survivor. In the following year, 2010-11, this proportion increased only marginally i.e., only in 35% of the new intakes did the survivor approach the Cell directly. It may be inferred that greater awareness among other stakeholders resulted in increased external referrals (or reporting of cases to the Cells). Hence, although there was an increase in the overall number of cases, factors facilitating women's direct accessing of the Cells did not change commensurately. Nevertheless, the number of women accessing the Cells directly did increase from an average of almost 69 cases per month in the initial 17 months by almost 71 in the following financial year.

The number of new cases plateaued in financial year 2011-12, is also reflected in the number of cases registered based on women's directly approaching the Cells which, in fact, fell to a total of 1667 (as compared to 1690 in 2010-11). However, the overall increase by 40.52% in new cases from the years 2011-

Table 3 Number of complaints of VAW received by the Special Cells (per year)

Complaints referred/ reported by:	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	April 2012 – March 2013	April - September 2013	Total
Self (violated woman)	1169	1690	1667	1890	980	7396
Judiciary (Magistrate/ Court)	1101	1290	1422	1727	1024	6564
Police	1034	1514	1915	3472	2010	9945
Others	157	232	180	185	111	865
Service providers	43	32	15	32	19	141
Grand Total	**3504**	**4758**	**5199**	**7306**	**4147**	**24914**

12 to 2012-13 is not matched by a corresponding increase in the proportion of those new cases being registered on the basis of the women's direct approach, which was only 13% and only marginal increase in numbers in 2013-14.

Similarly, the number of cases referred by the police to the Cells also show an increasing trend from initial stage (November 2008 to March 2010), which averaged about 61 cases per month (or 29.5% of total cases), by about 65 cases per month (an average of about 126 cases per month or 31.65% of total cases) in financial year 2010-11, and by about 33 cases per month (an average of about 160 or 36.83% of total cases) in 2011-12.

It can be seen, therefore, that the proportion of the cases take up on the survivors' direct complaint to the Cell and on referrals by the Police women directly approaching the Cells and based on referral by the Police has remained a constant over the three and a half year period. The two together made up two-thirds (66.77%) of the total cases (13,461) registered. However, the proportion of Police referrals has shown an increase in the last two-and-a-half years (2011-12, 2012-13 and till September, 2013-14) whereas those registered on the survivors' direct approach has actually fallen. Indeed the maximum number of cases is registered on referrals by the police. This may point to increasing awareness of Special Cells at the systemic-level and less so among other stakeholders in the community.

In other words, more women are approaching the Police with complaints of VAW and, in turn, are being referred by Police to the Special Cells. On the other hand, this trend raises questions regarding the investigation and FIR registration roles of the Police and the risk of "ghettoisation" of VAW

issues by referring of all such cases to Special Cells. This may warrant a more in-depth study in the near future.

A similar trend may be seen in the complaints originally received by Judicial Magistrates and/or Courts. These comprised about one-third of cases taken up by the Cells in the first 17 months of the programme (1,101 cases or 31.42% of total intake of cases, which averages about 65 cases per month). This figure increased to about 108 cases and 119 cases per month respectively in the 2010-11 and 2011-12. However, the proportion of such Court/Magistrate-referred cases fell to 27.11% in 2010-11 and plateaued (27.35% of new cases) in 2011-12 (although the absolute numbers increased marginally from 1,101 in the November, 2008- March, 2010 period by 189 in 2010-11, and by only a further 132 in 2011-12). This proportion fell to just under a quarter of all new cases registered by the Cells between April and September 2013.

If this data is seen in the context of the operational challenges enumerated by the PPOs, it may be inferred that awareness and mobilisation of support/referrals at community as well as the level of the judicial system have not shown much improvement nor gathered momentum after the initial stages of the Special Cells. These areas now need increased focus to prevent further decline in the numbers of survivors approaching the Cells or the Courts for remedial actions and justice. This is further corroborated by the overall figures, which show that referrals by Courts/Judicial magistrates comprise only 26.34% (6,564 cases out of a total of 24,914) of the cases taken up by the Cells from November 2008 to 30th September 2013 - despite making up a greater percentage of total case intake in the initial stages of the programme in the State.

'Others' in Table 2 are related to or comprise the support systems of the survivors through which VAW cases are referred to the Special Cells. Intake of new cases based on such referrals/complaints increased from 157 (just over an average of 9 cases per month, which is less than one case per Cell per month or 4.48% of total cases) in the initial period of 17 months to 232 (over 19 cases per month but still less than one case per Cell per month, approximately 4.87% of total new cases) in 2010-11. However, this figure dropped to 180 in 2011-12, or only 3.46% of total new cases registered by the Cells in this period, a decrease to just 15 cases per month overall, and still less than one case per month per Cell.

'Others' showed only a marginal increase in 2012-13 (185) and 2013-14 (111 in six months). Again, this points to a gap and then decline in awareness of Special Cells among community and other stakeholders (including, presumably, other organisations, networks and non-CJS authorities intervening in or working on VAW issues). It is crucial that family, relatives, friends, community-groups as well as other stakeholder organisations and agencies are made aware and informed of the presence and work of Special Cells, especially because the survivors are often isolated from information and awareness of Special Cells- and from the larger community- by the violence and distress of their circumstances as compared to the other entities, which may be their only support system. In such situations, the 'others' are the survivors' only link with a system that has the capacity to deliver justice.

Finally, a decline was observed in the number of cases registered under PWDVA 2005 referred service providers. From 43 cases (From less than 3 cases per month, 1.22% of the total new cases registered) taken up by the Cells that were

based on such referrals in the period November 2008 to 31st March 2010, to 32 (0.67% of total new cases registered) in 2010-11, the referrals were a mere 15 (0.28% of total new cases registered) in 2011-12. It is interesting to note that in the year 2012-13, TISS's advocacy with the DWCD resulted in the PPOs identifying and recommending service providers for registration under the PWDVA. That year, a combined training programme was conducted by TISS for the service provider NGOs and PPOs for better coordination of work. In 2012-13, number of cases referred by the service providers increased to 32 and in the first six months of 2013-14, the number of cases reported was 19. However, overall, referrals by service providers numbered only 141 (0.56% of the total) during the period November 2008 to 30th September 2013.

Shelter homes comprise the major part of the activities of the service providers registered under PWDVA, 2005, and the other Acts and schemes implemented by the State and Central Governments for protection of women from violence. The poor number of referrals from such service providers seen in the context of work done during the past 4 years by the DWCD/Government of Haryana indicates (a) the absence of adequate/requisite number of registered service providers and (b) the need for greater engagement by the Special Cells programme in the State with the service providers to build awareness and capacities in their outreach activities.

Work done by PPOs under the PWDVA 2005

Filing of Domestic Incident Reports

The Special Cell model in Haryana is unique for the manner in which the PPOs are appointed and function. A part of their responsibilities are as Protection Officers as mandated by

PWDVA, 2005. Thus, the PPOs are empowered and *required*[53] to file Domestic Incident Reports (DIR) under the said Act to ensure effective linkage with the CJS if and as desired by the complainants- especially the Courts- to procure necessary orders (including redressal) in favour of the victims to protect them from continued domestic violence. The records PPOs' work maintained and compiled by the Cells indicate that the latter have filed DIRs either themselves or on the orders of the Courts.

It is important to note that a Protection Officer is *obliged* under Rule 5(1) of the PWDVA 2005 to record a DIR (defined under section 2(e) of the Act as a 'report made in the prescribed form on the receipt of a complaint of domestic violence from an aggrieved person') on receiving a complaint of domestic violence. The DIR is a public record of the complaint, 'filled and signed by the aggrieved person (or to be filled by the PO where the aggrieved person is non-literate or incapacitated in any way, with due counsel on content with the aggrieved person, and then with her thumb-print/signature) and countersigned by the PO'[54].

The Manual for PWDVA Protection Officers brought in 2009 out by the Lawyers' Collective Women's Rights Initiative provides a lucid explanation that: "A DIR is meant to be a faithful record of the complaint presented and is not a report of an investigation. The PO need not conduct any enquiries at the time of recording the DIR...The recording of a DIR does not trigger any judicial or investigative processes, as it is

53 Ending Domestic Violence Through Non-Violence: A Manual for PWDVA Protection Officers (Protection of Women from Domestic Violence Act 2005) – Lawyers Collective Women's Rights Initiative, (Chapter 6: How to Record a Domestic Incident Report), 2009, pp. 66-94

54 Ibid. 28, at p.66-67

merely a public record of a complaint of domestic violence. Judicial processes are commenced *only* if the aggrieved person so desires. In order to initiate a judicial process, an application under Section 12 has to be filed in Court. The DIR is to be attached to any such application filed. Even if the aggrieved person chooses not to file an application, the PO has to forward copies of all DIRs recorded to the Magistrate within whose jurisdiction the alleged act of domestic violence has occurred. A Magistrate has to consider any DIRs received from a PO before passing any Orders under the PWDVA. The Magistrate may, therefore, need to consider not only the DIR that is filed along with the application, but also those DIRs that may have been forwarded by the PO on earlier occasion/s. As a public record of an incident of domestic violence, the DIR constitutes valuable evidence of past incidents of domestic violence." and more crucially, "If she so chooses, an aggrieved person may directly approach the Court with an application under Section 12, without a DIR. In such cases, the Magistrate may direct the PO to record a DIR and file it in Court if the application does not provide adequate details or if a DIR has not been recorded and forwarded to the Magistrate on any previous occasion/s.[55]" Thus, "A DIR should be recorded whenever an aggrieved person approaches a PO with a complaint of domestic violence, even in those cases where the aggrieved person does not wish to file an application *(for investigative/judicial action)*[56] under the PWDVA"[57].

The data filed by PPOs in cases of VAW/DV show that DIRs

55 Ibid. 28, at p.67-68

56 Words in italics and brackets are of the author of this Report on Special Cells in Haryana

57 Ibid. 28, at p.68

were filed in only 8,681 out of a total 24,914 cases of VAW from November 2008 to 30th September 2013 (i.e. in only 34.84% of total cases that the PPOs dealt with):

In the first 17 months of the Cells' functioning, 1668 DIRs were filed (47.6% of the total VAW case intake — about 98 DIRs per month, an average of less than 5 DIRs per Cell per month). This number increased only slightly in 2010-11 (1758 DIRs were filed) during which period the frequency did increase to about 147 DIRs (less than 8 DIRs per Cell per month). However, the proportion of DIRs of total VAW intake declined to 36.94%. In 2011-12, the number of DIRs filed in the Cells filed declined slightly to 1,732 (a monthly average of over 144 case per month, or little over 7 cases per Cell), but their proportion to the total intake dropped more sharply to exactly one-third.

Table 4: DIRs filed between November 2008 and 30th September 2013

On Court/Judicial Magistrate's orders under the PWDVA	954	1135	1202	**1544**	**934**	**5769**
Grand Total	1668	1728	1730	**2280**	**1245**	**8681**

In 2012-13, the number of DIRs recorded increased by 31.79 %, but in proportion to the total of new intakes of the same year, they had dropped (31.2%). In fact, the monthly average of 190 DIRs in 2012-13 increased only marginally to about 208 in 2013-14 (first half), which implies an increase of less than one DIR (in exact terms, 9.04 to 9.88) per Cell per month. An attempt was been made to address this gap through presentations and discussion of these findings in TISS's meetings with the PPOs and DWCD, and amending the draft Standard Operating Procedures/Protocols document, proposed by RCI-VAW, to make filing of DIRs mandatory. As at the time of writing this report, no progress

has been made in this regard.

Although "In certain cases, where the Magistrate may not feel the need for a DIR, he/she may proceed with the case without one"[58], and "the PO must ensure that the DIR is completed with care and precision and accompanied by all relevant supporting documents"[59], nevertheless, it is important to note that supporting "documents... while relevant, are not a pre-requisite for recording a DIR. Hence, an aggrieved person can record a DIR even if she is unable to provide any relevant documents"[60] . It is noteworthy that 117 of the 129 cases of VAW received in the very first year of the pilot Cells in Ambala and Jind were found to be cases of *domestic violence* (i.e. 90.69%)[61]. As the Special Cells expanded to other districts of Haryana, this trend was found to be linked to the feudal and rigid caste/clan-based socio-cultural milieu of the State. The clearly stated role of the PPOs- particularly in the implementation of PWDVA 2005- encouraged greater access by women who were experiencing domestic violence.

This leads us to emphasise the **need to focus on upcoming programme review exercises for possible gaps in PPOs' understanding of PWDVA 2005, their roles and responsibilities as well as the coordination/ documentation/multi-tasking skills required for recording DIRs on the complaints of DV made by the survivors, and as mandated under the said Act.** Issues like excessive case-load on some PPOs, gaps in the understanding of the laws, insufficient time, etc., which impact the

58 Ibid. 28, at p.68

59 Ibid.28, at p.67

60 Ibid.28, at p.88

61 Internal study on Special Cells in Haryana for the period July 2007-November 2008

effectiveness of the PPOs must be looked into and addressed appropriately. This need is corroborated by the findings when the DIR data is segregated into two groups: one in which the DIRs are registered by the PPOs on the orders of the Court; and the other in which the DIRs are filed by the PPOs directly on receiving a complaint. Despite cases *not* referred by the Courts making up 73.65% (the majority) of total VAW case intake during the period November 2008 to 30th September 2013, DIRs filed by the PPOs directly (and *not* as per Court orders) were only 12.23% of the total VAW cases in the same period. Court order-based DIRs also need to be seen in the context of referrals of these cases to the Special Cells. In the initial 17 months, DIRs were filed on Court orders in 86.65% of cases referred to the Special Cells by the Court /Judicial Magistrates. Similarly, in 2010-11, DIRs filed on Court orders comprised 87.98% of the cases referred by the Court/Judicial Magistrates. In 2011-12, in 84.52% of such cases (which is slightly less than preceding years'), and in the one and a half year period from 2012-13 to the end of the first half of 2013-14, in 90.07% of such cases, the PPOs filed DIRs on Court orders. Thus, in the period November 2008 to 30th September 2013, DIRs were filed on Court orders in 87.88% of total cases referred by the Courts. Even if the remaining 12.12% (i.e. 795) cases taken up by the Cells were not accompanied by Court orders for filing of DIRs, the PPOs should have filed DIRs.

