

Safety of Women
in Public Spaces
in Delhi:
Governance and
Budgetary Challenges

2017



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FOREWORD

Women have a right to the city; and to enjoy its opportunities, benefits and services. They have a right to claim their freedoms and choices. However, the increasing incidence of sexual harassment and violence against women in public spaces in cities, has once again brought the issue of women's safety into the public discourse. Addressing women's safety in public spaces requires a multi-dimensional response. While women's rights organisations, activists, lawyers and urban planners have consistently responded to the issue by focusing on linking services, accountability of institutions and changing mindsets; there are other important dimensions, such as the governance and budgetary dimensions that require more attention. Centre for Budget and Governance Accountability (CBGA) and Jagori have joined hands to study the gaps in select policy and operational aspects that affect women's safety in public spaces in Delhi.

The Justice Verma Committee (2012), while advising possible amendments to the criminal laws on sexual violence against women, highlighted that, *"failure of good governance is the obvious root cause for the current unsafe environment eroding the rule of law and not the want of needed legislation."* In undertaking this study, CBGA and Jagori have thrown light on some of the dimensions of the strategic framework that informs women's safety in public spaces, identified key operational hurdles and suggested possible solutions through improved governance processes and budgetary priorities.

The complexities in Delhi's governance architecture have thrown up several challenges. There is need for coherence and synergies in commitment at all levels. With regard to budgetary priorities for effective measures for women's security and safety, we hope that the key findings of the study would feed into building policy and political commitments. The budgetary allocations and decisions are crucial if we are to walk the talk and build a violence-free city for women and girls.

We are grateful to colleagues at CBGA and Jagori for their contributions to the study and to partners that have accompanied us in the process.

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Any errors or omissions are solely our responsibility.

Study Team

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ABBREVIATIONS

AE	Actual Expenditure
BE	Budget Estimates
CCTV	Closed Circuit Television
DCW	Delhi Commission for Women
DDA	Delhi Development Authority
DIMTS	Delhi Integrated Multi-Modal Transit System
DIR	Domestic Incident Report
DTC	Delhi Transport Corporation
DUSIB	Delhi Urban Shelter Improvement Board
DWCD	Department of Women and Child Development
FIR	First Information report
FYP	Five Year Plan
GNCTD	Government of National Capital Territory of Delhi
GoI	Government of India
GPS	Global Positioning System
GRB	Gender Responsive Budgeting
GSDP	Gross State Domestic Product
MCD	Municipal Corporation of Delhi
MHA	Ministry of Home Affairs
MoHUPA	Ministry of Housing and Urban Poverty Alleviation
MoUD	Ministry of Urban Development
MLC	Medico Legal Case
MWCD	Ministry of Women and Child Development
NCRB	National Crime Records Bureau
NULM	National Urban Livelihoods Mission
OSC	One Stop Centre
PPP	Public Private Partnership
RE	Revised Estimates
RTI	Right to Information
VAT	Value-added Tax

EXECUTIVE SUMMARY

The issue of violence against women, both in the public sphere and within the home, has been a long-standing challenge. However, public outrage following the rising incidence of crimes against women has forced the government to acknowledge the severity of the problem. While violence against women persists across the country, its incidence is particularly high in select areas. Data from National Crime Records Bureau (2015) reveals that the rate of total cognisable crimes (i.e., incidence of crime per one lakh female population) per year among all states and Union Territories is the highest for Delhi at 184.3, as against 53.9 for the country as a whole. Notwithstanding various policies, programmes and schemes by the government to address the issue, the rate of violence against women in Delhi continues to be unacceptably high. Therefore, it is worth examining why despite a reasonably comprehensive legislative and policy framework, the desired outcomes have not been achieved.

Against this backdrop, the study attempts to highlight some of the major hurdles in Delhi's governance and fiscal policy in ensuring the safety of women in public spaces. Though violence against women is widespread and occurs both in private and public spheres, the present study focuses on analysing mechanisms for ensuring women's safety in public spaces and their access to them. For the purpose of the study our focus is on physical including sexual violence.

This study discusses some of the underlying gaps in (i) the response and rehabilitative measures of the Union Government and Government of National Capital Territory of Delhi (GNCTD) for women in distress and (ii) in specific sectors such as policing, public bus service and night shelters that provide an enabling environment for women to access public spaces without the threat of violence. It traces the causal factors, underlying these gaps, to hurdles in governance and public spending in Delhi. In doing so, the study highlights how the existing policy framework for women's safety in public spaces can be operationalised more effectively.

I. Support Mechanisms for Women in Distress

The State's crisis response mechanism is vital to reach out to women in distress and provide necessary rescue, medical and legal assistance, shelter and other support services. Though both the Union Government and GNCTD have a number of crisis response interventions, the lack of a single streamlined response mechanism stands out as a significant gap.

Interventions by the Union Government

Some of the key crisis response interventions by the Union Government are under the Ministry of Women and Child Development (MWCD). These include helplines, one stop crisis centres, shelter homes and compensation funds for survivors of violence. However, the implementation of most of these schemes has been lackadaisical. The budgetary outlays for schemes have also been lower than the estimated requirement. This has resulted in the poor implementation of schemes to some extent, reflected in their low coverage and shortage of human resources for implementation, among other factors.

Moreover, the operationalisation of some of these schemes has been either stalled or significantly delayed, reflecting the low priority of the government. It is also worth noting that schemes, for instance, Swadhar Greh, (a Union Government scheme that provides shelter, food, clothing, medical treatment to women in difficult circumstances) have not been implemented in Delhi.

Nirbhaya Fund: The total magnitude of the fund stands at Rs. 3,000 crore as of 2016-17. Since its inception in 2013, the corpus transferred to the Public Account for the Nirbhaya Fund, upto 2015-16, is Rs. 2,000 Crore. Proposals amounting to nearly Rs. 2,200 crore have been received appraised and recommended under the fund and are at different stages of implementation. The proposals focus more on the incidence of violence, rather than addressing the more fundamental concerns in this sphere. Moreover, it is also important that additional funds for the effective implementation of these measures continue to be provided, once the resources under the Nirbhaya Fund are exhausted.

Interventions by GNCTD

Major interventions by the GNCTD, to respond to women in distress, are implemented by the Department of Women and Child Development (DWCD) and the Delhi Commission for Women (DCW).

Important interventions by the DWCD include residential support (Nirmal Chhaya), Gender Resource Centres and Women's Helpline — the last has been transferred to the Delhi Commission for Women. The effective implementation of these initiatives has been hindered by constraints in the design of interventions, human resource shortages and low budgetary outlays. As a result, capacity, coverage and quality of services under several of these initiatives have been poor.

The DCW also implements Helpline, Sahyogini, Rape Crisis Cell, 24-hour Mobile Helpline and Mahila Panchayat. Since its reconstitution in July 2015, the Commission has been playing a more pro-active role towards enhancing women's safety in Delhi. In addition to strengthening existing interventions, new interventions have been introduced. DCW has also been raising issues pertaining to the sale of acid, police accountability, rehabilitation of survivors of violence, ensuring toilets in public spaces, making taxi services more women friendly, action against liquor vendors and safety at night shelters, among other issues. The Commission is also working with concerned stakeholders to ensure coordination in efforts.

However, as acknowledged in its Annual Report (2015-16), the functioning of the Commission has

been hampered by lack of budgetary resources, reflected in shortage of human resources and infrastructure.

Response of public hospitals to violence against women

The study presents insights on the responsiveness of public hospitals to women victims/survivors of violence based on Right to Information applications sent to government hospitals. With respect to hospitals other than One Stop Centres (OSCs), we observed the following:

- **Accessing government hospitals:** The responses received from 27 public hospitals under the Union Government, GNCTD and municipal corporations showed that the number of women victims/survivors of violence accessing public hospitals — for both sexual and physical assault — was 1063, 1318 and 1056 in 2013, 2014 and 2015 (until the month of November) respectively. Against the backdrop of the high incidence of violence and assault faced by women in Delhi, these figures seem to indicate limited use of public hospitals by victims/survivors of violence.
- **Provision of counsellors:** Most hospitals do not have their own counsellors and depend on the DCW for counsellors. This is likely to affect the consistency and effectiveness of counselling services, which is integral to a comprehensive response mechanism to victims/survivors of violence.
- **Training of doctors:** Training of doctors based on 'Guidelines & Protocols:- for Medico-legal care for survivors/victims of Sexual Violence' issued by Ministry of Health and Family Welfare, is not conducted or institutionalised by most hospitals. This is likely to result in the lack of standard operating procedures to be followed by hospitals in such cases. It is critical that hospitals provide orientation to doctors on these or other guidelines, to ensure proper care and treatment of women facing assault.

OSCs have been set up in hospitals for crisis management and rehabilitation of victims of sexual assault. With regard to the Centres in Delhi, we found:

- **Number of cases:** A higher number of women facing physical and sexual assault visit OSCs, than other government hospitals. Most Centres did not have information about the break-up of the number of cases of physical or sexual assault received by them.
- **Expenditure on women victims/survivors of violence:** The Centres did not provide information about expenditure incurred on women victims/survivors of violence. However, the entire cost of emergency contraception, ultrasound, X-ray, injury treatment, abortion, safe kits and fresh clothes is borne by hospitals. The women are not required to meet any of these costs.
- **Provision of counsellors:** Most Centres provide counselling; some do not have their own counsellors and depend on DCW.
- **Referral services:** It is important for the Centres to link with other services that distressed women may require. The responses to the RTI applications indicate that only a few OSCs provide

referral services for shelter and legal aid, not all.

