

The Missing Link in the Domestic Violence Act

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Five years after the Protection of Women from Domestic Violence Act, 2005 came into force there is no sign of any budgetary provision by the central government to help the states implement it. A number of crucial components that have been laid down in the Act remain neglected due to paucity of funds. What are the budgetary practices adopted by the states to implement the legislation? Based on the data collected from all the states (except J&K) under the Right to Information, this article suggests a few mechanisms to address the resource gaps.

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It has been five years since the Protection of Women from Domestic Violence Act (PWDVA) was introduced after a decade-long struggle. However, even after all this time the central government has not allocated funds for its implementation. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Committee in its concluding comments while appreciating the passage of PWDVA 2005, expressed concern over the lack of financial provisions by the central government for its enforcement. The Government of India (2010) has noted that the PWDVA has been unable to reach the intended beneficiaries owing to lack of information and mechanisms for its enforcement.

Given the fact that the central government has not allocated money how is the Act being implemented? What are the mechanisms evolved by the states for allocating funds? What is the status of expenditure? What are the specific components for which the budget is being provided? Are there any good practices that can be identified? And finally, how can the central government assist states in enforcing the Act?

This article attempts to provide answers to the questions raised above. The data presented here has been gathered by filing applications under the Right to Information (RTI) Act in all the states.¹ The first section presents the overall budgeting for PWDVA by the states; Section 2 examines the allocations in depth; and Section 3 provides a critique of the proposed centrally-sponsored scheme (CSS); and concludes with policy recommendations.

1 Overall Allocations

Table 1 (p 46) summarises the information regarding the budgetary allocations made by the states for implementation of the PWDVA in 2008-09, 2009-10 and 2010-11

and corresponding expenditures incurred in the years 2008-09 and 2009-10. Following are some of the inferences that can be drawn from the table.

Of the 28 states, 15 have provided separate allocations for the Act. These include Andhra Pradesh, Arunachal Pradesh, Assam, Delhi, Haryana, Karnataka, Kerala, Madhya Pradesh, Meghalaya, Orissa, Punjab, Sikkim, Tamil Nadu, Uttarakhand and West Bengal. It is encouraging to note that Orissa, which did not have a separate budget until 2009, has added a budget head for the law in 2010.

A notable trend for a majority of the states is that they have devised state Plan schemes for its implementation. For instance, Haryana has initiated a Plan scheme, Protection of Women from Domestic Violence (Setting up of Cells). Likewise, Madhya Pradesh launched a scheme, Usha Kiran Yojana for implementation of PWDVA in 2008. Orissa is an exception, having created a separate code "78354" while Tamil Nadu has budgeted salaries of protection officers (POs) and junior assistants-cum-typists under the non-Plan head. It is important to emphasise here that a Plan scheme can be terminated at anytime if the government in power feels it is not required. A separate code, as in the case of Orissa, is much more reliable and ensures continuity in allocation of funds.

Twelve states still do not have a separate budget for implementation of the PWDVA. These include Bihar, Chhattisgarh, Goa, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra, Mizoram, Nagaland, Rajasthan and Uttar Pradesh.² However, while Gujarat, Himachal Pradesh, Maharashtra and Nagaland have spent some amounts over the course of the three years (2008-10) for awareness generation, training and other components of the Act, eight of these 12 states – Arunachal Pradesh, Bihar, Chhattisgarh, Goa, Jharkhand, Mizoram, Rajasthan and Uttar Pradesh – do not have even ad hoc allocations for various components such as training or publicity. In fact, despite having a higher incidence of violence (National Family Health Survey, 2005-06), these states claim that they are able to meet the expenses for various