Evidently, the importance and validity of DIRs is still to be recognised by a significant number of officers of the courts. This is a view that is shared by some PPOs as they face challenge of filing survivors' applications- based on DIRs- in the courts. It is, therefore, necessary to reiterate here the need to conduct in the coming years RCI-VAW planned and

conceptually-approved (by DWCD) seminars for judicial magistrates in Haryana.

Filing of applications by/through PPOs to the Court under the PWDVA

Under PWDVA 2005, the aggrieved person (survivor) can, if so desiring, file an application to the Court for granting of orders for relief/s, including protection (ending of violence, ensuring safety), compensation and maintenance and other monetary orders, residence (the right to residence/ shared household), regaining possession of *streedhan*, custody of children, as well as additional orders to ensure the enforcement of protection and residence orders, and interim and *ex parte* (immediate and emergency orders to prevent any further/irreparable harm to the aggrieved person in the continuing violence) orders. Such applications may be made whether DIRs have been filed or not. They can be filed with or through the PO, or directly to the Court (with or without the help of a lawyer) as desired by survivor. Where DIR has been filed with or by the PO, it is the latter's duty to assist the survivor in filling Form II under the PWDVA Rules for relief order application[62].

Data on applications for relief order (vide Form II) made to the Court by women with PPOs' assistance is given in Table 5.

The number of applications made to the Judicial Magistrate/ Court filed by Haryana's PPOs increased only marginally from 403 in the initial 17 months (November 2008-March 2010) to 446 in 2010-11, and then remained almost a constant at 444 2011-12. There was a substantial increase (53.37%) in 2012-

62 Ibid. 28, at pp.95-96, 98, 102-108 Ibid. 28, at pp.95-96, 98, 102-108

13. The upward trend was seen in the first half of 2013-14 as well, which would indicate that the PPOs were filing relief order applications at a rate of almost 24cases every month in the initial stage. This monthly average increased by about 14 cases in 2010-11, remained constant at 37 in 2011-12, and then increased to about 57 and 34 in 2012-13 and 2013-14 respectively. Thus, notwithstanding the steady rise in the number of cases filed every year, applications for relief orders were filed in only 9.55% of the total number of cases filed in the Cells, *an average of just three relief orders per Cell per month*.

This may point to effective use of non-legal options by the PPOs in redressing the complainants' grievances and ending DV against women from backward socio-economic groups who find the legal processes to be intimidating and lengthy even if they are able to access it, which is not often the case.

Table 5: Applications for relief order (vide Form II) made to the Court by women with PPOs' assistance

Applications made to Judicial magistrate (Form II) filled by PPO	403	446	444	681	406	2380

However, this data is also indicative of the need for a more comprehensive study of the various aspects of the PPOs' work, particularly with respect to their linkage with the judicial system. Key to the effectiveness of the Special Cells' interventions is the PPOs' knowledge of PWDVA and ability to apply it in incidences of VAW, thereby assuring justice and protection to the survivors. Also requiring study is the impact of filing DIRs on the psycho-social processes on the perpetrators of violence and the affected families. Equally important for study is the effectiveness of the PPOs' empowered status in their interventions and to determine

whether this status is need of recalibration.

Further desegregation of data may be necessary to better understand local variations. For example, it could be relevant to know how many relief orders were applications were made in cases of DIR referred by the Court (or on its orders) as against the cases filed by PPOs themselves. Cross-referencing information on the sources of referrals and the grounds for filing DIRS with the filing of relief order applications could give a more nuanced insight on the judicial process in disposing such applications. It is important to know whether the Courts find such information useful while passing well-reasoned orders that are based on the survivors' rights or whether they view the Special Cells as a filter through which-after counselling and mediation efforts have failed- they have to deliver an order.

(It is also important to mention here that a large number of cases are 'ongoing'. The numbers are increasing steadily every year - 444 in the first 17monthscases, 447 in 2010-11, 803 in 2011-12, 886 in 2012-13 and 547 in the first six months of 2013-14. The chief reason for the rising backlog is the lengthy process of the law. The increase is proportional to the increase in the number of new cases registered at the Cells overall.)

Court Orders for serving notice (summons) and conducting enquiries -

PWDVA 2005 clearly specifies the duties of Protection Officers both during and post-litigation that is based on relief order applications filed and the consequent court orders.

These include making the necessary enquiries and serving notices to respondents in cases of DV complaints.[63]Table 6 shows data on number of notices (for summons) served (to the respondents) by PPOs on Court orders.

Based on the relief order application filed (with or without the help of a PO) under PWDVA by the survivor, the judicial magistrate issues a notice to the respondent to appear in Court and respond to the allegations made in the said application. This is necessary so that a comprehensive view of the case is taken by the court before making a considered decision. The PO is vested- under Section 13 (1) of the Act- 'with the responsibility to serve this notice (within the prescribed time-limit, and either personally or by directing any other qualified person to effect the service on her/his behalf) upon the concerned respondent vide the prescribed means, and to then submit a report of having completed the same task as proof to the Court'[64]. This apart, the Court may also issue summons (through direct orders to process server or Police, and not the PO) to respondents under its wider powers and the general procedure under the CPC and CrPC (upon determination by the Court that a prima facie case has been made out) on the basis of, but not only on,the PO's specific request for such orders[65].

During the initial stage of 17 months (November 2008 to the end of March, 2010), the PPOs of the Haryana's Special Cells ensured serving the notices of Court summons to respondents in 1729 cases, 49.34% or nearly half of the new cases registered and taken up in this period, which is

63 Ibid. 28, at p.120-126, p.131-136
64 Ibid. 28, at p.120 and 122
65 Ibid. 28, at p.123

significantly more than the number of cases in which the PPOs filed DIRs (1668) more than four times the number of cases in which the PPOs assisted the complainants to file relief order applications with the Court (403):

Table 6: Notices (for summons) served (to the respondents) by PPOs on Court orders

	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	**April 2012 – March 2013**	**April – September 2013**	**Total**
Number of cases in which summons were served upon respondents	1729	2685	2940	**3917**	**2224**	**13495**

The figures in the Table show that the PPOs are performing the crucial task of ensuring service of notice of summons proactively, which is in keeping with the intent of the Act. They do not restrict themselves to notices served only in the cases they have helped the survivors. However, a few complex questions arise:

a. Does this mean that judicial magistrates are sufficiently sensitised on PWDVA as it appears to be from the summons being issued in a large proportion of cases/ applications filed under the said Act; and in all the cases linked to the Court by the Special Cells/PPOs?

b. Are far more women approaching the Court directly than through the Special Cell/PPO? Hence, is the number summons notices received by the PPOs far in excess of the cases in which the PPOs directly worked with the survivors and /or assisted in filing of DIRs and relief order applications?

c. Does this reflect a tendency of the PPOs to act only when mandated by the court? Or, do PPOs accord this duty more importance than that prescribed by the Act to protect survivors of violence?

These issues may be better understood, and the questions answered, only through further disaggregation of data and further cross-referencing between the filing of DIRs, relief order applications, enquiries conducted and notices of summons served by the PPOs.

The issue has become important as the number of summons notices served by the PPOs more than doubled from almost 102 per month (about 5 per Cell monthly) in the initial 17-month period to almost 224 (almost 11 per Cell) in 2010-11, but only marginally to 245 (almost 12 per Cell) in 2011-12. This sharp increase followed by a plateau trend is similar to one seen in the overall number of new cases taken up by the Cells in a year.

This observation is of interest because it reinforces the earlier inferences and questions, especially those relating to judicial magistrates' adequate sensitisation and rigorous application of the Act, and the PPOs' own approach to their mandated work. It is true that the number of notices of summons served by PPOs on respondents increased sharply to 326 per month in 2013-14 and within that, to a monthly average of 371 in first half of 2013-14. However, when seen in conjunction with poor percentage of DIR filing (as noted in the previous sections of this chapter) and continuing unresponsiveness of the Courts in passing orders in the best interests of the victims, this increase raises concerns over PPOs working predominantly as officers of the Court, thus negatively impacting their services to the survivors of VAW,

which is their primary mandate. The Manual for POs that was produced by the Lawyers' Collective Women's Rights Initiative in 2009 accurately summarises this point: "Section 9(1)(a) states that it is the duty of the Protection Officer to assist the Magistrate in the discharge of her/his functions under the PWDVA. Section 9(2) further states that the PO shall be under the control and supervision of the Magistrate and perform the duties that may be imposed on her/him by the Magistrate. Rule 10(1) provides details on the duties that a Magistrate may impose on a PO. Magistrates must provide these directions in writing to the PO[66]" .

Specifically, the duties of POs include the conduct of home visits to shared household premises for making preliminary enquiries, and to make appropriate enquiries and file a report on the respondent's financial status. Home visits are ordered by the Court prior to granting an *ex parte* interim order to the aggrieved woman and if the Court requires clarification/ elucidation on the facts stated by her (usually in order to establish a *prima facie* case[67]). The purpose of these enquiries may include the establishment of living standards to verify the respondent's income, ascertaining current residence of the survivor, living arrangements and nature of shared household (particularly where she claims a residence order), determining the child's best interests where temporary custody has been appealed for under the Act, and to verify the fact of the woman's dispossession from the household[68]. Further, when so directed, the PO is required under the Act to enforce recovery of *Streedhan* and other assets and/or documents rightfully belonging to the aggrieved woman, which also may

66 Ibid.28, at p.131
67 Ibid.28, at p.132
68 Ibid.28, at p.133

include home visit/s[69].The Court may also authorise and order the PO to enquire into the emoluments, bank accounts, assets and other documents of the respondent/s and to submit a report of the same towards verification of both parties' assets and financial status, which is important in cases where the complainant's seeks relief in terms of maintenance orders or an order restraining the respondent from disposing of shared assets (including household)[70].

Table 7 shows that there is a clear trend of increase in Court order-based enquiries conducted by PPOs over the years, which reached an average of over 46 such enquiries per month in 2013-14 (over 2 per Cell/PPO per month). Given the strongly patriarchal nature of Haryana's society and the violent history of the respondents in DV cases, carrying out such enquiries- especially with home visits, is a challenge for the PPOs. The lack of vehicular support when they are required to travel to remote places is an added handicap.

Table 7: Enquiries conducted by PPOs on Court orders

	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	**April 2012 – March 2013**	**April – September 2013**	**Total**
Enquiries conducted by PPOs on Court orders	439	307	370	523	277	1916

In Haryana's Special Cells, the fact that the PPOs are women who have been empowered by the law to intervene in cases of DV and VAW puts them at greater risk. The support of Police in serving summons on respondents and conducting

69 Ibid. 69
70 Ibid.28, at p.136

home visits in a safe manner is critical to process of effective implementation of PWDVA. Thus, it would be useful, perhaps even necessary, to have disaggregated data on types of enquiries carried out by PPOs and also on the risks and incidences of violence faced by PPOs.

(There is data available on the support obtained by PPOs from the police for home visits, enquiries and in executing various summons notices and other orders. Such help was obtained in 39.4% of the total enquiries conducted by PPOs on Court orders in the initial 17-month period, which increased to 85.34% in 2010-11 and then declined to 75% of such enquiries conducted in 2011-12, and to only 341 in the next 18 months.)

These trends are, therefore, similar to those seen in extent of assistance rendered by the PPOs to the survivors in filing of applications for relief order.i.e. PPOs conducted only 439 such enquiries in the initial 17-month stage (i.e. under 26 per month overall and only 1.29 per Cell per month in November 2008-31st March 2010), which fell to 307 enquiries in the f.y. 2010-11 (still under 26 cases per month overall, and just over a case per Cell p.m.), and then increased only marginally to 370 in the f.y. 2011-12 (just under 31 cases p.m. overall and just under 1.5 cases per Cell p.m.). As abovementioned, this has increased only to just over 2 cases per month per Cell in f.y. 2013-14. While allowance has to be made for the fact that the Court/concerned judicial magistrates may not have found it necessary to order enquiries in all or even most cases in which relief orders have been applied for under the Act, it is also necessary to consider and plan to address other possible reasons such as gaps in magistrates' sensitisation and awareness-level on the application of particular provisions

of the Act. This aspect has been repeatedly identified as a challenge that PPOs face while working with the Courts.

Additionally, it may also be possible that the nature of violence being inflicted upon women who have sought relief under PWDVA is so serious in nature that that more orders are being granted by the Court for police and/or process-server enquiries/investigations under the CPC and the ***CrPC*** in particular (when *prima facie* cases are made out against the respondents). Thus, it would be useful in the future to maintain cross-referenced data on the types of cases in which enquiries were conducted by PPOs on Court orders, and how many of these were those taken to the Court *through* the Special Cell *or* those in which the Cell had intervened at a prior stage.

Judgements or Court Orders obtained under PWDVA through PPOs' efforts

PWDVA provides for several kinds of relief orders for the survivor. This is usually done with the assistance of the PO. Data from Haryana's Special Cells show that PPOs have provided such assistance in a total of 1293 cases from November 2008 to March 2012. The efforts of PPOs during litigation and post-litigation have been described. We now look at the impact of these efforts in terms of the numbers of relief orders and judgements actually obtained from the Courts in the interests of the victims who approached the Special Cells during this period.

Table 8 gives details of the relief orders obtained and the cumulative figures.

Thus, relief orders were obtained from judicial magistrates

based in 36.55% of the total cases in which the PPOs assisted survivors in filing applications with the Court. By disaggregating the data, it can be seen that this proportion dropped from 57.81% in initial 17-month period to 40.58% in 2010-11, plateaued at 40.99% in 2011-12, fell sharply to 24.37% in 2012-13, and plateaued at 26.6% in the first half of 2013-14. Although the long-drawn nature of the legal processes could be one reason for this, the link with PPOs' observations that judicial officers must show greater awareness and sensitivity when applying PWDVA to **granting orders that actually end or redress or prevent VAW**. Taken with data on DIRs filed and enquiries conducted by PPOs on Court orders, this also implies that considerations of *processing* the case under the Act are taken more seriously by the judicial magistrates than the need to issue relief orders. The latter aspect may need special focus in the planned seminar for judicial magistrates so that their decisions are linked to the

Table 8: Relief Orders issued by Courts between November, 2008 and September, 2013

S. Number of	Type of order	November 2008-March 2010	April 2010-March 2011	April 2011-March 2012	April 2012 – March 2013	April – September 2013	Total
1	Protection orders	42	47	47	**42**	**24**	**202**
2	Residence orders	46	37	40	**51**	**30**	**204**
3	Custody orders	12	9	7	**5**	**3**	**36**
4	Interim orders	47	32	25	**29**	**16**	**149**
5	*Ex parte* order	20	18	17	**6**	**4**	**65**
6	Compensation orders	7	8	0	**4**	**7**	**26**
7	Monetary relief orders	59	30	46	**29**	**24**	**188**
Grand Total		**233**	**181**	**182**	**166**	**108**	**870**

lived realities and critical needs of the survivors of domestic violence.