- **Training of doctors:** The RTI responses received from five of the six hospitals indicate that some training of doctors on 'Guidelines & Protocols for Medico-legal care for survivors/victims of Sexual Violence' is undertaken by the hospitals. However, not much detail is provided on the duration and frequency of these trainings. In the case of one hospital Guru Teg Bahadur Hospital, the response indicates that such information is not available.

The weak implementation of measures to respond to women in distress can be attributed to a range of factors. However, it is clear that persistent underfunding of these interventions has resulted in systemic weaknesses as reflected in the shortage of human resources — such as helplines, shelter homes and counsellors in hospitals — and inadequate infrastructure, as in the case of DCW. Hence, a higher magnitude of public spending is essential to ensure adequate coverage and quality of services to address the varied needs of women in distress. The need for better integration of services and improved coordination between the Union Government and GNCTD also emerges from this analysis.

II. Sectoral Interventions to Enhance Women's Safety

Besides analysing mechanisms that respond to the needs of distressed women, it is worth reflecting on factors that enhance women's access to public spaces and their safety therein. Factors such as police presence, availability of a robust public transport system, shelters for homeless women, adequate street lighting, availability of public toilets and other infrastructure are widely recognised to enhance women's sense of safety and strengthening their access to public spaces. The report has analysed interventions in three such sectors, namely policing, public bus service and night shelters.

Policing

In Delhi, policing is a governance challenge since Delhi Police functions under the purview of the Union Government. This has often led to friction between the Union Government and GNCTD, with demands to bring Delhi Police under the Government of Delhi. Nonetheless, the role of Delhi Police is central to any discussion on women's safety in the city.

The Delhi Police has instituted a number of mechanisms for enhancing the security of women. While delineating expenditure on these specific measures is not possible, owing to the structure of the budget documents, an analysis of the overall budget of Delhi Police throws up some concerns.

- **Union Government's budgetary outlays for Delhi Police:** While the budgetary outlays for Delhi Police have shown a steady increase in absolute terms, as a proportion of the allocations to the police force, under the Union Ministry of Home Affairs, it has remained more or less stagnant. Delhi Police itself contends that the magnitude of allocations is 'grossly insufficient' to meet its needs.
- **Shortage of police personnel:** Data from Delhi Police clearly shows a significant shortage of police personnel. While Delhi Police contends that the sanctioned posts in its workforce itself

are inadequate, the number of actual posts is even lesser. In 2015-16, as against a sanctioned strength of 84,536, the actual strength of Delhi Police was 75,653.

- **Representation of women in Delhi Police:** Women constitute less than 9 percent of the total workforce of Delhi Police. Low representation of women in the police force is likely to deter women from reporting crimes, thereby restricting their access to security and justice.
- **Spatial inequity in police presence across Delhi:** The concentration of police stations is around the central areas of Delhi, with the peripheral areas remaining significantly underserved (please refer to map in section 3). This raises concerns over access to police services for the large number of women, living in areas outside the central parts of Delhi.

Public bus service

A robust public transport system is vital to access the city, especially for women who rely on public transport more than men, owing to limited access to private modes of transport. Buses continue to be an important means of public transport in Delhi. An average of 39 lakh commuters used Delhi Transport Corporation (DTC) buses in 2014-15 alone (Economic Survey of Delhi, 2014-15). DTC is primarily responsible for providing buses in Delhi. Some buses are also operated by Delhi Integrated Multi-Modal Transit System (DIMTS). The main concerns with public bus services in Delhi are:

- **Inadequate number of buses:** As against a requirement of 11,000 buses in Delhi, the total number of government buses in 2014-15 operated by both DTC and DIMTS, is less than 6,500, as reported by DTC in response to a RTI application. A shortage of buses would result in restricted mobility of women or relying on private modes of transport, which may not necessarily be safe means of travel. The lack of available space with DTC, for the construction of bus depots, has also delayed the procurement of buses. Land for bus depots has to be provided by the Delhi Development Authority, which functions under the purview of the Union Government.
- **Low coverage of public bus service in peripheral areas:** The coverage of public transport services in Delhi is concentrated towards the central areas, with the peripheral areas remaining underserved (please refer to map in section in section 4). While this is a concern by itself, it raises special concerns about women's mobility and access to safe and reliable transport services.
- **Need for feminising DTC's workforce:** The total number of women conductors in DTC in 2015-16 was 245, while the number of women drivers stands at just one.
- **Functioning of specific features for women's safety:**
 - **Global Positioning System devices:** Responding to a RTI application, DTC stated that of the 3,906 buses in which GPS devices were installed, only 199 of them were functioning as of January 2016.
 - **Closed circuit television cameras:** CCTV cameras have been installed in 200 DTC buses as of 2014-15. In 2016-17, it was proposed to increase this coverage to cover the entire fleet.

- **Marshals and Home Guards:** The number of marshals and home guards in each depot seems to vary. The annexure presents the number of home guards and the routes covered by them, for approximately 1200 marshals and 1400 home guards. It is based on responses from DTC to an RTI query.

Efforts at ensuring women's safety in public buses have focused on the use of surveillance and technology. While these may serve the purpose to some extent, the actual challenges of ensuring safety are related to both the weak institutional capacity of DTC and poor implementation of specific initiatives. Unless concerns that have a bearing on women's safety are addressed — such as provision of adequate buses, their even distribution across the city, ensuring more women drivers and conductors, and effective implementation of specific initiatives — women's use of buses would be restricted and marred by insecurity. The vulnerability of women to violence in other means of transport such as autos, metros, Gramin rickshaws, etc., is also an important area that requires further analysis.

Night shelters

Homeless individuals, especially homeless women, are among the most dispossessed and marginalised sections of the population. Their multiple vulnerabilities place them at high risk of various forms of violence. Yet, the issue of homelessness has not found due space in the policy and programmatic framework of the country. The response to homelessness by various levels of government, are as follows:

- **Night shelters by Union Government:** Guidelines for 'Scheme of Shelters for Urban Homeless', a sub-component of National Urban Livelihoods Mission were issued in 2013. As per information provided by the Ministry of Housing and Urban Poverty Alleviation, though some funds were released under the Mission in Delhi, no shelters have been constructed.
- **Night shelters by GNCTD:** Delhi Urban Shelter Improvement Board (DUSIB), under Government of National Capital Territory of Delhi, is the nodal agency responsible for providing night shelters in Delhi. These are primarily operated and managed by NGOs with financial support from DUSIB. The main concerns with respect to night shelters in Delhi are:
 - **Capacity:** According to Census 2011, the number of homeless persons in Delhi is 47,076. According to some estimates, this is an underestimation. An independent enumeration by Supreme Court Commissioner's Office, DUSIB, Mother NGO and Homeless Resource Centre placed the homeless population in Delhi in 2011 as 2,46,800. The total capacity of night shelters in Delhi was 21,574 in January 2016. This data underscores an urgent need to increase the capacity of night shelters, especially for women.
 - **Distribution of night shelters across Delhi:** Though the overall distribution of night shelters seems to be more or less consistent with the spatial concentration of the homeless population across districts, the gap between the required number and actual capacity is significantly high in the districts of Central, North, West and particularly South Delhi. The

North West and South East districts of Delhi stand out for not having even a single shelter, meant exclusively for women.

- **Gender responsiveness of the design of night shelters:** Some important gaps from the perspective of women are the inconvenient location of night shelters, poor hygiene, and lack of privacy and inadequate linkages with support services.
- **Budgetary outlays:** The outlays for night shelters have increased from Rs. 14.5 crore in 2013-14 (BE) to Rs. 23.1 crore in 2014-15 (BE), and from Rs. 35.5 crore in 2015-16 (BE) to Rs. 43.3 crore in 2016-17 (BE). The unit cost per shelter per month has also increased from Rs. 35,000 to Rs. 45,000. However, in view of the fairly high levels of fund utilisation and the low coverage and capacity of night shelters, there is a case for enhancing the outlays for night shelters in Delhi.

The three sectors examined in this study, namely policing, public bus service and night shelters are distinct and characterised by challenges unique to each sector. Yet, the implementation of services in each of these sectors has common underlying weaknesses such as under funding, which have resulted in shortage of police personnel and inadequate capacity of night shelters. Other hurdles are the complexities of Centre-State relations as reflected in the demand for control of Delhi Police by GNCTD and the hurdles faced by GNCTD in procuring land from Delhi Development Authority (DDA) for construction of bus depots in Delhi.

III. Governance and fiscal architecture of Delhi - Implications for women's safety

The analysis of government efforts for women's safety from a budgetary and governance lens makes it necessary to examine the adequacy of public expenditure in Delhi and the implications of the complex governance architecture on efforts to enhance women's safety. This section traces the concerns discussed in the previous sections, to the gaps in the domain of governance and fiscal policy. It also identifies specific changes that could address these challenges.