Table 1: Allocations by States for Implementation of PWDVA

State*	2008-09			2009-10			2010-11 BE (in Rs lakh)
	BE (in Rs lakh)	Expenditure (in Rs lakh)	Expenditure as % of BE	BE (in Rs lakh)	Expenditure (in Rs lakh)	Expenditure as % of BE	
Karnataka	150	146	97.3	292	109	37.3	722
Madhya Pradesh	292	108	37	250	85.3	34.1	309
Kerala	100	99.97	100	115	114	99.1	250
Punjab	50	nil	0	50	nil	0	100
Haryana	25	23.72	94.9	80	NA	-	80
Tamil Nadu	97.54	97.54	100.0	84.9	25.96	30.6	78.12
Arunachal Pradesh	0.01	nil	0	84	84	100	76.5
Uttarakhand	50	nil	0	50	nil	0	50
Andhra Pradesh	99.82	99.6	99.8	98.4	98.4	100	50
Delhi	5	4.04	80.8	221	6	27.3	33
Orissa	nil	nil	nil	nil	nil	nil	25
Manipur	nil	nil	nil	0.45	0.45	100	8
Meghalaya	3.2	3.2	100	3.5	3.5	100	2.3
Sikkim	10	0.51	5.1	8	6	75	2
West Bengal	26.31	26.31	100	32.15	26.2	81.5	NA

up to Feb 2009

*States have been arranged in decreasing order based on the absolute magnitude of funds allocated in 2010-11 (BE). Revised Figures. BE stands for Budget Estimate. NA denotes figures not available with the respective states. RTI was not filed in J&K. Source: Responses by state governments to RTI applications filed by the author.

provisions of PWDVA through the existing women's welfare schemes. For instance, Bihar claims that its scheme, Nari Shakti with a total allocation of Rs 10 crore covers the PWDVA, and the other activities. Similarly, in Chhattisgarh, under the scheme, Mahila Jagriti Shivar, women's self-help groups (SHGs) are informed about their entitlements under various schemes at the panchayat, block and district levels. Domestic violence, the nodal department claims, is also one of the issues covered in such camps. For 2010-11, a budget of Rs 1.05 crore has been allocated to hold around 2,000 such *shivirs* (workshops). Jharkhand on the other hand claims that any expenses for PWDVA are met through programmes such as the Dowry Elimination Programme and Elimination of Witchcraft Practices Programme.

Extent of Allocations

An important aspect that needs consideration is the quantum of allocations made by the states for PWDVA. As Table 1 shows, there are wide variations. The outlays vary from a low of Rs 2 lakh in Meghalaya to Rs 722 lakh in Karnataka for the year 2010-11. A considerable jump in allocations can be noted for Karnataka as the state intends to appoint regular independent POS. A comparison of the total allocations made by the states would not provide a true picture because there are no minimum benchmarks set by the union Ministry of Women and Child Development

(MWCDD) for providing allocations for the various provisions under the Act.

Expenditure Incurred vis-à-vis Allocations: It is necessary to assess the extent of utilisation of the allocated funds. As noted in Table 1, only three states – Andhra Pradesh, Kerala and West Bengal show near complete expenditure vis-à-vis allocations made. On the other extreme is Punjab where no expenditure has been incurred in any year vis-à-vis the allocations made.

Although Delhi, Tamil Nadu and Karnataka were able to spend substantial quantum of funds in 2008-09, the percentage of expenditure declined in 2009-10. Equally worrisome is the case of Madhya Pradesh where the expenditure in both the financial years has been roughly at 35%. This is despite the state launching a full-fledged scheme, Usha Kiran Yojana in 2008 for the implementation of the PWDVA. The response received from the state offers a detailed explanation of the guidelines of the scheme unlike in other states. Further, as far as the break-up is concerned it is divided under four heads – office expenditure, seminars/workshops, assistance grant and miscellaneous. Assistance grant includes money provided to shelter homes. Each shelter home, which was not receiving any government

funding, is now provided an assistance grant of Rs 2 lakh in the first year. This is revised in the second year in accordance with the number of women victims. Second, the POS are provided Rs 10,000 per year for meeting expenses relating to counselling, holding meetings, etc; travel allowance (TA) at Rs 5,000 per year; transportation expenses for the aggrieved women at Rs 5,000 per year; Rs 3,000 per year for hoardings and Rs 1,000 per year for wall painting. All these expenses come under the category of miscellaneous.