Disaggregation also shows that interim and *ex parte* orders that were granted[71] in emergency situations of continuing violence (or threat of violence) to aggrieved women together made up 24.59% of the total number of relief orders obtained from the Court. Even assuming that this in the same proportion of such orders sought in relief applications with PPOs' assistance, it implies that **at least 213 women who applied for relief under the Act would have sought or required emergency (interim/ex-parte) orders, but were not granted any**. This has enormous implications for the ideology and principles of woman-centred praxis models such as that of the Special Cell, and equally on the role and responsibility of the State to ensure a violence-free life for its citizens, here, women who are actually living in situations of violence (hence, called DV). Every missed opportunity to intervene and protect women from violence, especially within the household, goes against the basic objectives of establishment and institutionalisation of such a programme by the State which is also a signatory to the CEDAW.

As the data on the number of relief orders applied for (by the survivors with the assistance of PPOs) is not disaggregated by the type of relief sought, it is difficult to draw direct inferences on whether the relief orders adequately met the women's lived needs (to end DV or redress the wrong) by judicial magistrates. Only assumptive generalisations or inferences can be made. It appears that emergency orders

71 "Can be granted before final orders on proof of a prima facie case to maintain status quo and to prevent the respondent from committing any act that detrimentally affects the rights of the aggrieved person recognized under the PWDVA." (Ibid.28, at p.14)

(interim and ex-parte) make up the bulk of the orders, which may point to the extent seriousness of the complaint and its urgency of most of the cases received by the Cells that are filed under PWDVA by PPOs.

Protection and monetary relief comprised 23.21% and 21.6% of the 'final' relief orders obtained by aggrieved women with PPOs' assistance. The large numbers and high proportion of protection orders reinforces the belief in the existence of high incidences of physical violence. An internal study[72] of data from the 129 cases in Ambala and Jind done by RCI-VAW showed that "The regular incidence of violence is very high... The data shows that 65% of the women reported regular beatings. Even though most of these women live in joint families, the data reflects the existence of tacit approval of using violence to control the woman on a regular basis[73]" and that "87.6% women facing violence live with their husbands in their matrimonial house[74]". An excerpt from this study is given in Annexure 1, which shows details on the types of violence faced by women within the domestic sphere or shared household, and their analysis through on-ground observations and interactions with the affected women who had approached the two pilot Cells. Similarly, the number and proportion of monetary relief orders point to the economic distress resulting from the violence perpetrated upon women in almost a quarter of all the cases in which the Court granted orders. Internal study[75] of the data on 129 cases taken up by the two pilot Cells of Ambala and Jind in the period July 2007-November 2008 showed that "an overwhelming

72 Ibid.62
73 Ibid.62
74 Ibid.62
75 Ibid.62

67.4% women are homemakers, which means that they are not employed and have no financial income"[76]. Among the prominent castes, the Brahmins, Rajputs, Banias and Khatris do not encourage their women to work in the fields, but Jat women do work and are considered an economic asset to the family.

Ranjana Kumari (Gender, Work and Power Relations - A case study of Haryana by Ranjana Kumari; Har-Anand Publications Pvt. Ltd., 1998) states that, within the household, the bias against women is visible in the allocation of domestic responsibilities. This allocation was governed by tradition, male attitudes, kinship, intergenerational obligations as well as considerations of age and level of authority. Women felt that it was their responsibility. What was not obvious to most women was that, by keeping themselves confined to the home, doing domestic work that was non-remunerative and other 'low image' activities, their rights and needs as well as social mobility were curtailed, and as consequence, they were made to feel subjugated and depend on male income.

Residence orders that reinforced or established protection of the survivors' rights in the shared household made up 23.44% of the relief orders obtained from the Court with the PPOs' assistance. This right is a critical one, especially in the Indian socio-economic context, where women's ownership of property and ability to live independently have been historically minimal or non-existent; and struggles these rights have been responded to with repressive violence at all levels. The internal study also showed that "70.5% women have moved out of violent homes and taken shelter with their parents before reporting to the Special Cells and seeking

76 Ibid.62

help"[77]. Their situation had reached the point where the women could no longer stay on in their marital homes and tolerate the violence inflicted upon them.

Mostly, it was found that, women come to their maternal homes after marital disputes/DV. Living in shelter homes, with friends and other such options are used to a much lesser extent since there is a social stigma attached to a woman who lives anywhere other than in her natal or marital home. Leaving the marital home becomes all the more difficult for a woman with a child (or children) and is financially dependent on her husband and his family[78]. Ownership and/or control of other economic assets is also limited or virtually nil, as was seen in the said internal study. Of the 129 cases received by the 2 pilot Cells between July 2007 and November 2008, 29.5% women reported having *streedhan*[79] (jewellery that they received at the time of marriage from both natal and marital families, immediate and extended). The study also observed that though the jewellery given by her in-laws is also the survivor's asset by the socio-legal definition of *streedhan*, she is most often denied any access to it.

Ranjana Kumari also states in her study that women in Haryana generally do not have any land in their name. However, small portions of land are shown in the name of the women, either due to the fear of land ceiling laws or because they got the land as dowry. Only one of the 129 women who approached the pilot Cells reported ownership of an immovable asset, land or a house[80].

77 Ibid.62
78 Ibid.62 (adapted from)
79 Ibid.62 (adapted from)
80 Ibid.62 (adapted from)

Compensation (2.98%) and custody orders (4.1%) were the least in numbers and proportion of total number of relief orders obtained from the Court by the survivors. The proportion and numbers (26) of compensation orders obtained from Court is of particular concern when juxtaposed with the number of other monetary relief orders (188). Monetary relief is essentially payment of maintenance and compensation for monetary losses and cost of treatment received by the victim.

Compensatory orders go beyond monetary relief. They involve compensation for mental torture and emotional distress *and* are over and above all other relief orders[81] that may be granted under PWDVA 2005. It is intended to compensate the survivor for the physical and mental injuries sustained by the aggrieved person above and beyond the actual expenditure incurred in treating the same [82] These injuries are traumatic and are believed to have longer-lasting impact on the survivor than can be addressed by a monetary relief order[83].

This is of particular concern as it feeds into the existing debate on the 'sensitivity versus efficiency' aspect of the CJS, especially with regard to the need to provide for the women's maintenance and ensuring their minimum 'economic rights'. The impression one gets is that these are more readily addressed by the authorities than the necessity to take a long-term view that includes mitigation of the emotional and mental distress inflicted on the survivors. Officially, these aspects are considered only in what are regarded as 'rare' or

81 Ibid.28, at p.14
82 Ibid.28, at p.113
83 Ibid.28, at p.111

'extreme' cases. (Such a classification is itself problematic as each VAW case, especially involving DV, must be seen as urgent and critical needing intervention by all the stakeholders, especially institutional ones like the CJS and judiciary, at least on the egalitarian grounds of upholding human rights.)

Court Orders and Jugdements

36 orders were granting temporary custody of children to their mothers, the survivors. This number needs to be seen relation to the total number of such orders that were sought by the survivors. However, this data is unavailable at present and future data gathering must address such a need.

Final judgements were given by the Court in a total of 202 cases. These make up 8.48% of the cases in which PPOs assisted the survivors to file for relief ordersand 0.81% of the total cases taken up by the Cells in approximately 5 years). 6 (2.97%) of the 202 judgements went against the complainant. Table 9 shows how the judgements were distributed over the period.

These statistics reinforce the need to work more closely with the CJS, especially the judiciary, to ensure that the Act is implemented effectively not only to process complaints of DV, but also, more critically, to ensure that justice is delivered to the survivors and their need for protection against continuing violence is taken care. However, it can be taken as a positive sign that the courts did not deliver a single judgement against the complainant in 2011-12 and 2013-14. This can be seen as a pointer to the PPOs' increasing legal awareness and ability to build a strong case for the survivors as well as negotiating and facilitating support on their behalf.

Other impacts of the litigation/application process under the PWDVA

Protection and other (interim) orders *are* breached by some respondents in cases registered under the PWDVA.The Act specifies the action that can be claimed by the aggrieved woman, Courts and the Police in whose jurisdiction the case falls. In this regard, the Manual for POs prepared by the

Table 9: Final judgments given by the Court under PWDVA

Type of judgement received under PWDVA	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	**April 2012 – March 2013**	**April – September 2013**	**Total**
Final judgement	27	47	66	**49**	**13**	**202**
Judgement gone against survivor	4	1	0	**1**	**0**	**6**

Lawyers Collective for Women's Rights Initiative in 2009 explains that: "Section 31(1) provides that the breach of a Protection Order or any interim order is an offence under the PWDVA that is punishable with imprisonment which may extend to one year or with a maximum fine of Rs. 20,000/- or both. A warrants procedure is to be adopted in conducting trials for the breach of protection orders...The procedure to be adopted in dealing with complaints of breach is provided in Rule 15 of the PWDVR. Rule 15 provides that an aggrieved person may report the breach of a protection order or an interim protection order to the Protection Officer in writing and that the report should be signed by the aggrieved person. The PO must forward a copy of the complaint, along with a copy of the protection order of which a breach is alleged to the concerned Magistrate for appropriate orders...The aggrieved person may also choose to make a complaint

of breach of protection order or interim protection order directly to the Magistrate or to the police. If, at any time after a protection order has been breached, the aggrieved person seeks assistance, the PO shall immediately aid her by seeking help from the local police station and assisting her to lodge a report to the local police authorities in appropriate cases. On receiving a complaint of breach, the local police station having territorial jurisdiction shall deal with the complaint in the same manner as it would a cognisable offence as provided under Sections 31 and 32 of the PWDVA"[84] .

In such cases, along the guidelines issued by the Collective, PPOs have assisted the survivors concerned to report breach of orders to the Court or have done so themselves. Breach of orders was reported in 19 such cases (2.52% of all cases in which relief orders were obtained from the Court). Regrettably, only in 17 (i.e. 77.27%) of the reported cases of breach of orders were the respondents fined or imprisoned by the Court in accordance with the provisions of PWDVA. Shockingly, none of the 4 respondents, whose breach of orders cases were brought up before the judicial magistrate in 2011-12, were punished. Although thiscould also due to the lengthy trial process, it is also an area to be focused upon in the planned seminar for judicial magistrates.

Other aspects of the Cells' intervention processes

Complaints handling and mediation processes

Survivors, who approach the Special Cell, usually request the Cell worker (in this case, the PPO) to assist in negotiating with their families for an end to domestic violence and, often,

84 Ibid.28, at p.139

also for a reconciliation. TISS's internal study[85] of the 129 cases shows that 64.3%of the applicants were from urban areas while only 29.5%were from rural areas.

Table 10: Cases of breach of orders under PWDVA

Cases of breach of orders	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	April 2012 – March 2013	April – September 2013	Total
Brought up before Judicial Magistrates	4	11	4	**2**	**1**	**22**
In which respondents were fined or imprisoned for breach of orders	3	6	0	**4**	**4**	**17**

The study also refers to a research report, *'Journey from Violence to Crime: A study of Domestic Violence in the city of Mumbai (TISS; 2001)'* that examined 20 years' data from the Special Cells in Maharashtra and commented: "In the context of Haryana and VAW, in rural areas, the woman will first approach her family, relatives or Jati Panchayat and try to resolve the issue 'amicably'. Only if the problem persists or the degree of physical violence is unbearable, then the survivor and/or her family members will approach the Police Station or the Superintendent of Police (SP) of that district. On the other hand, in the urban context a large number of the population are migrants who have moved from rural to urban areas. Here, the familiar support system of relatives or Jati Panchayat is not easily accessible or approachable by them. Hence, first attempt to resolve the matter is by immediate family members failing

85 Ibid.62

whom they approach the Police or other agency like the Special Cell for necessary help and support."

The internal study data[86] also shows that: "...majority of the women want to reconcile. 61.2% of the women wanted a joint counselling session to help the husband understand his roles and responsibilities. 52.7 % wanted the violence to stop. Women often approach the Special Cell for reconciliation with their abusers, the reason being a strong belief in the sanctity of marriage, fear of social stigma and low income status. (Journey from Violence to Crime: A study of Domestic Violence in the city of Mumbai; TISS; 2001)[87]" .

The role of Haryana's Cells in mediating between the affected parties gained visibility during and after the initial stage as reflected in Table 11.

The steady increase in the numbers of women seeking mediation is a reflection of the growing awareness of the role of Cells in mediating between the parties. Over two-thirds of all women who approached the Special Cell to register DV cases in 2010-11 requested mediation. This percentage was over 68% for 2011-12, 69% 2012-13 and about 64% in first half of 2013-14. Due to other reasons like family or societal pressure, fear of continued violence etc., a number of women discontinued their interactions with the Cell.

The first (and in these cases, only) meeting, during which the PPOs explain the Cell's working and the processes that are followed. This is recorded as a 'one-time intervention'. In all, 15,549 women (Table 11) have approached the Cell up to 30th September, 2013 once to report violence, but have not

86 Ibid.62
87 Ibid.62

Table 11: Type of interventions done by Haryana Special Cells

Type of intervention	November 2008-March 2010	April 2010-March 2011	April 2011-March 2012	**April 2012-March 2013**	**April-September 2013**	**Total**
Mediation done at request of the survivor	0	3205	3549	**5072**	**2655**	**14481**
One-time interventions with survivor (for information and/or guidance)	3395	2708	3216	**3768**	**2462**	**15549**
Grand Total	**3395**	**5913**	**6765**	**8840**	**5117**	**30030**

returned thereafter. This number is just over three-fifth of the cumulative number of cases taken up by the Cells from November 2008 to September 2013. It is, therefore, crucial to identify the shortcomings in rapport-building, emotional support, crisis-support and the comprehensive information on the various aspects of PPOs' work in the Cells. This must be followed with suitable perspective and skill-building training so as to ensure outreach to the maximum number of women experiencing violence, especially DV. This number also points to the simple information and referrals-based needs of many women facing violence that are evidently being met by the PPOs.