Governance architecture: Delhi's governance architecture is distinct because it functions as a Union Territory with a legislature. As the capital of the country, the Union Government has a substantial role in the governance of Delhi; the functions of policing, law and order, and land are outside the jurisdiction of the GNCTD. Apart from the Union Government and GNCTD, Delhi has five municipal corporations. Altogether, Delhi's governance structure is complex and characterised by a multitude of agencies across the three levels of governments which are required to coordinate in a range of sectors. From a governance perspective, this makes the task of ensuring women's safety a challenging one.

Fiscal architecture: The unique administrative architecture of Delhi also lends it a unique fiscal architecture. What stands out in the case of Delhi is the sizable spending by the Union Government and the municipal corporations, which together comprises close to 50 percent of the total government spending in Delhi. The per capita expenditure by GNCTD, and combined per capita expenditure by GNCTD, DDA and Delhi Police (functions for which expenditure is incurred by the

Union Government) was Rs. 24,062 and Rs. 31,495 in 2016-17 (BE) respectively. This expenditure is higher than other states. Such relatively high expenditure can cause us to infer that the scope to increase government spending in Delhi is limited.

However, as a proportion of Gross State Domestic Product (GSDP), expenditure by GNCTD stood at 8.3 percent while the combined expenditure by GNCTD, DDA and Delhi Police was 14.1 percent in 2016-17 (BE). Even total budgetary spending, by all tiers of government, was 16.1 percent of GSDP, lower than budgetary spending in other states. Hence, it is argued that there is scope to increase the fiscal space in Delhi. Among other measures, this could be achieved through better Value-Added Tax (VAT) compliance and increasing the grants-in-aid in lieu of central taxes to Delhi, which have remained stagnant at Rs. 325 crore since 2001-02. This would provide the government with increased resources to undertake more substantive interventions in general, and for women's safety in particular.

Other concerns with Delhi's budget pertain to :

Excessive reliance on excise duty from sale of alcohol: 14 percent of Delhi's own tax revenue is generated from the sale of alcohol. Excessive consumption of alcohol is linked to increased levels of violence against women.

Constrained financial health of municipal corporations: Following the trifurcation of the Municipal Corporation of Delhi in 2012, the fiscal health of two of the three municipal corporations, namely East Delhi Municipal Corporation and North Delhi Municipal Corporation, has been severely strained.

The Fourth Finance Commission of Delhi which was constituted in 2009, presented its report in 2013. The report contains recommendations for all three tiers of governance. With regard to devolution of funds from GNCTD to municipal corporations in Delhi, the report recommended that 12.5 percent of the taxes, duties, fees and tolls collected by GNCTD during the financial years 2012-13 onwards, be kept in the divisible pool of the NCT of Delhi for each financial year. Further, it recommended that 50 percent of funds in the divisible pool should be divided amongst all municipalities as per population and area. The remaining amount in the divisible pool, it is suggested should be distributed in the ratio of 34:66 between North Delhi Municipal Corporation and East Delhi Municipal Corporation. This is a welcome measure as it would help address the financial crisis faced by the two municipal corporations.

In an explanatory memorandum regarding action on these recommendations, the GNCTD expressed its keenness to implement them, but made it contingent upon "the Government of India to accept implement the recommendation of the Fourth Delhi Finance Commission."

This is a concern as municipal corporations play an important role in the provisioning of critical services like sanitation and street lighting, which are recognised to have an important bearing on women's safety in public spaces.

Lack of budget transparency: An important means of bringing about accountability in public expenditure is through public engagement with budgets. This necessitates the availability of budgets in the public domain. At present, the budgets of agencies such as DTC and DCW as well as those of municipal corporations (except New Delhi Municipal Council) are not publicly available.

IV. Concluding Remarks and Policy Recommendations

Taking into account these concerns, a number of policy recommendations emerge from the study:

Bring about improvements in governance, fiscal and budgetary processes to strengthen interventions that have a bearing on women's safety:

■ **Governance processes:**

At present, a number of actors in Delhi, under both, the Union Government and GNCTD are implementing a range of critical interventions to respond to women in distress. It is necessary to create a single unified response mechanism that could coordinate the efforts of all and ensure necessary follow-up.

■ **Fiscal processes:**

- **Expansion of the fiscal space of GNCTD and municipal corporations:** Expanding the fiscal space of GNCTD and municipal corporations is necessary to enable higher public expenditure on interventions that enhance women's safety in public spaces. This can be achieved for GNCTD, among other measures, through an increase of grants-in-aid to GNCTD in lieu of taxes from the Union Government and better VAT compliance by GNCTD. For the municipal corporation, it calls for devolution of more resources from GNCTD and better collection of property tax.
- **Reduced dependence on revenues generated from the sale of alcohol:** Revenues from sale of alcohol comprised 14 percent of the own receipts of the GNCTD budget in 2016-17 (BE). This is an important concern as evidence from studies have highlighted linkages between consumption of alcohol and domestic violence [Luca et al (2015), Yadav (2014)].

■ **Budgetary processes:**

- **Higher magnitude of public expenditure on interventions pertaining to women's safety:** Low public spending is an important constraint in the coverage of services and availability of human resources and infrastructure, for implementation of initiatives in important sectors like policing, public transport and crisis response mechanisms.
- **Enhance budget transparency:** The budgets of entities like DTC, DCW as well as the municipal corporations (except New Delhi Municipal Council) are not available in the public domain. Moreover, presenting these documents in an accessible manner to make them comprehensible for citizens is important for enhancing transparency and strengthening accountability.

Address constraints in human resources for implementation of programmes and services:

- Human resource shortage: The shortage of human resources has affected the functioning of important stakeholders like Delhi Police and DCW as well as programmes like shelter homes and helpline. Provision of adequate human resources is a pre-requisite for effective implementation of programmes and services for women's safety.
- More spatially equitable deployment of Delhi Police across the city, since police forces tend to be concentrated in the central areas of Delhi, leaving the outskirts of the city under served.
- Ensure higher representation of women in all sectors and interventions, especially Delhi Police and DTC which is likely to encourage women to access these services.

Adoption of Gender Responsive Budgeting by all agencies:

It is worth noting that improvements in budgetary priorities alone cannot do the needful. Specific challenges across sectors need to be recognised and addressed through appropriately designed interventions backed by adequate budgetary outlays. Adoption of Gender Responsive Budgeting (GRB) by different agencies is also important. However, agencies like DUSIB, DTC and municipal corporations are yet to adopt this. GNCTD has adopted GRB; however, its implementation needs to be substantive.

Strengthen accountability mechanisms:

Under the present framework, accountability mechanisms to ensure appropriate support and services to address the occurrence of instances of violence is weak. It is imperative that the State is held accountable for instituting and implementing appropriate interventions for both, the prevention and occurrence of violence.

Action plan to end violence against women:

GNCTD must develop an action plan to end violence against women in Delhi articulating the role of each concerned stakeholder. Such an action plan must also appoint a nodal body that coordinates and monitors the work of various stakeholders.



INTRODUCTION



“As more women enter public spaces - for education or work or access to services or leisure-there are more reports of violence against them. We stand in solidarity with our girl children and women. And we pledge to do everything possible to empower them and keep them safe and secure.”

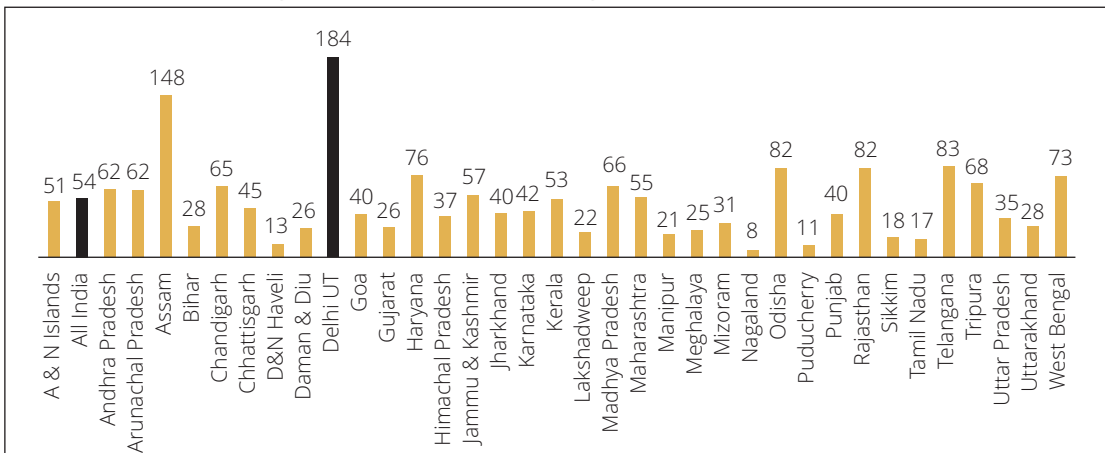
- Budget Speech of
Finance Minister, Union Budget 2013-14

1. INTRODUCTION

Violence against women, in the public sphere and within the home presents a long-standing challenge. Public outrage at the rising levels of violence against women has once again brought the issue to the forefront of public discourse, forcing the government to acknowledge the severity of the problem. Among other policy pronouncements, the budget speeches of Union Finance Ministers in recent years have acknowledged and highlighted — perhaps for the first time — the need for adequate budgetary outlays to back programmes and commitments towards women’s safety.