As Table 2 indicates, a component that shows very poor utilisation is the assistance grant. Also, since 2008-09, the budgets for miscellaneous followed by assistance grant and office expenditure have been severely curtailed. On account of the detailed guidelines, the specific budgetary allocations seem quite comprehensive but the expenditure tells a different story. As evident from Table 1, Madhya Pradesh shows poor utilisation in both the years: 2008-09 and 2009-10. The expenditure

Table 2: Break-up of the Funds Allocated for the Usha Kiran Yojana Programme, Madhya Pradesh (in Rs lakh)

	2008-09		2009-10		2010-11 Allocation
	Allocation	Expenditure	Allocation	Expenditure	
Office exp	90	55.58	68.36	6.54	18.12
Seminar/workshops, etc	30	20.40	35.25	28.18	22.64
Assistance grant	60.72	1.70	60.36	13.43	134
Miscellaneous	91.38	31.08	86.03	37.15	135

Source: Responses by state governments to RTI applications filed by the author.

was 37.2% in 2008-09 and further declined to 34.2% in 2009-10.

2 Budget for Specific Components

Women's rights activists across the country celebrated the introduction of PWDVA for several reasons. One of the primary reasons was the inclusion of critical provisions in the Act to protect women from further injustice. Some of these include appointment of POS, notification of service providers, training and capacity-building of different functionaries such as the POS, the police and the judiciary along with awareness generation. Therefore, in addition to looking at whether the states have provided budgets or not, it is also important to carefully examine the heads for which the allocations have been made.

The information gathered from RTI applications indicates that the states which have provided funds, with or without a

separate budget, have done so largely under the following heads:

Protection Officers: A critical component, which has received some attention with respect to allocation, is the functioning of the POs. Since POs are the integral link between the aggrieved women and the judicial system, it is imperative that adequate funds are allocated for their proper functioning. Some instances listed below show how the states have provided funds to enable effective functioning of POs.

- In Tamil Nadu, Rs 15.42 lakh was spent on purchasing computers and Rs 4 lakh for the POs' training in 2008-09. Further, Rs 78.12 lakh was spent to meet the salaries of POs (independently appointed) and junior assistant-cum-typists (located in each district) at Rs 15,000 and Rs 6,000 per month respectively. West Bengal also spent Rs 24 lakh for salaries of POs in 2009-10.

- Most states have not appointed independent POs, but have given additional charge to the existing government officials. States like Andhra Pradesh and Karnataka have provided these officials support staff to assist them in discharging the additional duties effectively. Table 3 shows Andhra Pradesh's regular funding for material supplies and other contractual services.

Table 3: Andhra Pradesh' Scheme for Implementation of Protection of Women from Domestic Violence' (in Rs lakh)

	2008-09		2009-10		2010-11
	Allocation	Expenditure	Allocation	Expenditure	Allocation
Travel allowance	11.50	11.5			
Material and supplies			10	10	10
Other office expenditure	11.5	11.5	5	5	5
Other contractual services	67.44	67.22	83.4	83.4	10
Adv and publicity	9.38	9.38	-	-	-
Other expenses	-	-	-	-	25

Source: Responses by state governments to RTI applications filed by the author.

The other contractual services category includes salaries for a data entry operator at Rs 5,500 per month and a junior assistant at Rs 4,900 per month at the directorate level. In addition, it includes salaries for two counsellors per district at Rs 6,500 per month; one data entry operator at Rs 5,500 per month and two messengers at Rs 3,000 per month for all the 23 districts. Similarly, Karnataka has revised the salaries of computer operators (one in each district) and messengers (two in each district) to Rs 5,000 and Rs 2,000 per

month respectively. In addition, Rs 4,000 was allocated in 2008-09 to meet contingency expenses.

- Kerala provides allocations for PWDVA under a state Plan scheme, called the Flagship Programme for Gender Awareness aimed at creating awareness about different laws including the PWDVA. Of the total allocation of Rs 115 lakh in 2009-10, the expenditure incurred for the PWDVA is shown in Table 4. It is encouraging to note that for proper functioning of the POs, allocations were made for office vehicles and stationery.