Once a case is registered by the Cell, meetings are conducted with the complainant for socio-psychological-legal counselling, providing support and services, assessment of referral and litigation needs, assistance in the filling of forms for DIRs and relief order applications, etc. Meetings- separately or jointly with the survivor- for negotiating reconciliation or restitution

of various legal and financial rights etc. are also held with the survivor's family, respondents (perpetrators of the violence) and other stakeholders. Depending on the circumstances of the case and specific needs there can be more than one meeting or session. The number of individual and joint meetings is shown in Table 12.

Table 12: Number of individual and joint meetings held at the Special Cells

Type of process	November 2008-March 2010	April 2010-March 2011	April 2011-March 2012	**April 2012-March 2013**	**April-September 2013**	**Total**
Individual meetings at the Cell	5977	9831	9284	**10335**	**6943**	**42370**
Group meetings and joint sessions held at the Cell	3148	4837	5449	**6342**	**3988**	**23764**
Grand Total	**9125**	**14668**	**14733**	**16677**	**10931**	**66134**

Thus, on an average, 1.7 individual meetings were held per case in the period November 2008 to September 2013, and one group/joint meeting in almost each (but not every) case in the same period. (More details of the type of help sought by the survivors- and provided to them- may be seen in an excerpt from the internal study[88] in Annexure 2.)

It is obvious that the women need intervention and support on multiple fronts and there can be no standard pattern in the intervention process. The approach must always be case-specific and according to the dynamics of the relationships between various stakeholders involved in the case.

88 Ibid.62

In terms of the impact of the intervention types and processes described here, it is important to clarify here that, in the Special Cell praxis, it is not the 'resolution' of a case that is either considered or aimed at; rather, the idea is to preserve the connection with the survivor once she has accessed the Cell so as to give her the assurance that she can always return if and when needs intervention support again.

What is aimed at in every intervention is for the cell worker/ PPO to facilitate negotiation or achievement of an agreement (or decision) that is based on the survivor's needs and choice. This was achieved through 'mediation', as it were, by the Cell worker/PPO in 36.33% of all the cases taken up by the Cells from November 2008 to September 2013, as seen in Table 13.

Table 13: Case process/results at Haryana Special Cell, November 2008 to September 2013

Case/process result		November 2008- March 2010	April 2010-March 2011	April 2011-March 2012	**April 2012-March 2013**	**April-September 2013**	**Total**
Complaints in which agreement or decision based on survivor's needs was reached through mediation by the Cell worker/ PPO		1263	1798	1721	**2748**	**1512**	**9042**
Cases closed/ complaints withdrawn	Special Cell	0	347	518	**0**	**0**	**865**
	Court	0	55	45	**0**	**0**	**100**

Some cases were closed or dismissed by the Court and some complaints registered at the Cell by the aggrieved persons were withdrawn from April 2010. However, these together comprise a mere 7.16% of the total cases registered at the Cells. A retrospective study based on PPOs' experiences and interviews, and case records/data would, nevertheless, be needed to understand and address gaps in practice/

intervention, perspectives, skills or coordination with Court and/or other stakeholders that may have led to the withdrawal of complaints or closing of 965 cases of DV.

Referrals made for addressing the multiple needs of the survivors

Referrals for specialised interventions to address multiple needs of the survivors according to the circumstances of the case are a key part of the Special Cells' intervention processes. Data on such interventions for the period November 2008 to September 2013 are given in Table 14.

Overall, it is apparent from the above data that the number of referrals made by PPOs to specialists/other service providers was the highest in 2010-11 after a significant increase of 34.34% from the initial stage. This then dropped by almost 8% in 2011-12 and dropped further by a quarter in 2012-13. It appears to have plateaued in 2013-14.

The significant fall in the number of referrals despite the increase in the registration of new cases is a matter of concern. Referral for specialised intervention- if these services cannot be provided by the Cell workers for any reason- is mandated in the standard operating procedures for the Cell. The data also shows that, at most (even assuming an average of a referral per case), referrals have been made in *no more* than 58.16% of all cases of VAW received and dealt by the Cells i.e., no referrals were made in at least 41.84% of the total cases of over 10,000 survivors.

Table 14 shows that there was a consistent increase in referrals to shelter homes, medical aid providers and for police action in crisis intervention between November 2008 and March 2013.

Table 14: Referrals made by PPOs						
Type/purpose of referral made by PPO	**November 2008 – March 2010**	**April 2010 – March 2011**	**April 2011 – March 2012**	**April 2012-March 2013**	**April-September 2013**	**Total**
Counselling	2426	2959	2680	**925**	**159**	**9149**
Shelter home	18	40	56	**65**	**28**	**207**
Medical aid	51	55	74	**70**	**49**	**299**
Legal aid	406	532	489	**731**	**465**	**2623**
Police action	0	116	144	**378**	**284**	**922**
Other	31	237	194	**543**	**287**	**1292**
Grand Total	**2932**	**3939**	**3637**	**2712**	**1272**	**14492**

A small decrease is seen in April-September 2013 period. This should be seen as a positive trend in Cell actions as shelter, medical attention and police intervention for the protection and prevention of criminal intimidation and violence are critical needs of the survivors.

However, the significant decrease noticed in other referrals in 2011-12 and 2012-13 is a worrying trend. 'Others' include a wide range of interventions: psycho-social counselling, legal aid and specialist support such as de-addiction and rehabilitation for violent partner/family member, economic empowerment/livelihood/vocational training, financial assistance, long-term shelter/residence for women, psychotherapy/psychiatric help for violent partner/family member, child shelter/protection, adoption agencies for single mothers, government offices for benefits under various schemes intended for BPL women and women and children from the most marginalised communities, etc.

PPOs' performance appraisals and on-ground programme review and observations by the RCI-VAW team have also

shown that psycho-social counselling, a major component of the rapport-building process,and providing emotional support to the survivor, is not being done by the PPOs who are trained as lawyers (as opposed to those who are trained social workers) due to differences in approach and skills. It is likely that PPOs, who are trained in social work, may make more referrals for legal aid and other services than the ones who are not. Referrals for counselling and legal aid are crucial to the intervention process in the best interests of the survivors. A significant decrease in such referrals is cause for serious concern and needs to be addressed in future reviews and training sessions as well as in the PPOs performance appraisals. These findings were discussed by TISS with PPOs in programme review meetings. Subsequently, in 2012-13, there was an increase in referrals due to renewed focus. However, counselling and shelter home referrals again showed a decline in 2013-14. This may be explained by an additional factor that is specific to the Haryana context. Joint training programmes with PPOs NGOs/CBOs that are registered as Service Providers under PWDVA 2005, and review meetings with the PPOs and DWCD revealed the critical lack of sustained civil society activity at the grassroots level in Haryana. Historically, there are greater challenges to- and less space for- the development and growth of autonomous women's groups and organisations focused on civil rights. In other States, such bodies provide the bulwark of support services to Government systems and policies as the implementers of schemes and programmes.

In 2012-13, DWCD mandated the PPOs to identify and recommend NGOs and CSOs in various districts for registration as SPs under PWDVA. However, a large number of these organisations did not do the work assigned to

them, either by non-utilisation the grants they were given for different schemes, refusing services to the survivors or by just closing down operations without prior intimation. This reinforces our repeated recommendation to the State Government and the DWCD to take urgent and strict action to ensure provision of shelter services in all blocks and districts of the State.

Activities of PPOs reaching outside the Special Cell itself

The PPOs' work takes them outside the immediate environs of the Special Cell. This is mainly through visits to the Courts as well as to the homes of survivors and respondents. They are also involved in liaising and networking with other government institutions, non-governmental organizations and community-level stakeholders in various ways- awareness, training, capacity-building, etc.These are reflected in Table 15.

Interestingly, home visits (apart from those mandated by the Court and PWDVA) were conducted in only 10.47% of all cases taken up by the Cells in the 3.5 year period under study. If one assumes that Court- and PWDVA- mandated enquiries conducted by the PPOs also included home visits but were separate from those recorded above, and then includes them in the broad category of 'home visits' by the

Table 15: Home and Court visits by PPOs

Visits to	November 2008-March 2010	April 2010-March 2011	April 2011-March 2012	Total
Homes	610	390	410	**1410**
Court	2221	1453	1121	**4795**
Grand Total	**2831**	**1843**	**1531**	**6205**

PPOs, this still means that home visits were conducted in only 2,526 cases in all i.e., only 18.76% of all the cases taken up by the Cells in the said period. Although the exact reasons may need to be looked into (during programme review or the PPOs' performance appraisal), it is also likely- perhaps even a positive sign- that the respondents did not have to be personally contacted by PPOs or Cell workers at home to be convinced into attending meetings at the Cell and, indeed, made themselves present at the first written intimation.

Court-mandated visits were made in 35.62% of all the cases or close to 4 times the number of cases in which PPOs assisted the survivors to file applications for relief orders. Thus, it is obvious that there was consistent follow-up of cases that entailed litigation.

However, it is important to note that the PPOs and the State Office have stopped maintaining data on Home and Court visits since 2012-13. The implications are worrying:

(a) It reflects a decrease in the perceived importance of the outreach work done by the PPO/Cell worker, which in turn raises the question of whether the objective of facilitating the survivors to access the CJS has is less important than the focus on PPOs' Court-mandated roles.

(b) It reflects an overload of case work on the lone PPO at district-level, which reinforces the need for an assistant PPO and possibly, the need to expand Special Cells to the block-level given the high pendency of VAW cases in Haryana State

(c) It reflects a shift away from survivor-centred intervention to case follow-up and advocacy in the Court.

These aspects need to be examined in greater detail. The maintenance and reporting of data on Home and Court visits by PPOs must be made mandatory by the DWCD.

Liaison and networking with other stakeholders

Liaisoning and networking with other influential stakeholders (government, non-governmental, community-level, etc.) is also an important function of the PPO. Engagement with these agencies is necessary to provide effective, multi-agency responses to VAW, especially DV. It also helps to create and sustain awareness on the issue and about the Special Cell interventions. Table 16 categorises the meetings and the times they were conducted.

The most noticeable trend is the consistent decline in liaison and networking meetings held by the PPOs. In 2011-12, each PPO (per district) met governmental/Police/Court officials on an average of only once in ten days, and other groups/ organisations less than thrice in two months. Although regular scheduling of such meetings on a weekly basis was recommended after the first performance appraisal of the PPOs, and had also been agreed to in the meeting of May 2009[89], which was chaired by the Director, DWCD, the decrease in the number of such meetings indicate that the PPOs are unable to multi-task given the huge increase in the number of cases. The issue of excessive workload was also identified as one of the challenges of their daily routine. In this context, the need for staffing changes and/or expansion has become more urgent. It is also hoped that, eventually, data on external meetings will disaggregated according to purpose (networking for collaboration/coordination, awareness

89 Ibid.42

Table 16: Meetings of PPOs with other stakeholders				
Type of meeting	**November 2008 – March 2010**	**April 2010 – March 2011**	**April 2011- March 2012**	**Total**
Meetings with Govt./Police/Court officials	1888	1347	820	**4055**
Meetings with women's organisations/groups, service providers (regd. under PWDVA), NGOs and CBOs etc.	304	659	321	**1284**
Grand Total	**2192**	**2006**	**1141**	**5339**

generation/sensitisation, etc., so as to help understand whether such engagements are having the desired effect). However, it is unfortunate this data is not being maintained since 2012-13 the likely implications of which have already been discussed.

Capacity and awareness building among other stakeholders

As discussed in Chapter 2 (Training) of this report, Cell workers/PPOs are involved in building the capacities of Police personnel (or their representatives), other government programmes, NGOs, CBOs, etc., and also their perspectives on the issues of VAW, DV and child marriage. The details of these capacity-building activities may be seen in the Table 17.

The decreasing trend in engagement with external stakeholders and non-maintenance of data after 2011-12 is a matter of concern as it has implications on the objective of PPOs'/ Cell workers' development as resource persons for survivor-centric interventions in VAW cases. The data also implies that in 2011-12, about 5 training and/or awareness programmes were conducted per district/Cell in 2 months; and this, in spite of decision taken in a meeting chaired by the Director,

Table 17: Capacity-building activities of PPOs/Cell workers

Type of capacity-building activity	November 2008 – March 2010	April 2010 – March 2011	April 2011-March 2012	April 2012-March 2013	April-September 2013	Total
Training/ workshop with Police, PO (ICDS), NGOs, other stakeholders	60	83	45	NM	NM	**188**
Awareness activity for general public/ community	760	777	621	831	372	**3361**
Grand Total	**820**	**860**	**666**	**831**	**372**	**3549**

DWCD, to conduct community-level/local officials' awareness programmes on a weekly basis[90]. Discontinuing the maintenance of records from 2012-13 will result in inaccurate representation of the PPOs' work as well as raising the implications that have already been described.

Training/orientation programmes for PPOs

It is necessary to give PPOs the opportunity and facilities to constantly upgrade their skills and build their capacities. These are usually in the form of meetings, workshops, seminars etc. outside of the Special Cell programme as well as some within (as described in the preceding chapter). However, the number of such programmes has reduced drastically from 75 in the initial 17-month stage to only 19 in 2010-11 and just 6 in 2011-12. One concern is whether the increasing

90 Ibid.42

intake of cases allows the lone PPO at district-level the time to participate in the programmes or whether there has been a change in the attitude to learning, which was not noticed due to the non-conduct of performance appraisal for PPOs in the last calendar year. This aspect is also in need of urgent attention.

Work on Child Marriage

Cases/complaints of Child Marriage received and handled by the Special Cells from November 2008-September 2013

The PPO also has the responsibility, as Child Marriage Prohibition Officer under PCMA 2006, to prevent child marriages, ensure protection of the victims as well as prosecution of the offenders (the solemnisation of child marriage being a cognisable and non-bailable offence)[91]. The intake of complaints of child marriage dealt by the Cells on a regular basis is given in Table 18.

Complaints of child marriage received by the Cells increased from 73 in the initial 17-month stage (averaging 4.29, rounded to 4 or 5 complaints per month) to 186 in 2010-11 (31 cases overall every 2 months, yet less than one complaint per month per Cell). The number of complaints then increased by almost 82% to 338 in 2011-12 (an average of a little over 28 complaints per month or about 4 every quarter per Cell). There was a slight reduction (by 7.39%) in the number of new complaints of child marriage received at the Cells in 2012-13, which showed a plateauing trend in 2013-14.