While various forms of violence against women occur in most parts of the country, its incidence is particularly high in select areas. Data from the National Crime Records Bureau (2015) reveals that the rate of total cognisable crimes (i.e.,the incidence of crime per one lakh female population) per year among all states and Union Territories is the highest for Delhi at 184.3, as against 53.9 for the country as a whole¹. Moreover, as Mehta and Arora (2015) point out, despite the increased reporting of crimes against women, data presented by NCRB is likely to significantly underestimate the number of such crimes that actually occur in any year, owing to difficulties in getting cases registered and reluctance on the part of women to file cases, among others factors. Not withstanding various policies, programmes and schemes by the government to address the issue, violence against women in Delhi continues to be unacceptably high. For the purpose of the study our focus is on physical including sexual violence.

Figure 1.1: Rate of Crimes against Women in 2015



Source: National Crime Records Bureau

¹ The high rate of crime in Delhi as reported by NCRB, may be on account of higher reporting of crimes against women in Delhi as compared to other States/UTs. However, analysing the data provided by NCRB is beyond the scope of the study.

The issue of security of women in Delhi has received attention from a wide range of stakeholders including policy makers, law enforcement agencies, and even urban planners. Stakeholders acknowledge the need to address the vulnerabilities of women and some initiatives have also been taken in this regard. Therefore, it is worth examining why government interventions for the safety of women have not been very effective, despite a reasonably comprehensive legislative and policy framework. Even the Justice Verma Committee, constituted to suggest possible amendments in criminal laws related to sexual violence against women, indicates in its report that “failure of good governance is the obvious root cause for the current unsafe environment eroding the rule of law and not the want of needed legislation.”

The ‘failure of good governance’ or the extent to which government interventions for women’s safety are effective, is contingent upon a number of factors. Delhi’s complex governance structure, as the capital of the country, is distinct from other states. The complex intersection of the three levels of governments, which are required to work in close coordination with each other, presents a serious governance challenge. It also has implications for interventions focusing on women’s safety. Functions like policing, public transport, night shelters, hospitals, land; essential services like sanitation, street lighting as well as all support services for victims/survivors of violence are under the jurisdiction of different tiers of governance, i.e., the Union, state and local governments. The implementation of these functions thus becomes a challenging task.

Besides a unique governance structure, the fiscal architecture of Delhi is also distinct from other states. Though the per capita government expenditure in Delhi is relatively higher than other states, it is worth examining whether the government’s relatively higher spending translates into adequate resources for ensuring the security of women. The pursuance of a conservative fiscal policy, over the last one-and-a-half decades, at the national level and at the level of state governments has resulted in public expenditure compression in many sectors. Sectors that take care of essential services and social protection have been affected to a greater extent than other sectors in this phase of fiscal conservatism.

The conservative fiscal policy has also resulted in persistent underfunding of programmes in a range of sectors and short-term (ad hoc) policies for human resources. As a result, the institutional apparatus for implementing many programmes is weak, while the coverage of services is inadequate and quality of services poor. Moreover, with an increasing role of the private sector in provisioning of services and infrastructure, the task of ensuring accountability is more challenging.

Policy Discourse on the Issue

While a meaningful assessment of government interventions for women’s safety in Delhi must be foregrounded in this backdrop, it is important to recognise that government efforts should not be viewed as restricted to only implementing schemes and programmes. The process of urban planning and development is widely recognised to have a bearing on women in urban areas. For instance, Baxi (2003) argues that the government, urban planners and urban governance experts should think of how to build women-friendly urban environments, as a small but critical step towards the prevention of sexual violence against women in public spaces. Likewise, Narayanan (2012) argues that women have historically been impacted, and continue to be severely affected by gender

insensitive ways of planning and implementing development. She uses the notion of equity to frame violence against women in Delhi as a sustainability problem — the lack of which constrains a city's capacity to be sustainable.

Findings of 'Gender Inclusive Cities', (2010) a report by Jagori, a women's training, documentation, communication and resource centre that has undertaken extensive work on the issue of women's safety, illustrate that gender-based violence in urban areas can be attributed to poverty, discrimination, exclusion, and the lack of use of gendered indicators in urban development and planning, leading to spaces and structures that exclude women. It also reaffirms the male-dominated nature of public spaces and the ways in which women have to 'manufacture' legitimate reasons to justify their presence in parks and bus stops, etc. Their movements in these spaces are controlled by perceptions of safety and societal norms. Phadke (2013) points out that, following sexual assaults on women in public spaces in cities, discussions frame the issue in terms of women's safety on the streets, rather than their right to access public space. She argues that the overarching narrative appears to be that cities are violent spaces that women are better off not accessing at all, and makes the case that women and others should be able to access a city — which is perceived as hostile — without being censured.

Analysis should take into account the extent to which concerns regarding women's safety in urban areas are integrated into government interventions. For instance, in the context of public transport, Baxi (2003) points out that travelling through Delhi on foot, by public transport or personal vehicles has always been fraught with sexual danger. Khosla's analysis (2012) that women use transport differently from men, based on the type of work they do, and that, they also work different hours from men and travel often in off-peak periods, provides useful insights into aspects that need attention. Research findings of 'Gender Inclusive Cities' by Jagori (2010) highlight that Delhi's dearth of basic infrastructure such as clean and safe public toilets for women, well-lit streets and pavements – which becomes acute in areas inhabited by the poor, contributes to the lack of safety and exclusion of vulnerable groups.

Likewise, safe shelter is necessary for the many homeless women in urban areas. In order to highlight the critical issues of violence faced by homeless women and girls in Delhi, and to urge State authorities to take action, *Shahri Adhikar Manch: Begharon Ke Saath* (Urban Rights Forum: With the Homeless) organised a 'Public Hearing on Violence against Homeless Women in Delhi' in 2014. The testimonies of homeless women, as documented in the report, point to the ignoring of their most basic concerns in government programmes for homeless women. The extreme forms of violence against homeless women, and the grossly inadequate living conditions – outdoors and in shelters – especially threaten the health of children, older women and women with disabilities. The report brings to light the multiple dimensions of vulnerability faced by homeless women and makes the case that homeless women must be recognised as a distinct category of vulnerable women, meriting specific policy and programme interventions.

In this context, Jagori's report, 'Safe Cities Free of Violence Against Women and Girls Initiative' (2010) suggests various immediate, medium-term and long-term actions in urban planning, urban infrastructure and services, public transport, policing, legislation, education and civic participation to

enhance women's safety in public spaces in Delhi. The suggestions indicate that interventions in terms of planning and design can show results, even in the short run. However, policy changes and institutional interventions will bring changes in attitude only over a longer period.

Apart from analysing sectoral interventions that could address women's vulnerability to violence, it is important to examine the State's response mechanisms to the actual incidence of violence and support offered to women victims/ survivors of violence. At present, the lack of a single and unified well-functioning response mechanism is a major concern. Both physical and sexual violence impact the lives of women in a number of ways. This requires that a range of measures be instituted to address their needs. A comprehensive response mechanism should ensure immediate rescue services, including immediate access to shelter, medical and legal assistance as well as long term rehabilitative measures.

It has been argued that the crisis response mechanisms for distressed women in different parts of the country, are unable to provide proper support. Media reports have consistently highlighted the inefficacy of government helplines for women in distress in Delhi. Gothoskar (2013) highlights the inhuman living conditions of State-run shelter homes catering to women in difficult circumstances in Mumbai. In the area of health, the Centre for Enquiry into Health and Allied Themes (2012) points out fundamental problems. It highlights how the health sector in India is not sufficiently prepared for responding to survivors of sexual assault. Health providers generally lack knowledge about their legal and ethical obligations towards sexual assault survivors thereby hindering survivors' access to justice.

Against this backdrop, the study attempts to assess the policy framework for enhancing women's safety in public spaces and addressing the incidence of violence in Delhi, from the lens of governance and budgets. The study analyses the key measures instituted for the support of women victims/survivors of violence, including the responsiveness of public hospitals. It looks into some important sectors that have a bearing on women's safety viz., policing, public bus service, and night shelters. An analysis of the governance and fiscal structure and budgetary processes of Delhi has also been carried out, to help identify some of the underlying causes for the weak implementation of these interventions.

Objectives of the Study

The study aims to identify some of the major hurdles of governance and fiscal policy in ensuring women's safety in Delhi in public spaces. The specific objectives of the study are as follows:

- Identify gaps in implementation of certain key interventions instituted to address the needs of distressed women (including interventions by the Union Government and GNCTD);
- Assess the extent to which measures for women's safety have been incorporated and implemented in specific sectors, viz., policing, public bus service and night shelters;
- To analyse the governance and fiscal architecture of Delhi and its implications for government interventions in specific sectors for women in distress and
- To present recommendations that would serve to strengthen Delhi's governance and budgetary processes for enhancing women's welfare

Thus, the overarching objective of the study is to indicate how the existing policy framework for women's safety in public spaces in Delhi can be more effectively operationalised.