Table 4: Break-up of Allocations for Kerala's 'Flagship Programme for Gender Awareness' in 2009-10

Programme	Expenditure (in Rs)
TA to SPs selection committee members	4,104
Selection committee – POs	5,000
Orientation class to legal counselors by KSSWB	1,80,000
DV Act – conducting sensitisation programme in all districts on 15.08.2009	4,20,000
DV Act – conducting sensitisation programme in all districts on 15.08.2009 (KELSA)	1,40,000
DV Act – conducting 1-day training class to legal counsellors on 10.10.2009 (KELSA)	67,719
Hiring of office vehicle to protection offices	4,97,804
Stationary for POs	90,000
Honorarium to legal counsellors through KSSWB	51,71,524
Written test to women POs	1,86,000
DV Act – district-wise seminar (Rs 11,500 each)	1,26,178

Source: Responses by state governments to RTI applications filed by the author.

The above examples indicate that financial provisions for components that affect the quality of service delivery and overall motivation of the POs must be given due importance. These components include their training, appointment of support staff, office infrastructure such as stationery, office space, TA, and contingency expenditure.

However, it needs to be stressed that in a majority of the states, existing government officials have been assigned additional duties of POs (Lawyers Collective 2010). Since these officials are already handling a particular scheme or programme, this additional duty has increased their existing work burden manifold. For instance in Rajasthan, the child development project officers (CDPO) under the Integrated Child Development Services (ICDS) have been assigned the additional charge of POs. A CDPO is required to oversee around 200-300 anganwadi centres on an average. Moreover, a study conducted by the Centre for Budget and

Governance Accountability (2011) shows that in the two districts surveyed – Baran and Jodhpur – even the required number of CDPOs have not been appointed. Likewise in Himachal Pradesh, supervisors under the ICDS have been given additional charge. The supervisors who are one level below the CDPOs have minimal support structures to fulfil their tasks. The Saurashtra Kutch Group of Agencies on Violence against Women (2009) conducted a study that shows that the social defence officers who were given joint responsibility of POs in Gujarat found it extremely difficult to

fulfil the targets given to them to provide loans to the disabled. Therefore, there is an urgent need to appoint full-time POs. In addition, there should be at least one PO at the block level assisted by a support staff.

The second related issue is that even where full-time POs have been appointed as in Delhi, Tamil Nadu, West Bengal and Haryana, all of them are on contractual appointments. None of the state governments have made regular appointments. This trend is noticeable across many schemes and programmes, whereby the primary service providers are being appointed on a contractual basis and not through creation of a special cadre. This needs to be understood in the larger context of the last decade during which non-Plan expenditure in social services has been cut down by many states due to the emphasis of the prevailing fiscal policy on reduction of deficits through curtailment of public expenditure. The non-Plan expenditure to a significant extent shapes the strength of the state government apparatus in terms of the availability of regular qualified staff and adequacy of the government infrastructure, for implementing Plan programmes/schemes. Therefore,

a decline in the quantum of non-Plan expenditure adversely affects the overall capacity of the government apparatus to implement Plan programmes/schemes. Thus, the country needs to have a fiscal policy that enables the state governments to increase non-Plan spending in the development sectors.

Publicity and Workshops: Allocations for holding workshops for different functionaries and generating public awareness about the PWDVA by way of posters, hoardings, and radio shows constitute the second component that has received attention. For instance, while no allocations were made in Gujarat in 2008-09, it spent Rs 25 lakh in 2009-10 under this head, advocacy, training and information, education and communication (I&C) activities. The state allocated Rs 15 lakh for the same purpose in 2010-11. In Nagaland, Rs 2 lakh was spent in 2008-09 for printing the PWDVA in the local language. Sikkim spent Rs 4.88 lakh in 2009-10 for holding awareness camps. Similarly,

Himachal Pradesh spent Rs 2.30 lakh for training of POS in 2009-10.