91 Handbook on The Prohibition of Child Marriage Act, 2006 (by HAQ Centre for Child Rights, Pub: MoWCD, GoI, and UNICEF, 2009-10)

One inference from this trend is that, as with the cases of VAW, increased awareness of the Cells and their interventions resulted in high intake of complaints. Of the complaints received, 177 (16.48%) were found to be false, which cases are then separately mentioned in the Cells' records. Interestingly, it was found that the number of false complaints increased from zero in the initial 17-months to 21 in 2010-11, and by almost 200% to 62 such complaints in 2011-12. The trend plateaued in 2012-13 and 2013-14.

Table 18: Intake of child marriage complaints

	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	April 2012-March 2013	April-September 2013	Grand Total
New complaints of child marriage received at Cells	73	186	338	313	164	**1074**

From the observations of the PPOs' and Project Officers it was clear that many marriages or relationships between consenting young adults that were not approved by family or community were registered as complaints of child marriages with the expectation that the PPO would use his/her punitive and preventive powers to stop the union. This has serious societal implications as well as consequences like honour crimes, which include the killing of young couples, which is widespread in Haryana. It is of paramount importance that the Haryana Government evolve appropriate strategies to counter this tendency.

Reporting of child marriage to the Cells by children, families/friends and by others

As laid out in the PCMA 2006, Section 13 (2), a complaint may be made — by any person or NGO having such

information or reason to believe the same— through the CMPO (here, the PPO) by any means, written or non-written, directly to a Judicial/Metropolitan Magistrate about a child marriage that has been arranged or is about to be solemnised.

The PPOs at the Special Cells are approached directly by potential or past child brides/grooms, their family members/friends to prevent the marriage or redress the wrong. Many complaints/information of child marriages are received only by telephone or by word of mouth as it is a sensitive issue and the whistle-blowers are at the risk of physical violence at the hands of the community. Additionally, complaints are referred by the Police and other stakeholders like ICDS and NRHM workers, teachers, NGOs and CBOs, local activists etc. Table 19 shows the disaggregated data in this respect.

The maximum numbers of complaints or information about child marriages are received by phone or verbally. Such modes of information on child marriage constitute the largest source/medium of complaints received and dealt with by the Cells, i.e. 46.96% of all complaints wherein sources are recorded, and 45.43% of all complaints received by the Cells. It may be helpful to have this data cross-referenced with the false complaints.

The number of complaints of child marriages, made directly by past or potential brides or grooms,and by a third party like NGOs, CBOs, family, friends, etc., and recorded are the highest (33.78% are recorded and 32.77% of the total complaints received).

Referrals from the Police comprise the least (i.e. 19.15% and 18.52%, respectively of the complaints in which the sources

are recorded and of all complaints received by the Cells). This is not surprising as child marriage is a highly sensitive and violence-prone issue in the feudal-patriarchal structure of rural Northern India. Till the end of 2011-12, these proportions remained unchanged.

Table 19: Intake of child marriage complaints

Source/medium of complaint/ referral	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	April 2012-March 2013	April-September 2013	Total
Verbal/telephonic	11	64	178	164	71	**488**
Police	19	31	49	62	38	**199**
Self	16	30	59	58	45	**208**
Other	17	36	52	28	11	**144**
Grand Total	**63**	**161**	**338**	**312**	**165**	**1039**

However, referrals through telephone and from other sources decreased in 2012-13. In the same period, and thereon, referrals from the Police and complaints from the affected brides and/or grooms increased, which reflects the growth in general awareness about the law against child marriage as well as increased visibility of the PPOs' effective work in preventing child marriages.

Work by PPOs under the PCMA 2006

Litigation and impact

According to PCMA the CMPO (as the PPO is designated under the act), based on the complaint (or referral), must file an application to the Judicial/Metropolitan Magistrate (who can also directly act on his own with the information) for granting of an injunction order (or interim injunction order in case of emergency, which does not involve the giving of

notice to the respondent offender) for prohibition/voiding/ nullification of the said child marriage, and other reliefs in the best interests of the contracting parties (child bride and/ or groom, and/or child born of child marriage) of such marriage[92]. The details of applications filed by PPOs to the Court for injunction orders under PCMA are shown in Table 20.

Table 20: Applications to the Court for injunction orders filed by PPOs

	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	April 2012-March 2013	April-September 2013	Total
Applications filed by PPOs to Court for injunction orders under PCMA	18	42	85	62	60	**267**

Thus, of the 897 valid (not found to be false) complaints, the PPOs had filed applications for injunction orders in only 29.76% of such complaints. Various observations made by the PPOs and their reports as the RCI-VAW team's help to understand that the reasons for the low percentage:

1. Section 16 of the PCMA 2006 lists the duties of the CMPO (PPO under VAW act) in sub-section (3) as including: "to prevent solemnisation of child marriages by taking such action as he may deem fit, to collect evidence for the effective prosecution of persons contravening the provisions of this Act, to advise either individual cases or counsel the residents of the locality generally not to indulge in promoting, helping, aiding or allowing the solemnisation of child marriages, to create awareness of the evil which results from child marriages, to sensitise

92 The Prohibition of Child Marriage Act, 2006 (The Gazette of India, Extraordinary, Part II, January 11, 2007)

the community on the issue of child marriages, to furnish such periodical returns and statistics as the State Government may direct, and to discharge such other functions and duties as may be assigned to him by the State Government; and towards fulfilment of the said duties, invests her under sub-section (4) with *'such powers of a police officer'*[93].

The CMPOs have exercised this power to a considerable degree and with the help of the police have succeeded *preventing* child marriages. Hence, there are much fewer cases of solemnised marriages being taken before the Court for injunction orders.

2. A number of mass child marriages have been prevented by a single injunction order.

3. Once a marriage is solemnised it is very difficult for the child bride/groom as well as any other person to report the incident, even if she/he desired to do so (with evidence, and to the appropriate authorities through accessible means of communication) in view of the strong socio-cultural structures and powerful hierarchies within the community.

Nevertheless, maintaining disaggregated data (by solemnisation status/nature of injunction order) would help understand the occurrence and effectiveness of preventive/injunction actions better. It is hoped that the separate research study being conducted by the RCI-VAW on child marriage based on the Special Cells'/PPOs' work will provide more supportive data towards the same.

93 Ibid. 93, at p.5

Also, disaggregating the type of injunction orders applied for according to the nature of the case (solemnised or prevented child marriage) would also help better analyse the data on the injunction orders obtained from the Court, as shown in Table 21.

Table 21: Injunction orders obtained from the Court

	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	Total
Injunction orders obtained from Court	18	32	75	**125**

It is apparent that the injunction orders received from the Court are based on only 86.2% of applications filed by PPOs. Injunction orders were issued for all the applications made in the initial 17-month period, but 10 applications each in 2010-11 and 2011-12 were unsuccessful. Given the crucial link between VAW, especially lifelong or continuing DV, and marriage of girls before the age of 18, this indicates the need to sensitise judicial magistrates on the desired impact of PCMA and the need to apply the Act rigorously. Since 2012-13, data on the number of injunction orders received by the PPOs is not being maintained, which raises concerns over Departmental ability to follow-up on the mismatch between applications made and the Courts' response in granting injunctions in a time-bound manner.

A number of child marriages – of which information had reached the PPOs on time – have been prevented, as shown in Table 21, with the help of injunction orders. A number of marriages were also prevented by CMPOs (PPOs) through counselling of the families and community representatives concerned with a particular child marriage. Table 22 gives data on child marriages prevented by the PPOs of the Special Cells of Haryana.

The high number of marriages prevented by counselling establishes the reasons for the issue of fewer injunction orders. 464 child marriages were prevented with the help of only at least 125 to maximum 267 injunction orders received. Assuming that all injunction orders received were not just for prevention of child marriages (some were also for relief in and annulment of child marriages already solemnised), and from the PPOs' observations and reports, it is apparent that a number of mass marriages have been prevented by them with the help of injunction orders as well. 36.87% of all child marriages were prevented by PPOs with the help of injunction orders. The percentage increased gradually - from just over 1 child marriage prevented per month in the initial 17-month period to almost 3 in 2010-11, increased sharply to nearly 9 per month in 2011-12.

Table 22: Child marriages prevented by PPOs of Haryana Special Cells

Child marriages prevented:	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	April 2012-March 2013	April-September 2013	Total
With the help of injunction orders	18	35	107	58	53	**271**
Through counselling	47	121	96	145	55	**464**
Grand Total	**65**	**156**	**203**	**203**	**108**	**735**

However, less than 5 child marriages were prevented with help of injunction orders from April, 2012. Overall, a larger percentage (63.12%) of child marriages was prevented through counselling after the complaint was received by the Cell. The number of child marriages prevented through counselling by PPOs (as mandated under PCMA) increased from about 8 every quarter in the initial 17-month period to just over 10 per month in 2010-11, and then dropped

significantly to 8 per month 2011-12. It again increased noticeably to over 10 per month in 2012-13. Although the increase shows the PPOs efforts to prevent child marriages in a positive light, the subsequent drop in 2011-12 is simultaneous to an increase in the proportion and number of child marriages prevented with the help of injunction orders. Thus, it may be understood that that PPOs' information networks in the community and ability to coordinate action were far stronger in 2010-11 than in 2011-12, which helped prevent child marriages through counselling processes within and outside the Cell. In the latter year, more injunction orders had to be obtained on the basis of which child marriages could be, and were, prevented. This is, therefore, a key focus area in programme review and planning in the next 18 months keeping in mind that litigation processes take far more time and are not always responsive to situations of emergency/crisis on the ground.

As an overall scorecard, PPOs have been successful in preventing child marriages in 81.93% of all valid (not found to be false) complaints. This is a laudable achievement given the extreme social pressures and physically intimidating situations the CMPOs are often put in.

Other cases of child marriage handled by PPOs

The remaining complaints include (a) those child marriages that could not be prevented by the PPO — either by counselling or with injunction orders — for which a police referral was made; and (b) those that are pending (10 each in 2010-11 and 2012-13, 23 in 2011-12, and 52 in first half 2013-14). Here, too, it would be useful to disaggregate the pending cases by reason (resistance or hostile reaction

from the community, injunction orders/police support could not be obtained, legal proof of children's age was available, etc.). This information would help in the planning of targeted programmes to prevent child marriages. Complaints that were referred to the police for preventive/criminal/punitive action are shown in Table 23.

Table 23: Complaints referred to the police for preventive/criminal/punitive action

	November 2008 – March 2010	April 2010 – March 2011	April 2011 – March 2012	April 2012-March 2013	April-September 2013	Total
Complaints referred to Police for necessary action	0	10	23	23	23	**79**

There was a sharp increase in the number of referred by PPOs to the police in 2011-12. It then remained constant in 2011-12 and the first half of 2012-13. In the context of the data in Table 21, in 2011-12, it was observed that the number of child marriages that PPOs were able to prevent fell noticeably and those that needed recourse to injunction orders for prevention increased. It needs investigation whether there was resurgence of socio-political conservatism and, as consequence, child marriages. This also needs to be seen within the larger ambit of VAW and honour-crimes in Haryana and the challenges presently faced by PPOs in preventing such crimes. Future programme review and strategic planning must also urgently address these.

Significant Achievements of PPOs

The PPOs highlighted their achievements and some of their work has also been recognised at various fora (media

coverage, felicitation by government, etc.). A few outstanding examples of their performance till September, 2012 are given in Table 24, which also represent the geographical spread of the Cells.

Table 24: Highlights of PPOs achievements

District	Protection-cum-Prohibition Officer	Highlights/achievements as identified by the officer, and learning from work
Ambala	Ms. Shalini Sharma	March 2009 - September 2012- a total 1268 complaints were received by the Special Cell, Ambala. January 2012 to September 2012- 246 complaints were received which included 4 related to child marriage. - Few complaints of VAW perpetrated by natal family, and on the woman by her son(s). - It was also learned that most women facing domestic violence are not working and are without any income. The complainants lack family support and are often pressurised by families to arrive at a mutual settlement

District	Protection-cum-Prohibition Officer	Highlights/achievements as identified by the officer,and learning from work	Recognition
Hisar	Ms. Babita Choudhary	April-September 2012 -PPO facilitated free medical aid for 8 survivorsand free legal aid for 23 survivors. -343 cases of DV were received by the Cell, of which 288 were dealt with to the satisfaction of the survivors concerned.	DoWDC, GoH, felicitated PPO for preventing most child marriages in the year 2011. Received 4 letters of commendation from SP, Hisar, for work done on VAW and child marriage.
District	**Protection-cum-Prohibition Officer**	**Highlights/achievements as identified by the officer,and learning from work**	**External recognition**
Jhajjar	Ms. Madhvi Lochab	Information not available	Reporting of child marriages and second marriage under oppressive practice of 'pallaodhaana' prevented by the PPO in DainikBhaskar (May 2009 and January 2012, respectively)
District	**Protection-cum-Prohibition Officer**	**Highlights/achievements as identified by the officer,and learning from work**	**External recognition**
Kaithal	Ms. Sunita	Healthy coordination achieved with district administration.	Award presented to PPO by district administration on 15 August, 2009 and 26 January, 2010 for effective work on VAW and preventing child marriage. State award also presented to PPO by Hon'ble Chief Minister, Haryana on the occasion of 8th March 2011 (International Women's Day) for effective work on child marriage.