Scope of the Study

Sectors covered: The issue of women's safety in public spaces is a cross-cutting one, and requires a multi-sectoral framework, since a number of sectors are responsible for instituting relevant measures. However, the study restricts its analysis to studying (i) support mechanisms for women in distress (ii) policing (iii) public bus service and (iv) night shelters. The study also analyses the implications of Delhi's governance and fiscal architecture for women's safety in public spaces.

Timeline: The study looks at the budgetary outlays for four fiscal years – 2013-14, 2014-15, 2015-16 and 2016-17.

Methodology

The framework for analysis was drawn from a review of the existing literature on women's safety. Most notably, the study has drawn from the 'Safe Cities Free of Violence Against Women and Girls Initiative', a Strategic Framework for Women's Safety in Delhi' developed by Jagori.

To understand and identify relevant programmatic interventions, various government documents such as schemes' guidelines, annual reports, outcome budgets and other government policy documents were analysed. Budgetary outlays for various schemes were tracked by scrutinising the detailed budget documents of the Union Government and the GNCTD.

RTI applications were filed with relevant government departments and institutions, and also with government hospitals. The RTI responses were documented and analysed, and relevant data was collated to draw inferences regarding the implementation of government interventions. In addition, discussions were held with government officials and with civil society organisations working on women's safety.

Limitations of the Study

- The study has not analysed the legislative and judicial dimensions of addressing violence against women. Though this is critical, it is beyond this scope of this study and will be taken up for analysis separately.
- The scope of the study is limited to a few important sectoral interventions. It does not include analysis of other sectors such as sanitation and street lighting that are closely linked with women's security. Despite efforts, relevant information for these sectors could not be obtained.
- The study does not quantify the extent to which budgetary resources — for interventions discussed in the study — are inadequate, and does not take up the exercise of estimating resources required for such government interventions.



SUPPORT
MECHANISMS
FOR WOMEN IN DISTRESS



2. SUPPORT MECHANISMS FOR WOMEN IN DISTRESS

A large proportion of distressed women are dependent solely on government-instituted support services for immediate rescue and response as well as long term rehabilitative needs. It is therefore important to analyse the adequacy and functioning of these mechanisms.

Both the Union Government and GNCTD implement interventions for women survivors of violence in Delhi, though GNCTD plays a more significant role in this regard. The Department of Women and Child Development (DWCD) and the Delhi Commission for Women (DCW) under GNCTD implement the key initiatives.

While analysing these mechanisms, a central question of the study was to assess the extent to which deficiencies in the implementation of these interventions are rooted in the lack of budgetary resources, and consequent systemic weaknesses in the implementing apparatus. It is worth noting that an attempt to define adequacy of public resources for a government intervention is a difficult exercise, particularly because of the complexity involved in defining acceptable standards of quality. While it is easier to define coverage of potential beneficiaries of an intervention, arriving at an appropriate unit cost that would ensure satisfactory services is more complex. The observations on adequacy or inadequacy of resources, in this section, are based on coverage of programmes and availability of human resources for their implementation.

The following section analyses the key support mechanisms for women in distress by the Union Government and GNCTD, including an analysis of the responsiveness of public hospitals to women facing physical or sexual assault.

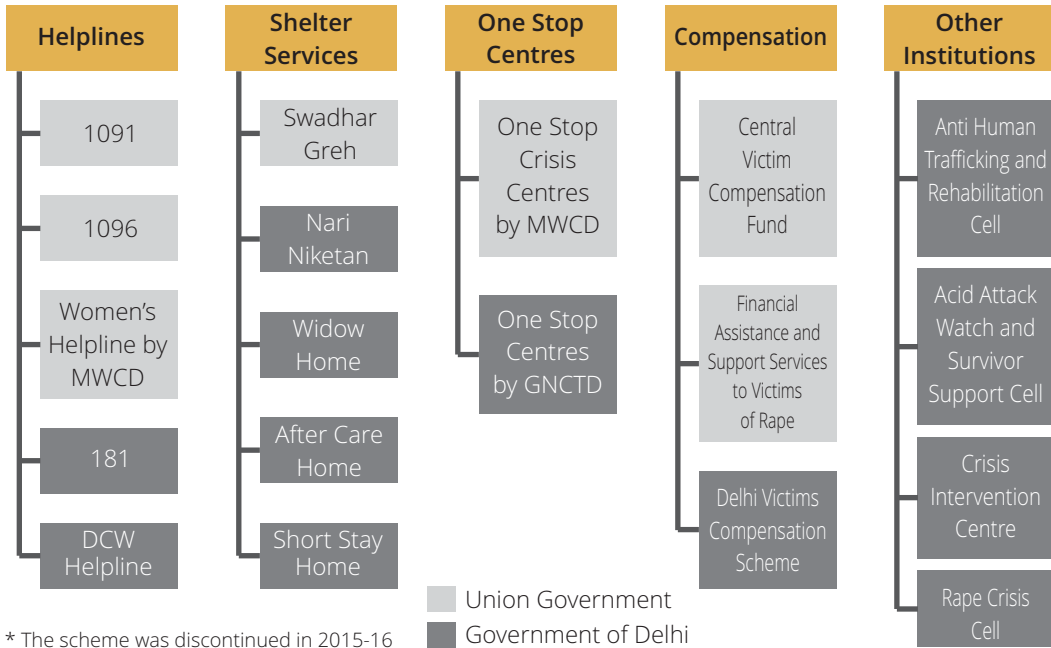
2.1 Union Government interventions for women in distress

The Union Government has in place, several interventions for victims/survivors of violence, a number of which were initiated at the beginning of the 12th Five Year Plan period. Most of these are led by the MWCD, although other Ministries that play an important role in providing such functions, such as the Ministry of Home Affairs, have also instituted some interventions.

What support do women in distress require?

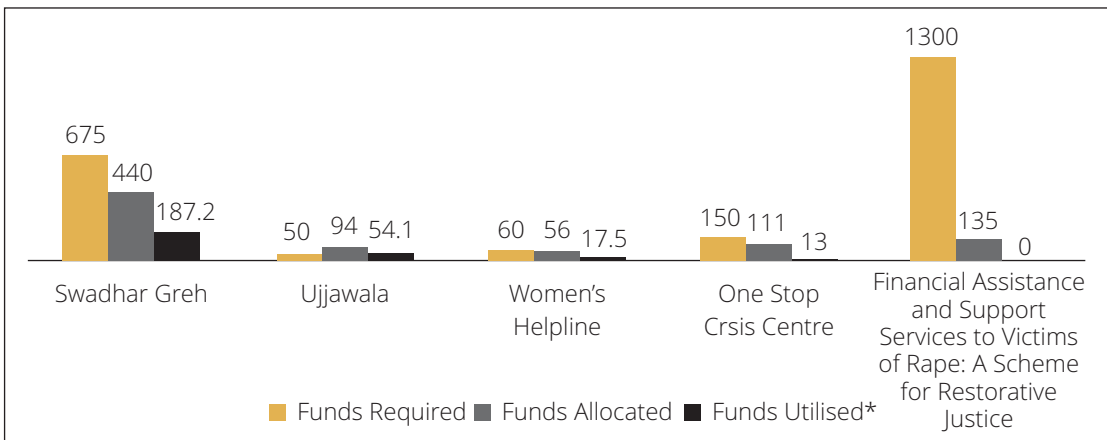
- Emergency rescue services
- Police assistance; assistance in filing FIR
- Legal aid
- In an emergency, women along with their children may require a safe place to live
- Medical assistance
- Psycho-social counselling
- Long-term rehabilitative measures

Figure 2.1: Key Interventions for Women in Distress by Union Government and GNCTD



The key interventions for women in distress by MWCD pertain to provision of Helpline, One Stop Crisis Centres (OSCC), shelter services and compensation for women survivors of violence. Figure 2.2 presents the key interventions, along with their budgetary allocations.

Figure 2.2: Budgetary Outlays and Utilisation for Key Union Government Schemes for Women in Distress during 12th FYP (Rs. Crore)



Note: As recommended by Working Group on Women's Agency and Empowerment for 12th FYP

* Includes actual expenditure for 2012-13, 2013-14, 2014-15 and revised estimates for 2015-16

Source: Compiled by authors from Union Budget documents, various years

The Union Government has introduced a number of critical interventions. However, the outcomes listed below reflect the fact that most of these interventions have been weak:

Non-operationalisation of schemes:

Important schemes such as 'Financial Assistance and Support Services to Victims of Rape: A scheme for Restorative Justice' were not implemented, though funds were allocated for them². As a result, the entire funds allocated to the scheme remained unutilised. The scheme was eventually discontinued in 2015-16.

Besides this, budget allocations for two critical schemes, i.e., OSCCs and Women's Helpline remained unutilised in the first three years after their introduction in 2012-13. The utilisation of the allocated budgets began only in 2015-16 with the operationalisation of these schemes.