However, there are certain issues that need to be highlighted with respect to this component. First, as seen above, Punjab has been allocating Rs 50 lakh under the Awareness Generation Programme since 2008-09 but no expenditure has been incurred. Second, while many states have allocated funds under the I&C activities for generating awareness, it has not been a sustained exercise. As noted earlier, the Government of India (2010) mentions that one of the obstacles in the way of effective implementation of PWDVA is lack of awareness about it. Many states provided funds for generating awareness and holding workshops when the Act first came into force but no funds have been allocated thereafter. It is important that sustained efforts are made to help women make informed choices. The states need to make efforts to translate the Act into the local language and disseminate it widely. Here, the role of the print as well as electronic media is critical. Finally, while many

states have provided funds for the training of POS, it is equally important to generate awareness among other agencies and individuals involved in the implementation of the Act such as medical officers, police personnel, magistrates and service providers. In order to do this, dedicated resources under I&C should be allocated.

Neglected Issues

A component that has not received sufficient attention is the support for service providers notified under the Act. As noted earlier, most of the states have notified existing shelter homes run under the Swadhar scheme or Nari Niketans. Swadhar is a central government scheme, which gives grants to the states to set up shelter homes for women in distress. The report of the Centre for Budget and Governance Accountability (2010) points out that the Swadhar scheme has consistently recorded actual expenditures higher than the budget estimates and revised estimates. This reflects the huge demand for such a scheme. Quite contrary to this, the output

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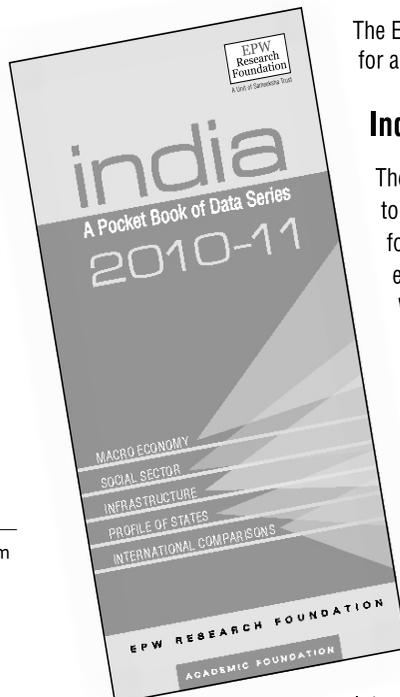
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data reveals that there were only 287 Swadhar shelter homes operational across the country, which means that there is not even one home per district. Given that the average population per district is more than 15 lakh, the shelter homes are grossly inadequate. With the introduction of the PWDVA and notification of Swadhar shelter homes as SPS, it is all the more important that adequate number of such homes be constructed and quality of services ensured.

Out of the 28 states, only three states – Madhya Pradesh, Sikkim and Kerala – have provided some support to the SPS. Sikkim provides an honorarium of Rs 2,000 to each service provider. The entire allocation of Rs 2 lakh in 2010-11 has been provided to pay this honorarium. Kerala provides Rs 5,000 to appoint legal counsellors or lawyers, and Rs 10,000 per service provider to extend medical assistance and psychiatric help to women. Madhya Pradesh allocates Rs 2 lakh to an organisation that is not already receiving government funds.

Another issue that merits attention is the availability of limited information on budgets allocated for PWDVA. For instance, while Delhi has a Plan scheme for the implementation of PWDVA, the break-up for allocation is not available. The response received from Delhi mentions that, “the entire budget allocated is distributed among 10 district officers for meeting contingent expenditure incurred by POS in the discharge of their official duties”. The break-up for Haryana is also divided under two broad heads – other expenditure and other charges, which does not reflect the specifics of the allocation. Similarly, for many states, it is difficult to gauge the specific components for which the allocations have been made.

3 Whose Responsibility?

Before we discuss the main issues relating to budgeting with respect to PWDVA, it must be noted that the overall priority given to women's issues is low. This is clearly evident from the minuscule allocations of the various women-specific schemes run by the different departments/ministries. Out of the 60 women-specific schemes/interventions reported in the “Gender Budgeting Statement” this year, only 11 schemes have allocations exceeding Rs 100 crore of

which only three (viz, Reproductive and Child Health (RCH) Flexible Pool, Rural Family Welfare Services and Indira Awas Yojana) have allocations exceeding Rs 1,000 crore.