District	Protection-cum-Prohibition Officer	Highlights/achievements as identified by the officer,and learning from work	External recognition
Kurukshetra	Ms. Deepshikha	Of the 719 cases of VAW received by the Cell from November 2008, 414 were dealt with and reconciliation achieved.74 applications were filed under the PWDVA. 26 complaints of child marriage were received, which were prevented in time with help of Police and district administration. Awareness camps were organized by special cell to create awareness among women regarding Domestic violence and their legal rights.It emerged during interaction that most of the women do not consider domestic violence as an offence.	In the past four years, the PPO actively worked to publicise the objectives and work of the Special Cells to create awareness among people at large. Year wise detail of media coverage is as under:- 2008:- News of major social awareness programs were published four times in local as well as in leading daily newspapers. 2009:- News of major social awareness programs were published 7 times in local as well as leading daily newspapers. News about child marriage were published twice and the recognition functions were prominently covered by the print as well as electronic media 2010:- Major social awareness programs were reported 8 times in local as well as leading daily newspapers. News about Child marriage were published 3 times There were also five news items on recognition programs that were covered by the print as well as electronic media 2011:- Major social awareness programs were published 10 times in local and leading daily newspapers. Child marriage news were published 4 times. There were also five news items on recognition programs that were covered by print as well as electronic media 2012:- Local and leading dailies carried social awareness programs 8 times, news about child marriage twice. There were also six news items about recognition programs that was widely reported in the print and electronic media. and and six news items regarding recognition programs was also covered by print as well as electronic media

District	Protection-cum-Prohibition Officer	Highlights/achievements as identified by the officer, and learning from work	Recognition
Mahendragarh	Ms. SaritaKumari	1. Achievements:Dealt cases by mediation, and filed survivors' applications under PWDVA in Court. 2.Many awareness programmes on PWDVA and PCMA held in the district to disseminate information among as many as people as possible. 3.Facilitated Court orders for survivors. 4.Prevented child marriages with the help of Court orders obtained as well as through counselling, and thus saved the lives of many many minors. 5.The PPO established good coordination with DC and SP with the effect that the DC involvedthe PPO in more activities. ***Learnings*** 6.Knowledge of PWDV Act and CMPA Act. 7.Understanding of the methodology of pplyingth Act. 8.Networking with support systems and institutions, administration and other Departments. 9.Problem solving techniques and decision making. 10.Team work. 11.In the last 4 years, have learnt to how to deal with the public and the community and how to handle different types of cases.	1.The PPO was presented awards on Independence Day and Republic Day by the Deputy Commissioner and Ministers. Presented certificates four times by the SP for good work. The Legal awareness camps organised by PPO in April, July and November 2009 received good media coverage.The child marriages prevented by her was reported in May 2011 inDainikBhaskar, andin October 2012 by Punjab Kesari. 2.PPO was nominated tothdistrict-level committee for protection of eloping couples from honour crimes in June 2011.This was also covered inthe print media
District	**Protection-cum-Prohibition Officer**	**Highlights/achievements as identified by the officer,and learning from work**	**Recognition**
Mewat	Ms. Madhu Jain	INA	Her handling of DV cases and organizing legal awareness programmes receied good media coverage.

District	Protection-cum-Prohibition Officer	Highlights/achievements as identified by the officer,and learning from work	Recognition
Panchkula	Ms. Sonia Sabharwal	INA	Was honoured by Dainik Bhaskar at Ambala (Ms Sabharwal was one of the five women honoured for their work for empowering women. PPO obtained orders for meeting the medical expenses the kidney transplant surgery of a survivor. In another case her efforts ensured orders for monthly maintenance, custody of four daughters.
District	**Protection-cum-Prohibition Officer**	**Self-defined highlights/achievements and learning from work**	**External recognition**
Rohtak	Ms. Karminder Kaur	Got positive support from ICDS Cell and Programme Officer as well as from the Police Department. 50% of cases were resolved mutually after mediation, which was done at the request of the victims Good media relations.	Received award from IGP, Rohtak on Independence Day, 2010 Ms Kaur was inited by the 'SatyamevaJayate' team to take part in the first episode of SatyamevJayate (produced by actor Aamir Khan), which was about female foeticide and its social impact.
District	**Protection-cum-Prohibition Officer**	**Highlights/achievements as identified by the officer, and learning from work**	**External recognition**
Sirsa	Ms. Sadhna Mittal	Received about 1730 applications of domestic violence, out of these 589 matters were referred to the court for appropriate orders. 899 applications were settled through the efforts of Special Cell, Sirsa, by mutual consent. The terms of settlement in all cases were successfully implemented. In the majority of compaints, disputes arose due to the drunkenness of the male members in the family. This issue was resolved to a certain extent by continuous monitoring. The Special Cell regularly meets the affected women to enquire about improvement in the conduct of the respondent. The approach is always empathy and concern for the survivor.	PPO was honoured by the Chief Minister of Haryana, on Women's Day 2010. DV cases handled by the PPO were regularly reported in the print media: Dainik Bhaskar, Punjab Kesari, The Tribune etc.

		In many complaints, girls approached Special Cell that they are not allowed to marry the men of their choice.The Special Cell discusses such issues with their parents. In certain cases where the survivor was infected with HIV, the Special Cell was able to compel the male respondents to pay compensation to the victim. In an early case of child custody ordered by the Court, the Special Cell of Sirsa interevened and obtained custody of the minor boy from an area adjoining the Pakistan border because the local police was not cooperative. Many residence orders were successfully monitored. Sirsa Courts regularly demand enquiry reports about every domestic violence case that is filed. The Special Cell, Sirsa, successfully prevented 100 child marriages and also actively participated in awareness activities in the district. Major Learnings: While examining the complaints received in the office,we found complications in inter-personal relationships such as caused by extra- marital affairs and ego clashes. Such matters require more maturity on the part of PPO in the handling of the case. An important learning is that there must be a balance between quantity (increasing the number of applications) and quality (satisfactory resolution for the survivor) otherwise the complainants are likely feel neglected. Maintain a healthy working relationship. Every case is different and the experience helps us in improving our approach in the handling of women problems.	

District	Protection-cum-Prohibition Officer	Highlights/achievements as identified by the officer,and learning from work	External recognition
Sonepat	Ms. Bhanu Gaur	A crucial learning from this PPO's experience was how to overcome the challenges of working alone without the support of other officers, and also in handling child marriage complaints.	Received award from IGP, Rohtak and SP, Sonepat, for effectively working on violence against women and child marriage. In three cases of mass marriage scheduled at the same time, the PPO filed cases for 'Injunction Orders' after verifying the ages of the couples. Healthy coordination with Judiciary and district administration. Also won a District Award for effective work on violence against women and child marriage. Facilitated a special coverage of DV ACT in the lecture in CRA College and in its curriculum.
District	**Protection-cum-Prohibition Officer**	**Self-defined highlights/achievements and learning from work**	**External recognition**
Yamnunanagar	Ms. Seema Garg	The Special Cell, Yamunanagar registered 1173 cases from December 2008 to September 2012. Custody orders were obtained in favour of survivors. In one case, judgement was obtained in favour of survivor within a month of filing the application in Court.	PPO's work in preventing child marriages in 2010 and 2011 received good media coverage.

Chapter 5

Experiences and Way Forward

At the end of 4 years of operations by the Special Cell for Women and Children in Haryana, it would be useful to examine the model, which broke new ground in innovative programmes and established several sustainable good practices. It is true that there is remains considerable work that needs to be done for further strengthening and fully institutionalising the programme, and overcome the challenges being faced on the ground. It is equally important at this stage, as the RCI-VAW does, to record issues that arise in replication and expansion of the Special Cells across different State contexts, especially understanding what works and what doesn't, and adapting and incorporating our recommendations. This chapter, the final of this report is a discussion of such aspects.

Special Cell: An innovative intervention

The intervention approach of the Special Cell for Women and Children has evolved into various models of implementation in the differing contexts of different states. The structure and implementation in Haryana is unique in many ways many of which are discussed in other parts of this document. These are summarised as below:

1. TISS's RCI-VAW is the coordinating-cum-technical support body. It has the relevant domain expertise as well as the necessary human resource flexibility to design programmes and provide phased and multi-level implementation support to achieve sustainable quality.

2. After demonstration with a pilot project in 2 district-level Cells for one year, the Haryana Government's Home Department, with involvement of Haryana Police, were supportive and proactive in coordinating with DWCD, GoH — jointly with RCI-VAW— to fund the expansion of the programme in the State.

3. The appointment of PPOs, as mandated by PWDVA and PCMA, their location, recruitment of support staff that included a multipurpose worker/counsellor and DEO is, in themselves, the most distinctive features of the Haryana's programme. This has both positive and challenging implications. Only the former will be discussed at this point. The negatives will be addressed in the next section.

Empowerment of the PPOs as the pillars of the programme structure is closely linked with the recognition of the fact that the law must be implemented rigorously. Appointing special 'Protection-cum-Prohibition Officers' is a reaffirmation

of the government's seriousness. The State Government's recognition of the link between gender-based violence against women and girl children to child marriage, and appointing PPOs and investing in appropriate holistic training and structural support was also a path-breaking action.

4. The inter-Departmental collaboration between Home and WCD has made it possible for the Special Cell programme in the State to pursue the State Government for supporting actions. For example, it ensured that other Departments like Health instruct hospitals to respond effectively and on a priority basis to survivors and children, and refer such cases — if they have not already been referred — to the district Special Cells.

Institutionalising the Special Cell programme also showed the immense potential to influence other stakeholders. For example, the PPOs in every district were directed to identify and recommend appropriate organisations for registration as service providers under the PWDVA. The recommendations were based on the Special Cell's understanding of the needs of survivors and their connections to the various organiations in the area who were working on women's issues. In turn, this has raised awareness, mobilised local resources and increased other stakeholder engagement.

5. The three-phase system for the appraisal of PPOs' performance is another innovation. The system is linked to contract renewal. Most importantly, the appraisal system involves the DWCD at the second and final stages thereby ensuring programme review and monitoring quality sustainability by the government.

6. The Special Cell model was implemented in Haryana

in a context-specific manner. This in itself indicates the flexibility that is integral to the model/approach of the programme that is based on the primary objective of finding the most effective way/s to respond to VAW. Further, this model was implemented with the collaboration of diverse groups of stakeholders — government, academic and practitioners — at different levels which made the model dynamic, responsive and flexible. Thus, it brings together the best of both worlds, governmental and social work praxis, as it were, to effectively respond to VAW and child marriages in the State.

Challenges and issues in replication of the Special Cell model: *Recommendations for the way forward*

The innovative aspects and impact notwithstanding, it is also essential to look at challenges and issues faced in the replication of a uniquely pro-woman approach into a new State-level intervention structure. Some of the challenges mentioned here quoted in PPOs' own words:

"Co-ordination with the Police was a major challenge at the time of establishment of Special Cell. We (PPOs) were considered as outsiders and we had to struggle for even the basic requirements like office, furniture and staff etc. With our best efforts, we have carved a position for ourselves at both district-level as well as in the administrative set-up. Now, our efforts are recognized and appreciated by the police, judiciary, administration and the larger society. We have put in sincere efforts and did our best to create awareness about domestic violence and child marriage in society. We have done our best to provide immediate legal help to the victims of domestic violence. The struggle for justice will continue, and we look forward to securing a bright future for all women and a violence-free society and nation."

" I am facing many problems due to non-availability of sufficient support staff, especially a data entry operator (who has not been appointed) and Multi-Purpose Worker (MPW) (who is appointed but deputed to the office of the PO (ICDS) on orders). In fact, many times the Police personnel appointed for support in the Special Cell's work are also unavailable for our work. Similarly, the lack of vehicle provision makes home and other visits across long distances more time-consuming than necessary for effective work, and there is also a lack of cooperation by the judiciary."

"There have been fewer reported cases of child marriages due to the absence of regular awareness programmes at the grassroots level. Also, documentation and record keeping is affected by the fact that a clerk-cum-DEO has not appointed in this Cell till March 2012."

"...But it is a bitter fact that the judiciary does not recognize the DIR (filed by PPO under the PWDVA). The judiciary prefers enquiry and fact-finding reports over DIRs, the compilation of which is very tough and time-consuming. Also, despite the timely submission of reports and service of summons by the PPOs, there are very few orders granted by the Court to address the needs of the complainants. The other challenge is that I am working all alone as the DEO of this Cell resigned in April 2011. I am also working in a city where there are so many law and order problems, and VIP duties for the Police that the personnel assigned to the Cell are rarely available. This situation creates a lot of mental pressure on me, even though there have been no delays or pendency in my actions because of my best efforts."

"The PPO's post is vulnerable to all forms of criticism because of its location in the SP's office and the job assigned i.e., prevention of domestic violence and child marriage. In many of the matters received/dealt with, both complainant and respondent parties are given to threats and maligning the PPO's image at the slightest pretext since they want quick results and expect the PPO to act according to their whims and fancies".

There are also administrative shortcomings like the absence of landline phones, non-availability of vehicle; computers etc., and, importantly, non-availability of Police personnel deputed to support the Cell. This affects the Cells' work.

Sometimes there is also political pressure to work in a specific manner in some disputes.

"Lastly, the judicial process takes its own time to adjudicate. Some cases are still pending in the Court. Relief is not granted to the aggrieved women by the Courts within the stipulated period."

"There is inadequate provision of infrastructure as needed – i.e. computers, vehicle etc., because of which there are problems in working properly."

Some of these and other larger challenges are discussed here along with recommendations for the work that must be taken up in the future. Thus, RCI-VAW proposes the way forward for the long-term institutionalisation and effective implementation of the Special Cell for Women and Children in the State of Haryana:

I. It is imperative to thoroughly review the functioning of the special cells with the primary objective of strengthening them by standardizing processes and improving the quality. In particular, the quality of socio-legal services provided to the survivors is in need of immediate attention. This requirement is not negotiable in the feminist praxis framework of the RCI-VAW/Special Cells model, which must be addressed before scale up. RCI-VAW observed wide differences in approach — even after training — by PPOs who are trained in social work and those who are lawyers by qualification. It was found that the latter achieved less impact. Therefore, the criteria for

selection of PPOs must be made more stringent. There is also an urgent need for focused training to address specific gaps in the perspectives and skills that exist in PPOs who have trained as lawyers.

II. The role of the State Consultant for Special Cell programme, as envisaged by RCI-VAW and DWCD, is a crucial one. The person at this position is expected to play a key role in coordinating and communicating with the Government structures and facilitate administrative and financial processes and decisions in the best interests of the objectives of the Special Cells' work. However, there has been a turnover of State Consultants, which has left a critical gap in the organization structure of the Special Cells programme. This has adversely impacted the programme, especially in its monitoring and management, and more so in the calendar year 2012.

RCI-VAW stresses that the State Consultant must be fully engaged with the Special Programme to provide the crucial support system that is needed for its operations. The State Government must appreciate the critically of the position. The person in the post must be adequately qualified, trained and experienced, to understand and resolve problems as they arise. He/she must effectively monitor the special Cells, evaluate outcomes and identify gaps in skills and competencies of the PPOs, and to facilitatetheir training. He/she must also be able to resist political pressure (which is often faced by the PPOs) to show undue favours to one of the parties in the dispute, and also to communicate and manage relationships between various stakeholders.