Key announcements pertaining to women's safety in Union Budgets

Union Budget 2013-14

- Rs. 1,000 crore allocated to Nirbhaya Fund

Union Budget 2014-15

- Rs. 1,000 crore added to Nirbhaya fund in Interim Budget
- Projects under Nirbhaya fund:
 - (i) Pilot testing of a scheme on "Safety for Women on Public Road Transport" by Ministry of Road Transport & Highways
 - (ii) Scheme to increase women's safety in large cities by Ministry of Home Affairs
 - (iii) Setting up of 'Crisis Management Centres' in all the districts of NCT of Delhi in all government and private hospitals

Union Budget 2015-16

- Allocation of Rs. 1,000 crore to Nirbhaya Fund

Low Budgetary Outlays: The Report of the Working Group on Women's Agency and Empowerment for the 12th FYP had recommended budgetary outlays for important schemes relating to women. Figure 2.2 shows that budget allocations to these schemes were substantially below the recommended levels, except Ujjawala.

Non-implementation of schemes in Delhi: It is also worth noting that important Union Government schemes like Swadhar Greh³ (as of 2015) and OSCCs⁴ (as of 2016) have not been implemented in Delhi.

As reflected in the analysis above, most interventions have hardly been operationalised. Schemes like Swadhar Greh — a scheme that provides shelter, food, clothing, medical treatment to women in difficult circumstances—that has been implemented for several years now, also has poor outcomes. For instance, as of 2014 the total number of Swadhar Greh in the country, is 311 with a total capacity for 17,370 women⁵. Additionally, the proposed model of OSCs by the Union Government stipulates that they should be established within a two-kilometer radius of a public hospital. This should be expanded to include other important crisis intervention systems like the police and public prosecutor's office to provide necessary support services to women. Likewise, the coverage of these centres must be expanded to ensure at least one such centre per district. In effect, the Union Government programmatic framework to support distressed women needs to be implemented, far more substantively, for a serious impact at the ground level.

² Another scheme discontinued in 2015-16 is the 'Scheme for Assistance to States for implementation of the Protection of Women from Domestic Violence Act, 2005'.

³ Lok Sabha starred Question No. 611 to be answered on 08.05.2015; two short stay homes (merged with Swadhar Greh) have been constructed in Delhi

⁴ Rajya Sabha Unstarred Question No. 1332 to be answered on 28.07.2016

⁵ Lok Sabha Unstarred Question No. 4519 for answer on 19.12.2014

Operationalisation of the Nirbhaya Fund⁶

Following the public outcry, in the wake of the brutal gang rape of a 23-year-old woman in Delhi in December 2012, the Finance Minister, in the Budget Speech in 2013-14 announced the introduction of Nirbhaya Fund. The fund supports implementation of initiatives that aim to enhance the safety and security for women in the country.

The total magnitude of the fund is Rs. 3,000 crore as of 2016-17. Since its inception in 2013, the corpus transferred to the Public Account for the Nirbhaya Fund up to 2015-16 is Rs. 2000 Crore.

Proposals amounting to about Rs. 2,200 crore have been received, appraised and recommended under the Nirbhaya Fund. The projects mentioned below are at different levels of implementation and the Fund is utilised as per the requirement of the project.

Ministry/ Department	Proposal	Amount (in Rs. crore)
Ministry of Home Affairs	Central Victim Compensation Fund	200
	Investigative Units for Crime against Women	324
	Cyber Crime Prevention against Women & Children	244.3
	National Emergency Response System	321.7
	Organized Crime Investigative Agency	83.2
Delhi Police	Hiring of professional counsellors at the District and Sub-Divisional Police Station Level in Delhi	6.2
	New building with women-centric facilities for Special Unit for Women & Children and Special Unit for North East Region at Nanakpura	23.5
Ministry of Railways	Integrated Emergency Response System	500
Transport Department, GNCTD	Installation of CCTV cameras and GPS devices in 6,655 buses (DTC + Cluster) to strengthen the safety of women in public transport buses	140
	Installation of CCTV cameras through Delhi Transport Infrastructure Development Corporation Limited in 100 strategically located modern stainless steel bus queue shelters to strengthen safety of women	1.9
Andhra Pradesh Transport Department	Andhra Pradesh's Government's ABHAYA PROJECT for safety of women and girls in public transport	139
Mahila Police Volunteers, Government of Haryana	Engagement of Mahila Police Volunteers in the state as a unique initiative to create public police interface to facilitate outreach on issues related to violence against women and children, in Karnal and Mohindergarh Districts	1.3
Ministry of Women and Child Development	One Stop Centre (Phase I)	18.6
	To cover more districts, the scheme has been extended for the setting up of OSCs in 150 additional locations, in its second phase during 2016-17	119.7
	Universalisation of Women Helpline	69.5
Department of Electronic and Information Technology	Development & field testing of safety device based on panic switch, for cars and buses	3.5

Instituting a dedicated fund to ensure women's safety and security is a welcome measure even though its introduction may have taken place in response to growing public outrage. However, hurdles in its operationalisation have delayed its utilisation. A look at the proposals under the fund shows that the focus of the proposals has been more on immediate factors associated with the incidence of violence rather than addressing the more fundamental concerns in this sphere. Moreover, it is also important to ensure that additional funds for the effective implementation of these measures continue to be provided once the resources under the Nirbhaya Fund are exhausted.

⁶ Based on information as reported in 'Government Issues Guidelines for Administration and Operationalization of Nirbhaya Fund', 1st April 2015, Press Information Bureau, Lok Sabha Unstarred Question No. 1024 answered on 4.12.2015 and Rajya Sabha Unstarred Question No 309 To Be Answered On 17.11.2016

2.2 Interventions by the Government of National Capital Territory of Delhi

The majority of interventions for distressed women in Delhi are implemented by GNCTD, and led primarily by the DWCD and DCW.

2.2(a) Interventions by Department of Women and Child Development

DWCD interventions for women in distress primarily focus on providing residential support services, Helpline for Women in Distress and OSCs. This section analyses the design, budgetary outlays and functioning of some of these key interventions.

Table 2.1: Budgetary Outlays for Key Interventions for Women in Distress by Department of Women and Child Development (in Rs. lakh)

	2013-14		2014-15		2015-16		2016-17
	(BE)	(AE)	(BE)	(AE)	(BE)	(RE)	(BE)
After Care Home for Women	59.5	61.1	67.5	61.84	67	58.1	88
Nari Niketan	146.5	149.4	170.5	136.6	172	163.1	259
Short Stay Home for Women in Distress	61.2	44.2	64.7	51.1	75.1	59.2	84.6
Working women hostel	80	50.2	105	31	1910	5	1900
181-Women Helpline*					102	102	74
One Stop Center	0	0	0	0	18	0	0
Bhagidari	2200	2229.7	2500	1646.4	2450	1941	2000

Note:* Women in Distress Helpline was transferred to Department of Women and Child Development in 2014-15; the allocations prior to that were made through the Secretariat. This includes budget for Women in Distress Helpline and Grant in Aid to DCW for "181 - Women Help Line"

Source: Compiled by authors from budget documents of GNCTD

Residential Support for Women in Distress: Nirmal Chhaya Complex

The Nirmal Chhaya Complex of the DWCD has several institutions for the care and protection of women and children, who may be neglected, abandoned, victims of atrocities like violence and sexual assault, or family disputes. There are three non-statutory institutions, i.e., Short Stay Home for Women in Distress, After Care Home for Women and Widow Home⁷ and one statutory residential institution, namely Nari Niketan for the rehabilitation and empowerment of women.⁸

Residential support services are the backbone of a comprehensive crisis response mechanism for women in distress. Despite this, the residential facilities at Nirmal Chhaya are significantly

⁷ The budgetary allocations for Widow Home could not be obtained

⁸ In statutory institutions, admission is given by the order of the concerned courts and in non-statutory institutions, admission is granted on the recommendations of the admission committee, which consists of District Officer as chairperson, senior most superintendent of the Nirmal Chhaya complex as member, and superintendent of the concerned institution as convener.

constrained due to the following factors:

- **Inadequate Capacity:** The sanctioned capacity of the four institutions combined is merely 350. As against this sanctioned capacity, it was learnt that, around 600-700 residents could be staying in these institutions at any given point of time. Moreover, though the actual number of women catered to is more than the sanctioned strength, the budgetary allocations are made on the basis of the sanctioned strength.
- **Restrictive guidelines:** Guidelines with respect to age, eligibility for admission, permission to allow children to stay with the survivors of violence, etc., are restrictive and exclude a large number of women from these services. For instance, only women in the age group of 18-45 years are eligible for admission in Short Stay Homes and Widow Homes. In Short Stay Homes, only dependent children below six years of age are permitted to stay with the mother. This is also conditional on their not suffering from infectious or incurable diseases. Dependent children above six years of age are kept in the children's institution run by the department.
- **Human resource shortage:** The institutions are severely under-staffed and this affects the quality of services provided⁹. Also the staff strength varies considerably across institutions within Nirmal Chhaya. For example, while Nari Niketan has a staff strength of 48 for 100 residents, Widow Home and After Care Home for women have strength of only four staff each.