With regard to funding for specific components, the Scheduled Castes and Scheduled Tribe Prevention of Atrocities Act, 1989 offers a good example. In this case, financial resources are provided to the state governments on a 50-50 basis and to the union territories on a 100% basis. Funds are allocated for (a) functioning and strengthening of the SC/ST Protection Cell and Special Police Stations; (b) the setting up and functioning of exclusive special courts; (c) relief and rehabilitation of atrocity victims; and (d) awareness generation. Therefore, in the case of the PWDVA, allocations need to be made for (1) Functioning of POS including salaries, support staff, infrastructure, training, domestic travel, stationery and contingency. As noted, most of the POS have been appointed on contractual basis. This can be considered only a first step since effective service delivery will require permanent appointments. (2) Training and capacity-building of all functionaries such as police, medical officers and judiciary. (3) Support for service providers. (4) Awareness generation of people at large.

The third critical concern is the low expenditures incurred. As illustrated in the analysis, besides meagre allocations, the states have been unable to spend the funds. The reasons for this may range from inadequate human resources in place to low awareness among the implementing officials and women who are the intended beneficiaries.

Now the issue that arises is – who will provide the funds and what should be the mode of funding? While it is important for the state governments to continue making allocations, it is imperative that some support is provided by the central government. It must be noted that the funds by the central government would be to supplement and not to substitute funds provided by the states.

Problems with Draft Scheme

At present, the National Commission for Women (NCW) is inviting comments on the “Centrally Sponsored Scheme for

providing matching assistance to state governments for effective implementation of PWDVA, 2005” (National Commission for Women 2011). The draft scheme aims “to combat violence against women by implementing the Special Cells for Women intervention model across the nation during the 12th Plan” (p 1). It is primarily based on the model of special cells (for women and children) initiated in Maharashtra way back in 1980s by a joint initiative of the Bombay (Mumbai) Police and the Tata Institute of Social Sciences (TISS). The police system plays a central role in the model of special cells. As mentioned in the draft scheme, the role of the special cells include rebuilding women's self-esteem; functioning as protection officer cum child marriage prohibition officer (PPO); providing services such as counselling, institutional support, legal aid, etc; generating awareness and documenting the work done.

At the outset, setting up a special cell might appear to be the best approach towards addressing the needs of an aggrieved woman. However, there are many concerns that need to be addressed. The first issue pertains to the basic approach of the scheme. As per the scheme, the PO who is the first contact person for the aggrieved woman must be located at a police station. The NCW (2011) claims that by housing the PO in the police station, the special cell will be able to provide emotional, physical, mental and legal space to the aggrieved woman within the criminal justice system. However, this provision defeats the very purpose of the PWDVA which came into force because there was a demand for a civil law apart from the criminal laws which already exist. Secondly, the draft scheme proposes to allocate funds for PWDVA by way of a CSS with the share of the centre and state at 50:50. There are two major issues with this. The model of the CSS for allocating funds is questionable in the first place. Jha, Das and Acharya (2011) highlight several problems in the working of the CSS. One of the most important issues, they note, is that CSS follow a top-down approach with little or no flexibility given to the implementing agencies, in this case the states. This severely constrains the states from modifying the scheme to suit their local conditions. Secondly, the scheme puts a 50%

burden on the states, thus failing to take cognisance of the current scenario in which a majority of the states have to abide by the Fiscal Responsibility and Budget Management Act and thus restrict their spending. The third issue pertains to the neglect of various components of the Act that are essential for its effective implementation.

The scheme mentions that each police station at the block level will comprise two social workers, one of whom could be designated as additional PO. A full-time PO will only be at the district level, housed again at the police headquarters. A PO is to be assisted by a legal assistant, field coordinator, social worker, accountant-cum-clerk, data entry operator and multipurpose worker. The special cell model has been established in Haryana (see box) whereby the PPOs are housed at the office of the superintendent of police in each district to cater to the needs of women. TISS is working as a resource and guiding agency for the PPOs. The tasks performed by it include research and documentation, training and capacitybuilding of different stakeholders and participation in policy decisions of special cells, among others.