III. Data presented in the previous chapter show that the reporting and intake of cases increased after the initial

stages. All the Special Cells in Haryana have crossed this initial stage, and are regularly receiving a large number of complaints of VAW and Child Marriages. However, the programme management (reporting, documentation, case registering and dealing processes), handling casework and carrying out fieldwork (court-mandated or otherwise, home visits, community mobilisation and networking activities) and related tasks are too much for a single PPO. Thus, the PPO is forced to prioritize as per the needs of the situation, which results in the loss of view of long-term needs such as reporting, documentation, community-level awareness and networking activities are impacted negatively with increase in case-load. Given the current load, the Special Cells need 2 PPOs each. One could be a lawyer and the other, a trained social worker. This would balance and complement the skills that each brings to his/her work. For example, a lawyer may be more capable of providing services like counselling, legal aid, networking etc. On the other hand, the social worker can provide the necessary perspectives for articulating women's rights, community awareness etc. Hence, it is crucial now to work with the Department to develop a modified and long-term staffing structure for the Cells to achieve sustainability in the quality of socio-legal services provided to survivors and children.

IV. One of the major challenges is the lack of proper awareness of women and children's rights, DV, VAW, Special Cells and the provisions of PWDVA 2005 AND PCMA 2006, even among influential stakeholders. This has made it difficult for the PPOs to obtain dates for court hearings. More seriously, as many PPOs have reported, the courts do not even recognise the DIRs filed by the PPOs as valid grounds for issuing summons or registering legal cases. This situation

has had adverse consequences for obtaining the necessary court orders.

In certain districts, the police personnel attached to the Special Cells are often placed on other duties. This hampers work, especially in times of need as in providing protection from violence, intervening in situations of extreme distress, etc. Therefore, it is also essential that the long-pending need for seminars/ workshops to sensitise the judiciary and the police be met. Such a programme has received in-principle approval but needs to be implemented without delay. It must include officials at various levels of the Haryana Police, Health Department, Department of Legal Affairs, Department of Social Welfare and the Education Department. The seriousness of DV and Child Marriages must permeate all arms of the State Government so that incidents are reported or referred without delay.

Also contributing to the shortcomings in the Special Cells' effectiveness is the non-appointment of support staff (multi-purpose worker/counsellor and DEO/clerk)or failure to replace the ones who left. Other constraints are: inadequate space in the SP's office/district headquarters, absence of a telephone connection/extension, no access to postal services, non-availability of official vehicles for long distance travel or visiting remote areas on duty, etc. These facilities were agreed upon, but have not been provided uniformly in all districts. This has affected the working of some Special Cells. Fund-flow issues occur, affecting payment of honoraria, TA/DA and reimbursement of other costs (telephone, etc.) incurred by the PPOs and other staff of the Cells. Such administrative issues were effectively addressed when a State Consultant was in charge. However, with such issues occurring increasingly

frequently, they have impacted the Special Cells' working. Table 3 in the preceding chapter shows plateauing in the reach of the Cells in most districts. Attention is once again drawn to the crucial nature of the State Consultant's role and the need to take this requirement seriously to avoid a negative impact on the programme.

V. Over the years, Haryana has seen high incidences of honour crimes (including killings) ordered by the khap panchayats as well as caste-based crimes against women (which included gang-rapes of Dalit girls and women). There has also been intensive action against such activities. The Special Cell for Women and Children is located within the CJS and is a model for intervention and response to VAW that is based on the fundamental principles of women's and children's right to a violence-free life as enshrined in the Indian Constitution. The Special Cell's ideology and purpose is to make justice and quality socio-legal services accessible to survivors from the most-marginalised groups. These are the ones who do not have the socio-economic privileges that can facilitate their empowerment and hence, they cannot access the CJS.

Given Haryana's feudal history and the nature of its dominant socio-cultural milieu, it is all the more pertinent for the Special Cell programme to address the larger ambit of VAW perpetrated on the woman by her own natal community (caste/clan and village). So far, the Cells have addressed only cases of domestic violence women and children. Therefore, Cell officers need refresher training in perspectives and skills to strategise their responses to the more widespread VAW within natal communities in the State.

VI. It is equally important to draw on good practices that have been developed by TISS with its experience of Special Cells in Maharashtra, which were then built upon over 28 years, and integrate them in an innovative and participatory manner in Haryana. Other women-centred, government-funded programmes like Mahila Samakhya also show that processes and methodologies can be adopted at scale without compromising quality. Hence, RCI-VAW strongly recommends collaborative drafting of a State-sponsored scheme of 'Special Cell for Women and Children', which will prepare the ground for institutionalisation of the programme that will be implemented through a State Special Cells Society. This would involve the registration of a Special Cell Society in the State into which the existing Cells may be integrated and through which expansion into new areas may continue in a sustainable manner.

The establishment of an autonomous body for the operation of the programme would address the operational challenges discussed here in a needs-based, decentralised manner by ensuring regularity in all financial and programmatic aspects, which include planning and budgeting, Standard operating procedures (SOPs) for appointment/recruitment training and appraisal of functionaries, reporting and documentation (parity in honoraria and up-datedness can be ensured by the Society's DFR, maintenance of compliance data, regular meetings of the Executive Committee and representation of functionaries on representative/rotational basis etc.). This will ensure percolation of core principles, strategies and methodologies of the Special Cells' work with survivors and, resultingly, quality of socio-legal services in the present as well as in the Special cells that are likely to be established in the future.

At policy and strategic levels, establishment of the Society will give the Special Cell programme the status of a State-sponsored autonomous body that has the sweeping mandate of not only running the Special Cells, but also work for their convergence with other government programmes and schemes. Collaboration with non-profit organisations (including multilateral/bilateral agencies) in turn will help sharing, adapting and scaling good practices from other States.Other aspects like fund-raising, networking, advocacy and expanding outreach can also be facilitated.

VII. In the interim, a Monitoring/Steering Committee must be constituted by the State Government as per its Circular, and must meet by February/March 2013 latest, and then at least once every six months for adequate administrative overview, monitoring progress and addressing operational issues of the programme.

VIII. Finally, it is necessary to work toward developing perspectives and building capacities of academic/research institutions within the State so that they are also able to provide technical/resource support to the Special Cell programme. This programme was originally envisioned for joint implementation with Kurukshetra University, Kurukshetra (KUK) as a partner in the agreement between the Haryana Government and TISS. However, no progress was made. It is also recommended that the DWCD facilitate engagement of KUK (in particular, their Social Work and Women's Studies Departments) in the next 14 months of RCI-VAW's work with the Special Cells.KUK would be a learning partner with the larger goal of informing social work education in the State on feminist praxis models; and will create contextually-rooted knowledge for the DWCD and the programme for the long term.

Conclusion

The Special Cell for Women and Children in Haryana is a unique, contextually-relevant and impactful model that needs deeper and long-term institutionalisation to realise its enormous potential to address the myriad and ever-changing forms of VAW and the evil practice of child marriage. The perspectives, skills and capacities of the PPOs must be strengthened so that their interventions are sustainable and achieve uniformity in the quality of the psychosocial-legal services that are provided at the Cells. The effectiveness of the model has been successfully established. It has achieved much in terms of case-wise impact in dealing with cases of VAW and preventing child marriages. This has also been largely due in great part to the support structure that was designed by RCI-VAW, TISS in collaboration with Departments of WCD and Home, in particular the Haryana Police.

RCI-VAW is also currently in discussions with the DWCD, Government of Haryana, regarding the potential for further collaborative work. It is in the process of drafting a proposal for providing consultancy and services for the next 14 months of engagement. The planning for the engagement is based on the history, processes, experiences and the learnings from the four years of work of the Special Cell in Haryana.

Annexure 1

First excerpt from internal study by RCI-VAW of 129 cases received and handled by the pilot Cells of Jind and Ambala from July, 2007 to November 2008

Table I: Frequency of violence		
Frequency	**Frequency**	**Percent**
Few events	22	17.1
Sporadic	8	6.2
Regular	85	65.9
Not known	2	1.6
INA	10	7.8
Total	**129**	**100.0**

The incidence of regular violence is very high. In Table I, the data shows that 65% the victims are subjected to regular beating. As most of these women live in joint families, data reflects the fact that there is tacit approval of using violence on a regular basis to control the woman.

Table II: Where the violence takes place		
Location	**Frequency**	**Percent**
In marital home	113	87.6
INA	1	.8
Any other	7	5.4
Own House with Wife -Joint Owners ?	7	5.4
In marital home and other places	1	.8
Total	**129**	**100.0**

From Table II, it is evident that 87.6% of women subjected to violence were living with their husbands in their matrimonial homes. There were no reported incidences of violence in the natal family.

Table III: Women's perceptions of the reason for violence			
Sr. No	**Women's perception of reasons for the problems**	**Frequency**	**Percentage**
1	Monetary or dowry demand	72	55.8
2	Alcoholic Spouse	52	40.3
3	Alcoholism of others in the household	2	2.6
4	Not having a male child	3	2.3
5	Childlessness	4	3.1
6	Financial stress	43	33.3
7	Husband involved in illegal dealings	4	3.1
8	Infidelity of spouse	5	3.9
9	Sexual incompatibility	2	1.6
10	Sexual violence	23	17.8
11	Suspicious nature of husband	9	7.0
12	Conflict over domestic roles and responsibilities	67	51.9
13	Conflict over community space	-	-
14	Instigation by in-laws	43	33.3
15	Conflict over house and property	6	4.7
16	Incompatibility or irreconcilable difference	6	4.7
17	Information not available	4	3.1
19	Any Other	1	.8
20	Desertion by Wife (left Home)	1	.8
21	Continue maintenance and resident in Matrimonial House	1	.8
22	AataSaata Marriage	1	.8
23	Information not available	1	.8
24	Not Applicable	1	.8
	Total	**351**	**N.A.**

Table III gives the reasons for the violence the women faced as perceived by them. 55.8% of the women perceive that Dowry or Monetary demands are the cause. In spite of being married for several years, the husband or his family may continue to demand for money or dowry in the guise of seeking monetary favours. A common tactic is to ask the daughter-in-law to bring money from her father/brother on the pretext of starting a business or helping one that is doing badly. Another ruse is to demand money to buy a car. There are even instances in which the woman is given a regular sum of money to meet her personal needs —for phone, buying her child sweets, travel, etc. Dowry demands are made, even after several years of marriage, in the guise of sharing expenses for a sister-in-law's marriage or for the purchase of expensive gifts. "Conflict over domestic roles and responsibility" are also a common cause for complaints (51%). The husband does not do any work and the aggrieved woman is compelled to work in the fields, tend to the cattle and do the household work as well. 40% of the women perceived their husbands' alcoholism as the cause of their marital problem.

Table IV lists the different situations that a woman finds herself in. Though the effects of physical violence are visible, instances of mental violence are common and are widely reported. In 83.5 % of the cases in Mumbai in 2001, women have revealed how power is used against them through words, language and behaviour. While physical violence may leave wounds that may hurt for some time, the effects of mental violence are long-lasting and remain alive in the minds of the women.

Table IV: Forms of violence		
Nature of problem	**Frequency**	**Percentage**
Wife battering	103	79.8
Family battering	67	51.9
Mental harassment	124	96.1
Deprivation of matrimonial residence	95	73.6
Financial stress in the family (husband's unemployment/ does not go to work/ does not give money)	89	69.0
Harassment over property	9	7.0
Refusal to give maintenance/meher	2	1.6
Desertion by husband	3	2.3
Sexual incompatibility	8	6.2
Existence of substance abuse in husband/family	27	20.9
Woman attempts suicide	3	2.3
Wife's extra-marital relationship	1	.8
Rape	1	.8
Eve teasing /molestation	2	1.6
Child custody	1	.8
Sexual violence	7	5.4
Sexual violence in marriage	24	18.6
Woman cheated into marriage husband making fraudulent claims about his means or already being married).	10	7.8
Breach of trust in marriage/relationship	9	7.0
Breach of trust in property matters	3	2.3
Retrieval of Streedhan	17	13.2
Unwed pregnancy	1	.8
Child abuse (mental and physical)	3	2.3
Forced to reconcile with the abuser	4	3.1
Forced marriage	1	.8
Abuse by elders/parents	2	1.6
Harassment at workplace	1	.8
Non-fulfilment of roles and responsibilities by husband	78	60.5
Desertion by Wife	1	.8

The intake procedure at the Special Cells is based on the women's right to self-determination. Women are asked to narrate, in their own words, the problems that they face and their perceptions of the problems, which are then recorded by the social workers/protection officers. When women come to the Special Cell for the first time, they often tend to voice their feelings, concerns and seek information about the kind of services offered by the organisation. Their details of violence are usually brief and in a 'socially accepted' vocabulary. The reality remains blurred or is expressed only through hints, highlighting issues of dowry and citing instigation by in-laws ("he only listens to his mother") as the cause of violence.

Often, the women "check out" the organisational environment and its individual workers. They are on guard and test the reactions to their narration. It is only during the intervention process that additional details are given and the women gradually unveil their "real" concerns. Their applications include details of violence and their expectations from the Special Cell. During this time, women build a relationship with the workers and voices experiences, which are often invisible to the outside. The nature and extent of violence indicate that women's experience of violence take on an illusion of normality. Their vulnerability is connoted as an invitation to be physically and sexually abused. They are blamed for their powerlessness, labelled passive and submissive and even desiring their own harm (Stanko, 1985). (Journey from Violence to Crime: A study of Domestic Violence in the city of Mumbai; TISS; 2001)

An alarming 96.1% have reported mental harassment. Examples of mental harassment are brought out through these statements that women often have to hear from their

husbands and his family: *"Mere se puche bina kahi nahi jayagi"* or *"jahan se mein mana karunga wahan nahi jana."* Translated, this means that a woman cannot go anywhere or meet anyone without the permission of her husband or his family.

"Saari haan tanne marre sae kit tu to bhundi hai mein suthra." Translated this means that the man is handsome while the woman is ugly. Often,the husband and his relatives would taunt that *"bhuke gharki aa gi se"*, means that the woman comes a from lower economic strata and, by implication, should fell grateful for marrying into her husband's family.