Table 2.2: Staff Strength in Residential Institutions for Women in Distress, GNCTD

Institution	Capacity	Staff Strength (in 2015-16)*
Nari Niketan	100	48
After Care Home For Women	100	4
Short Stay Home For Women	50	8
Widow Home	100	4

*Note: Refers to staff in position

Source: Website of the Government of Delhi: <http://delhi.gov.in/> and information provided in response to a query under the RTI Act, 2005

Mental Health: A Growing Concern

A common concern emerging from discussions with government officials across departments is the growing incidence of mental health issues among women in distress. A Mental Health Unit is operational at Nirmal Chhaya to cater to the women and children in these institutions. The unit is facilitated by Manas Foundation, with the objective of providing mental health services to women and children in Nirmal Chhaya.

Manas Foundation faces many challenges in operating the unit. With salaries provided for a total of three staff members, the human resource shortage poses a serious challenge. Salaries for the staff remain unpaid for months together. Moreover, infrastructure availability is also a concern since the unit has just one room for their work.

⁹ Based on interactions with officials during the study

Helpline for women in distress: 181

Initiated in the aftermath of the December 2012 gang rape in Delhi, the Helpline-181 has been operational since 31st December, 2012. The Helpline responds to women in distress. As soon as the helpline receives a call, appropriate action is taken immediately; necessary contact is established with the nearest police station/PCR van, CATS ambulance or other agencies. Case files are maintained for each caller, and necessary follow up is done, wherever required.

The 181 Helpline has effectively responded to a large number of women, including those facing extreme forms of violence such as abduction, sexual assault, sexual abuse at the workplace and acid attacks, among others. In the four-year period, the helpline has been able to answer 11.8 lakh calls, of the 16.9 lakh calls received in the four-year period.¹⁰

With effect from February 2016, the Helpline has been transferred from the DWCD to DCW. The staff strength of 181 has been expanded to 31. The helpline is served by 22 cars and 66 counsellors. Since its transfer to the Commission, and until August 2016, the Helpline has handled 2.1 lakh calls. (Annual Report, DCW, 2015-16)

Factors constraining the effective functioning of the Helpline:

- **Human resource shortage:** The staff strength of 20 is inadequate to respond to the volume of calls received by the Helpline.
- **Contractual nature of employment:** The staff at the Helpline has been hired on a contractual basis. Considering the demanding nature of the job, the facilities provided to them are not adequate. Their salaries are neither released on time, nor revised on a regular basis.

Bhagidari: New initiatives in social development

Three interventions, Gender Resource Centres (GRCs), Awaz Uthao project and Shelter Homes were started under Bhagidari. The 11 districts of Delhi are covered by 137 GRCs and operated with NGO support. The Awaz Uthao campaign is implemented in 50 GRCs. Two shelter homes for destitute, pregnant and lactating women are operational in the localities of Jahangirpuri and Sarai Rohilla, with a capacity to house 10 and 14 women respectively.

Delay in Fund Flow

The functioning of Gender Resource Centres (GRCs), an important intervention to address gender based violence, has been severely affected due to the delayed flow of funds. Though allocations for the Bhagidari Scheme — under which the GRCs operate — are reflected in the budget documents, NGOs working on the ground have not been receiving funds. Despite repeated follow-ups, the funds have not been released. NGOs like Centre for Equity and Inclusion have managed to keep the Centre functional with the support of their own resources, not all have managed to do the same.

¹⁰ The rest of the calls, i.e., 5.07 lakh calls were abandoned, as these could not be attended to, due to human resource shortages

2.2 (b) Interventions by Delhi Commission for Women

The DCW also implements a number of important interventions. Some of the key initiatives by the Commission include:

(a) Helpline which functions independently of the Helpline 181 **(b) Sahyogini**, a family counselling unit which takes up cases such as domestic violence, dowry issues, harassment by the husband and in-laws **(c) Crisis Intervention Centres** offer support to rape survivors and victims of domestic violence by registering FIRs, providing counselling services, referring medico-legal cases (MLC) to hospitals **(d) Rape Crisis Cell** has a team of lawyers providing assistance in counselling, filing FIRs and free legal aid **(e) Twenty-four-hour Mobile Helpline Van** which provides immediate support to women in distress **(f) Mahila Panchayat** is an initiative that empowers women by spreading legal literacy at the community level. Women groups formed by NGOs resolve local disputes, counsel the complainants, and work towards reducing cases of violence against women in their areas.

Since its reconstitution in July 2015, DCW has been playing a more pro-active role towards enhancing women's safety in Delhi. The Commission has taken several initiatives to ensure women's access to public spaces, health facilities and justice seeking mechanisms for survivors of violence.

In addition to existing programmes, the Commission has launched four new programmes: Acid-Attack Watch and Survivor Support Cell, Anti-Human Trafficking and Rehabilitation Cell, Crimes against Women Research Cell and the 181women's helpline programme which was handed over to the Commission by the Delhi Government in February 2016. Efforts have also been made to strengthen the functioning of OSCs, which are based out of government hospitals in Delhi.

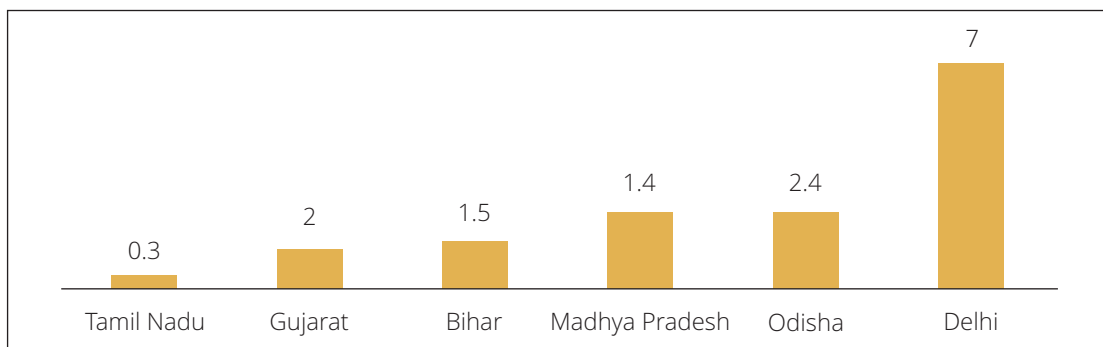
The Commission has been active in advocating a High Level Committee on Women's Safety, as well as raising issues pertaining to the sale of acid, police accountability, rehabilitation of survivors of violence, ensuring toilets in public spaces, making taxi services more women friendly, action against liquor vendors and safety at night shelters. The Commission is also working in coordination with concerned stakeholders to ensure streamlining in the efforts to make Delhi safer for women.

Budgetary outlays for Delhi Commission for Women

The budgetary allocations to DCW are made through the DWCD. Since the detailed budget of DCW is not publicly available, a detailed budgetary analysis of DCW is not possible. However, some analysis was done, based on information available in the public domain.

The outlays to DCW have been increasing from Rs. 3.3 crore in 2013-14 (BE) to Rs. 4.3 crore in 2014-15 (BE) and Rs. 7 crore in 2015-16 (BE) and 2016-17. A comparison of outlays between DCW and the State Commissions for Women of select states also reflects that allocations to DCW are relatively higher.

**Figure 2.3: Budgetary Outlays for State Commissions for Women in 2016-17 (BE)
(in Rs. crore)**



Source: Compiled by authors from State Budget documents of respective states

Despite the relatively higher budgetary allocations, the Commission's functioning has been hampered by a lack of resources. This is reflected in inadequate infrastructure and a shortage of human resources.

As acknowledged by the DWC itself (in its Annual Report 2015-16), "The lack of resources coupled with increased workload has created a situation in the Commission where despite the Chairperson and Members of the Commission as well as the staff working round the clock, there remain several aspects of the mandate of the Commission which remain unfulfilled. The Commission is in discussions with the Delhi Government for the expansion of its existing facilities". The report also highlights that "Though the Commission appointed additional staff on short-term emergent basis and also made Saturdays working for all; it continues to be grossly understaffed. Moreover, the Commission faces a severe space crunch, as it has added more programmes. The rooms of the Chairperson and the Members function as work areas for many members of the staff."

2.3 Responsiveness of public hospitals to violence against women

The role of the health system in responding to physical and sexual assault faced by women is critical to address the immediate and long-term health consequences of violence. The need to recognise violence against women as a public health issue, and for public health care systems (on which a majority of women depend) to ensure appropriate treatment and care, cannot be overstated.

Since health is a state subject, a majority of hospitals in Delhi are

Essential elements of a health sector response to violence against women

- Health-care providers are trained, standard operating procedures are in place
- Consultation takes place in a private setting
- A referral system to ensure women can access related services
- Health care systems are equipped to provide a comprehensive response, addressing both physical and mental consequences
- Health-care providers gather forensic evidence when needed

Source: 'Violence against Women: Global Picture Health Response', WHO

under the jurisdiction of GNCTD. However, a few major hospitals in Delhi are under the purview of the Union Government while a few hospitals also function with the support of the municipal corporations.

In order to assess the responsiveness of government hospitals to women survivors of violence, RTI applications were filed with all public hospitals in Delhi (except dental, eye and homeopathic and children's hospitals). The responses received from the hospitals, clearly reflect the need for greater recognition of violence against women as a public health concern.

Based on responses to RTI applications received from hospitals, the following observations were made¹¹. The responses have been analysed separately for hospitals where OSCs are operational.