For District Level Special Cells in Haryana

- Clerk cum Data Entry Operator: 20 @ Rs 8,000 per month for 10 months
 - Multipurpose Worker: 20 @ Rs 3,000 per month for 10 months
 - Telephone Expenses: 20 @ Rs 500 per month
 - Travelling Expenses: 20 @ Rs 2,000 per month
 - Misc Expenses: 20 @ Rs 4,000 per month
- (Break-up of the Budget for PWDVA, Haryana for 2009-10)

Although the draft scheme does provide for the support staff that would assist the PO, it still places PPOs at the district level which is insufficient.

Even in case of service providers, central assistance is limited to a maximum of two SPS per district on a matching basis. This clearly needs revision since two SPS (as discussed above) for one whole district are grossly inadequate. Further, it puts a ceiling on the annual grant for the SPS per district. This annual grant is to be given at the rate of Rs 5,000 which also includes administrative and travel expenses.

The scheme again puts the onus of providing training and capacity building on the MWCD by way of existing schemes. It mentions that no extra budget would be required for the same.

Awareness generation among women and other important stakeholders has not been given adequate attention in the proposed scheme.

For the purpose of monitoring and supervising the overall implementation of the scheme, the scheme mentions designation of collaborating partner at the central and state level. The role of such collaborators as outlined in the scheme is quite extensive. However, the scheme does not detail the selection process of the collaborators which if not done in a transparent manner, might exacerbate problems. Moreover, this approach is akin to transferring the state's responsibility of addressing the issue of violence against women to an external agency.

An Alternative Scheme

Given that the proposed scheme has several gaps, it is critical at this stage to suggest an alternative. A policy can be successful only when it takes local needs into account. Therefore, on the lines of the Flexible Pool under the National Rural Health Mission, a flexible pool of funds could be provided to the states by the MWCD. This will enable the states to draw up plans as per their contextual requirements. However, it must be emphasised here that states need to be given enough flexibility in drawing up their plans, otherwise this model will have only a limited impact. The MWCD, being the nodal agency, must

also monitor the allocations made under the Flexible Pool.

NOTES

- 1 Information was primarily sought on three aspects: (a) the budgetary allocation made by the state for implementation of the Domestic Violence Act in 2008-09, 2009-10 and 2010-11; (b) the expenditure incurred for the years 2008-09 and 2009-10; and (c) the specific heads under which the allocations were made.
- 2 No information was received from Tripura.

REFERENCES

- Centre for Budget and Governance Accountability (2011): *Gender Responsive Budgeting: A Study of ICDS in Two Districts of Rajasthan*, unpublished report.
- Centre for Budget and Governance Accountability (2010): *Union Budget 2010-11: Which Way Now?* Retrieved from http://cbgindia.org/budget_responses.php
- Government of India (2010): *Mid-Term Appraisal of the Eleventh Five-Year Plan*, retrieved from http://planningcommission.nic.in/plans/mta/11th_mta/pdf/11_-_WCD_-_DCH_approved_on_03-05-2010.pdf
- Jha P, S Das and N Acharya (2011): "Centrally Sponsored Schemes: Are They the Solution or the Problem?" in P Jha (ed.), *Progressive Fiscal Policy in India* (New Delhi: Sage).
- Lawyers Collective Women's Rights Initiative and International Center for Research on Women (2010): "Staying Alive: Fourth Monitoring and Evaluation Report 2010 on the Protection of Women from Domestic Violence Act, 2005", retrieved from <http://lawyerscollective.org/images/stories/lawyer%20collective-new.pdf>
- National Family Health Survey (2005-06): Retrieved from http://www.nfhsindia.org/volume_1.shtml
- National Commission for Women (2011): "Draft Centrally-Sponsored Scheme to Provide Matching Assistance to State Governments for Effective Implementation of PWDVA, 2005", retrieved from <http://ncw.nic.in/>.
- Saurashtra Kutch Group of Agencies on Violence against Women (2009): *Monitoring Implementation of Protection of Women from Domestic Violence Act, 2005 in Gujarat State*, Ahmedabad.

Post-Doctoral Fellow Position in Public Finance and Policy at the Centre for Studies in Social Sciences, Calcutta

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