"Maine to jail jana hi hai, liken tane bhi zinda nahi chodta", meaning that the husband is willing to risk jail but not ready to stop violence. Aspersion over the woman's character is often conveyed through *"Ghar mein ya pados mein kisi se bolne nahin deta, kahwe se apne yaar se kye batlawethi"*. Almost 80% of violence are cases of wife battering. In most instances, wife battering is seen as necessary to control the woman.

Table 5 discusses the health of the woman who has been in a violent or disturbing situation. At least 11.6% of the women suffered injuries that may have needed medical attention. 46.5% women suffer from weakness and lethargy, which means that their state of physical health could only be a reflection of her emotional problems and mental stress.

Table VI shows the impact of violence on the mental health of the women. It can be seen that 66.7% of the women suffer from tension while 16.3% women are depressed.

Table VII shows the extent of abuse that a woman has to endure. Sexual abuse, especially in a marriage, is still a taboo subject and it is difficult to get a response on such

Table V: The effects of violence on the health of the survivor		
Physical Damage	**Frequency**	**Percentage**
Fractures on face-broken jaws, nose	4	3.1
Head injuries	5	3.9
Injuries on the back causing backache/spondilitis	3	2.3
Ache in different parts of the body	22	17.1
Swelling	8	6.2
Ear damage/hearing problem	-	-
Eye damage/ problem in vision	2	1.6
Boils/bruises/marks on different parts of the body	6	4.7
Weight loss/gain	11	8.5
Loss of appetite	7	5.4
Continuous head ache, migraine	11	8.5
Continuous fever/shivering/cough cold	1	.8
High /low blood pressure	11	8.5
Digestive Problems (nausea, stomach ache, constipation, continuous, vomiting, dysentery, acidity, ulcers)	2	1.6
Diabetes	1	.8
Weakness/giddiness/lethargic/constantly tired	60	46.5
Low stamina	17	13.2
Continuous fainting spells	2	1.6
Anaemic	24	18.6
Chest pain/heart stroke	2	1.6
Complications in pregnancy	3	2.3
Information not available	16	12.4
Any other	3	8.3
Not applicable	4	3.1

matters. Responses can be obtained only with right questions where the researcher takes cognizance of the existence of sexual violence frames and asks the questions accordingly.

Information not being available in 35.7% cases is high, which shows that the issue is not being discussed as openly as it should.

Table VI: Mental health impact of violence on women		
State of Mental Health Indicators	**Frequency**	**Percentage**
Depressed	21	16.3
Tension	86	66.7
Anxiety	20	15.5
Fear	9	7.0
Panic Attacks	2	1.6
Shock	2	1.6
Angry/short tempered	18	14.0
Nervousness	8	6.2
Stress	10	7.8
Suicidal thoughts	2	1.6
Shame	1	.8
Feeling of humiliation	8	6.2
Loneliness(isolated, neglected, lonely)	13	10.1
Helplessness	6	4.7
Lack of confidence/ self-esteem (feels inadequate, worthless, insecure)	11	8.5
Loss of decision making power	12	9.3
Feels ruined / loss of hope	5	3.9
Lack of trust	11	8.5
Insomnia	20	15.5
Information not available	10	7.8
No problem or not applicable	1	.8

Table VII: Sexual health issues		
Sexual Health Issues	**Frequency**	**Percentage**
Vaginal pain/inflamed vagina	3	2.3
Irregular menstrual cycle	1	.8
Forced intercourse in marriage	16	12.4
Deprivation of sexual needs	9	7.0
Violence during intercourse	7	5.4
Painful anal intercourse	6	4.7
Refusal to use condoms	1	.8
Being forced to entertain others	2	1.6
Information not available	46	35.7
Any other (specify)	13	10.1
No problem or not applicable	9	7.0

Yet, data show that 12.4% women have complained of forced intercourse in marriage. Marital rape in India is only now recognised in the Domestic Violence Act (2005) as sexual harassment. There is no separate law under which marital rape can be reported. Thus, the above data corroborates the fact that such a law is necessary to address the problem of marital rape."

Annexure 2

Second excerpt from internal study by RCI-VAW of 129 cases received and handled by the pilot Cells of Jind and Ambala from July, 2007 to November 2008

Support from the Special Cell

Table I: Information/assistance) sought by survivors at the time of complaint registration			
Sr. no	**Information about help sought at the time of registration**	**Frequency**	**Percentage**
1	Help to prevent violence	68	52.7
2	Intervention to facilitate reconciliation	76	58.9
3	Counselling husband to make him realise his roles and responsibilities	79	61.2
4	Legal help for divorce	12	9.3
5	Maintenance	33	25.6
6	Legal help for custody of child	5	3.9
7	Prosecution of the offender	7	5.4
8	Share of husband's income/property	10	7.8
9	Provide House / Arrangement for resident	3	2.3
10	Separation from the abuser	23	17.8
11	Right over matrimonial home	6	4.7
12	Re-entry into matrimonial home	8	6.2
13	Recovery of streedhan	21	16.3
14	Help to regain survivor's property /assets	10	7.8
15	Willing to live with husband but without in- laws	8	6.2
16	He want to live with Wife	3	2.3
17	He want to know about his wife decision	1	.8
18	Help to recover marriage expenses	1	.8
19	Any other	8	6.2
	Total	**382**	**N.A.**

Table I is a compilation of the information (or actions) sought by the survivors when the register their complaints at Special Cells. Often, there is more than one response that the women ask for. It is evident that the majority of the women want to reconcile with their husbands (and their families). 61.2% women wanted a joint counselling session to help the husband understand his roles and responsibilities. 52.7 % wanted end to the violence to stop. Women often approach the Special Cell for reconciliation with the abusers. The reason behind this is belief in the sanctity of marriage, fear of social stigma and low income status. (Journey from Violence to Crime: A study of Domestic Violence in the city of Mumbai; TISS; 2001)

Table II: Nature of help extended by the Special Cells

Sr. no	Assistance Provided	Frequency	Percentage
1	Negotiating non- violent reconciliation	72	55.8
2	Building a support system	38	29.5
3	Engaging police help/intervention	18	14.0
4	Legal aid	17	13.2
5	Providing emotional support	110	85.3
6	Strengthening the survivors' feeling of self	41	31.8
7	Counselling-developmental	32	24.8
8	Retrieval of streedhan/restoring the woman's relationship to her property and assets	15	11.6
9	Providing shelter/arranging shelter	2	1.6
10	Career counselling/Job placement	2	1.6
11	Working with men in the interest of survivors	75	58.1
12	Divorce	2	1.6
13	Settlement by mutual consent/separation	6	4.7
14	Helping choose a life partner	1	.8
15	Providing loans/equipment for self-employment	2	1.6

16	Any other (Specify)	2	1.6
17	Talk with wife and help her to take decision	1	.8
18	The respondent party did not come	2	1.6
19	Information Not Available	1	.8
20	Not Applicable	3	2.3
	Total	**442**	**N.A.**

The Special Cells have been set up to help women in distress. The police system and the caste panchayats are heavily influenced by prevalent patriarchal norms and attitudes. Consequently, women seeking help are further victimised in such a set up. The main objective of the Special Cell is to provide space to the woman in which she is listened to. The fact that 85.3% of the women in Table II were provided emotional support validates the fact that survivors' needs are understood and addressed in the Special Cells.

Table III: Other referrals made by the Special Cells		
Referrals	**Frequency**	**Percent**
Court for divorce	3	2.3
C.A.W. Cell through SP	6	4.7
SHO Concern	1	.8
Women's Nodal Cell	2	1.6
Protection Officer	2	1.6
Not Applicable	115	89.1
Total	**129**	**100.0**

The data shows that only 2.3% women required referral to the court for Divorce, which also indicates that the women do not want end their marriages. They preferred to take the help of the Special Cell ensure that they are able to lead a life free of violence and abuse. They preferred mediation by the Special

Cells or police. Very few have opted for the filing of criminal cases and/ or civil remedies under the Domestic Violence Act.

Table IV: Support systems available to survivors			
Sr. number of	Support available to the woman	Frequency	Percentage
1	Natal family	104	80.6
3	Relatives	4	3.1
4	Matrimonial family	3	2.3
6	Community organisations	1	.8
7	Any other (Specify)	4	3.1
11	Husband	1	.8
88	Information Not Available	4	3.1
99	No Support/ Not Applicable	14	10.9
	Total	**135**	**N.A.**

It can be seen that in 80.6% cases, it was the natal family that supported the woman during her time of crisis. After her marriage, her support system shrinks and the woman is left in an isolated and helpless situation as she seems to have o one to turn to. The helplessness of the woman is stark since none had friends to turn to."

Annexure 3

List of Protection-cum-Prohibition Officers (PPOs) and contact details of Special Cells in Haryana				
Sl. No.	**District**	**Protection-cum-Prohibition Officer (PPO)**	**Mobile No.**	**Address of Special Cell**
1	Ambala	Ms. Arvinderjeet Kaur	9416201344	Special Cell for Women & Children, Crime against Women Cell, Special Cell for Women & Children, Crime against Women Cell, Office of Superintendent of Police, Police Lines, Ambala City, Ambala – 134002
2	Bhiwani	Ms. Harbans Kaur	8607222475	Special Cell for Women & Children, Office of Superintendent of Police, Mini Secretariat (Room No. 66, 1st Floor), Bhiwani – 125021
3	Faridabad	Ms. Hema Kaushik	9210474464	Special Cell for Women &Children, Office of Superintendent of Police, Mini Secretariat (Room No.505), Faridabad – 121007
4	Fatehabad	Ms. Rekha Aggrawal	8814011719	Special Cell for Women & Children, Office of Superintendent of Police, Mini Secretariat, Fatehabad – 125050
5	Gurgaon	Ms. Meena Kumari	9968902506	Special Cell for Women & Children, Mini Secretariat (Room No. 306, 3rd Floor), Gurgaon – 122001
6	Hisar	Ms. Babita Chaudhary	9729011052	Special Cell for Women & Children, 2nd Floor (above SDM Office), New IG Building, Mini Secretariat, Hisar - 125001
7	Jhajjar	Ms Madhvi Lochab	9996051132	Special Cell for Women & Children, Thana Sadar, Jhajjhar – 124104
8	Jind	Ms. Karminder, PPO Rohtak has Additional Charge	9466106100	Special Cell for Women & Children, Office of Superintendent of Police, Old Mini Secretariat, Jind – 26102
9	Kaithal	Ms. Sunita	9813453138	Special Cell for Women & Children, 2nd Floor, New Police Line, Kaithal – 132027

10	Karnal	Ms. Savita Rana	9466125250	Special Cell for Women & Children, Office of Superintendent of Police, Mini Secretariat (Room No.25), Karnal – 132001
11	Kurukshetra	Ms Deepshikha	9315010005	Special Cell for Women & Children, Office of Superintendent of Police, Kurukshetra – 132118
12	Mahendragarh	Ms Sarita	9466117028	Special Cell for Women & Children, Office of Superintendent of Police, Mini Secretariat, Narnaul – 123001
13	Mewat	Ms Madhu Jain	9992367666	Special Cell for Women & Children, Office of Superintendent of Police (Mewat), Nuh – 122107
14	Palwal	Ms.Suman Choudhary	9813985280	Special Cell for Women & Children, Office of Superintendent of Police, Mini Secretariat, Palwal – 121102
15	Panchkula	Ms. Sonia Sabharwal	9501144188	Special Cell for Women & Children, Office of Crime against Weaker Cell (Near Yadav Bhawan), Sector 12, Panchkula – 134112
16	Panipat	Ms Rajni Gupta	9729022757	Special Cell for Women & Children, Office of Superintendent of Police, 3rd Floor, Mini Secretariat, Panipat – 132103
17	Rewari	Ms Neelam Sharma	9416327237	Special Cell for Women & Children, Office of Superintendent of Police, Secretariat (1st floor), Rewari – 123401
18	Rohtak	Ms Karminder Kaur	9466106100	Special Cell for Women & Children, Office of Superintendent of Police, New Mini Secretariat (2nd Floor), Rohtak – 124001
19	Sirsa	Ms Sadhna Mittal	9812031086	Special Cell for Women & Children, Office of Superintendent of Police, Mini Secretariat (Room No. 22), Sirsa – 125055
20	Sonepat	Ms Bhanu Gaur	9466111474	Special Cell for Women & Children, Office of Superintendent of Police, Mini Secretariat, Sonepat – 131001
21	Yamunanagar	Ms Seema Garg	9992011022	Special Cell for Women & Children, Office of Superintendent of Police, Mini Secretariat (Room No.311B, 2nd Floor), Yamunanagar – 135001

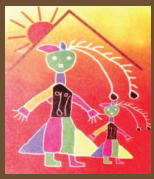
About Special Cell for Women and Children, Haryana

The Government of Haryana initiated the programme 'Special Cells for Women and Children' in November 2008, to provide a multi-agency coordinated response to the issue of violence against women. The Special Cells have been given the mandate of implementing the Protection of Women from Domestic Violence Act, 2005 and the Prohibition of Child Marriage Act, 2006. In Haryana there are, at present, Special Cells functioning at the office of the Superintendent of Police in each district, 21 in total.

About RCI-VAW

Resource Centre for Interventions on Violence against Women (RCI-VAW) is a field action project of the Tata Institute of Social Sciences, Mumbai. Established in 2008, the RCI-VAW strives to build capacity of different stakeholders; to promote strategies to combat VAW; and to strengthen the response to VAW through research, documentation and training. RCI-VAW currently works with the State Governments of Maharashtra, Haryana, Delhi, Rajasthan and Gujarat on implementing Special Cells at police stations.

Tata Institute of Social Sciences facilitated the establishment of pilot Special Cells for Women and Children in Haryana in 2006, and then provided technical support for the state-wide expansion of this scheme. At present each of the 21 districts in the state has a Protection-cum-Prohibition Officer whose task is to respond within the purview of the Protection of Women from Domestic Violence Act and the Prohibition of Child Marriage Act. Till October 2014, these 21 officials have responded to 33,095 individuals in distress. However, reaching a point where such large numbers of persons receive assistance is not an automatic process. From the time the Haryana government made an informed decision to implement these two legislations in this manner, government officials at various levels have taken measures to respond and to ensure that the programme operates in an efficient and effective manner. This book is a step-by-step account of how the scheme was first conceptualised and then put into operation. It will serve as a road map for other states and governments who may be keen to understand the kind of stewardship that is required to make such a woman-centric service feasible.



Women and Child Development Department,
Haryana Government

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