2.3 (a) Observations from responses received from public hospitals (where OSCs are not operational)

Use of public hospitals by women facing physical and sexual assault

On the basis of responses received from 21 hospitals (other than OSCs) under the Union, GNCTD and municipal corporations, the number of women facing physical and sexual assault accessing public hospitals are as follows

Table 2.3: Number of Women Facing Physical/Sexual Assault Accessing Public Hospitals

Year	Number of women
2013	1063
2014	1318
2015*	1056

*Note: Figures for 2015 are upto November 2015

Source: Information provided in response to a query under the RTI Act, 2005

The RTI responses indicate that most hospitals do not have dedicated wards for treatment of women and girls facing violence. In most hospitals, women who had faced violence were treated in the 'female wards' or gynaecological wards. In such a scenario, it is important to ensure a degree of privacy to women by providing curtains or a screen. Some hospitals also mentioned that women were admitted to labour rooms, a practice that should be avoided, as it does not provide a conducive environment for examining women who may have undergone violence and trauma.

Provision of counselling services

In most hospitals, counselling services are provided on 'as and when needed' basis through the DCW. Treatment of counseling as an 'add on' service and not a core service provided by hospitals indicates the lack of priority to the psychological aspects of violence. It must be recognised that the psychological impact of violence is tremendous and needs to be accorded the same importance as the physical dimensions of violence. Therefore, it follows that trained counsellors should be available within the hospitals, and counselling should be a part of the core services provided to women and girls who have faced violence.

¹¹ The following observations have been drawn on the basis of responses received from 21 hospitals (other than OSCs) under the Union, GNCTD and municipal corporations. Responses were not received from all hospitals. Also, in some cases, responses received from hospitals were not in the format requested, and hence could not be included in the analysis.

Training of medical practitioners on 'Guidelines & Protocols:- medico-legal care survivors/victims of sexual violence'

The Ministry of Health and Family Welfare has brought out 'Guidelines & Protocols:- medico-legal care for survivors/victims of sexual violence', for doctors to provide appropriate care to female survivors of sexual assault/rape. Adherence to these guidelines is important to ensure appropriate care and treatment of women facing sexual assault.

In response to a RTI query on whether hospitals conduct regular trainings of medical practitioners as per these guidelines, a number of hospitals responded saying such information is 'not available,' indicating that such trainings are perhaps not undertaken. The responses from other hospitals indicate that some training or seminars are organised for doctors, but there does not seem to be any mechanism for the regular orientation of medical practitioners. In the absence of such training, it is difficult to ensure an appropriate standard operating procedure for such cases, particularly in rape cases.

2.3 (b) How well are the One Stop Centres Functioning?

The Budget Speech of 2014-15 announced setting up of OSCs for crisis management and rehabilitation of survivors of sexual assault in government hospitals, in each district of Delhi. These centres are meant to provide 'proper medical care along with legal and psycho-social counseling and support in a secure, gender friendly environment'.

In the responses received from hospitals, six hospitals, i.e., Dr. Baba Saheb Ambedkar Hospital, Guru Teg Bahadur Hospital, Lal Bahadur Shastri Hospital, Lok Nayak Hospital, Sanjay Gandhi Memorial Hospital and Deen Dayal Upadhyay Hospital have indicated the presence of OSCs for victims/women survivors of sexual and physical assault. From the responses received from them, the major observations drawn are as follows:

What do the RTI applications reveal?

- Greater proportion of women are accessing OSCs as compared to other government hospitals
- In most OSCs, women are admitted in the gynaecology ward or examination rooms
- Hospitals were not able to furnish expenditure on women victims/survivors of violence. However, the entire cost of emergency contraception, ultrtrasound, X-ray, injury treatment, abortion, safe kits and fresh clothes is borne by hospitals
- Most OSCs provide counselling; however, most do not have their own counselors and depend on DCW
- Few OSCs, not all, provide referral services for shelter and legal aid
- Provision of transport services was mentioned only by one hospital

Number of women accessing One Stop Centres

The responses clearly indicate that a greater proportion of women seem to be accessing OSCs over other government hospitals and this number has been increasing over the last few years.

Table 2.4: Number of Women Survivors of Physical /Sexual Assault Accessing One Stop Centres

Hospital	2013		2014		2015*	
	Sexual	Physical	Sexual	Physical	Sexual	Physical
Lok Nayak	107	45	105	41	-	-
Sanjay Gandhi	168		323			
Guru Teg Bahadur	158		222		189	
Lal Bahadur	400		400		350	
Deen Dayal Upadhyay**	191		197		317	
Baba Saheb Ambedkar	110		322		437	
Total	1179		1610		1293	

Note:* Figures for 2015 are upto November 2015

** The hospital did not mention running an OSC; its inclusion in this section is based on media reports

Source: Information as provided in response to a query under the RTI Act, 2005

However, further analysis of this is not possible as even in the case of OSCs, most did not have information about the break-up of the number of cases of physical or sexual assault received by them. The fact that such information is not systematically documented by medical authorities points to the lack of attention towards issue of violence against women. It also raises concerns as the lack of systematic documentation of medical evidence also leads poor rates of conviction, especially in rape cases.

Services Provided

In most hospitals which have OSCs, women facing sexual or physical assault are admitted to the gynaecological wards, or in some cases separate examination rooms.

Most OSCs seem to focus on providing medical treatment and counselling services. However, in the case of some OSCs, hospitals do not have their own counselors and depend on DCW for providing counselors. A few OSCs, but not all, have also mentioned providing referral services for shelter and legal aid. The provision of transport services was only mentioned by one hospital, i.e. Dr. Baba Saheb Ambedkar Hospital.

What should a One Stop Centre Provide?

The implementation guidelines of OSCs by MWCD identify the following services that a OSC should provide:

- Emergency response and rescue services
- Medical assistance
- Assistance to women in lodging First Information Report/ Domestic Incident Report
- Psycho-social support/ counselling
- Legal aid
- Shelter
- Video-conferencing facilities

Training of medical practitioners

The responses received from five of the six hospitals indicate that some training of doctors on 'Guidelines & Protocols for Medico-legal care for survivors/victims of Sexual Violence' is undertaken

by the hospitals, though not much detail is provided on the duration and frequency of these trainings. In the case of one hospital (Guru Teg Bahadur Hospital), the response indicates that such information is not available.

Expenditure incurred on treatment and care of women victims/survivors of violence

While none of the Centres were able to furnish the expenditure incurred on treatment and care of women survivors of violence, the Centres do provide a basic set of services required for the treatment of women facing physical and sexual assault, the entire cost of which is borne by the hospitals. These include:

- Emergency contraception
- Ultrasound
- X-ray
- Injury treatment
- Abortion (whether medical or surgical)
- Safe kit

Apart from this, several OSCs stated in their response that a fresh pair of clothes is also provided to women in cases where the clothes may be required to be taken in for forensic examination.

The analysis of government interventions instituted to support women in distress and victims/survivors of violence clearly highlights the need for these to be implemented more substantively. It is imperative to recognise these as entitlements which are obligatory for the State to provide. They should not merely be viewed as 'schemes' whose implementation is contingent on availability of resources, and other such considerations.

The weak implementation of measures to respond to women in distress can be attributed to a range of factors. However, it is clear that persistent under funding of these interventions have resulted in systemic weaknesses as reflected in shortage of human resources (such as for Helplines, shelter homes and counselors in hospitals) and inadequate infrastructure (as in the case of DCW). The low coverage and inadequate capacity of the interventions, such as shelter homes, is also linked to the lack of budgetary resources. It follows therefore, that minimum standards pertaining to coverage and quality of services must be clearly defined. Additionally, the analysis also points to the need for the crisis response mechanism by both the Union Government and GNCTD to be more streamlined and coordinated. This essentially requires greater cohesion among both levels of government and above all, due priority to the issue of violence against women.



SECTORAL INTERVENTIONS TO
ENHANCE WOMEN'S SAFETY IN DELHI:
KEY GOVERNANCE
AND BUDGETARY CONCERNS



3. POLICING

Policing in Delhi is a complex governance challenge with Delhi Police functioning under the purview of the Union Government. This has often led to friction between the Union Government and GNCTD with demands to bring Delhi Police under the Government of Delhi. Nonetheless, the role of Delhi Police is central to any discussion on women's safety in the city.

The Delhi Police, has instituted a number of mechanisms for women's safety, such as the setting up of anti-stalking cell and anti-obscene calls cell, women help desks and helplines, crisis intervention centres, crime against women cell in each district and a special police unit for women and children.

While delineating budgetary spending for these specific interventions is not possible — as the budget documents do not present disaggregated information on spending for these specific measures — an analysis of the overall resources availability for Delhi Police throws up some concerns.

Shortage of police personnel

- Delhi Police data on human resources reflects shortage of police personnel
- Sanctioned strength is inadequate; actual posts are even lesser
- In 2015, sanctioned strength was 84,536 while the actual strength was 75,653

Inadequate representation of women in the police force

- Women constitute less than 9% of total workforce of Delhi Police

Spatial inequity in the presence of police across Delhi

- Concentration of police presence around central areas
- Peripheral areas such as the outskirts of Delhi, where a large number of women live, remain underserved

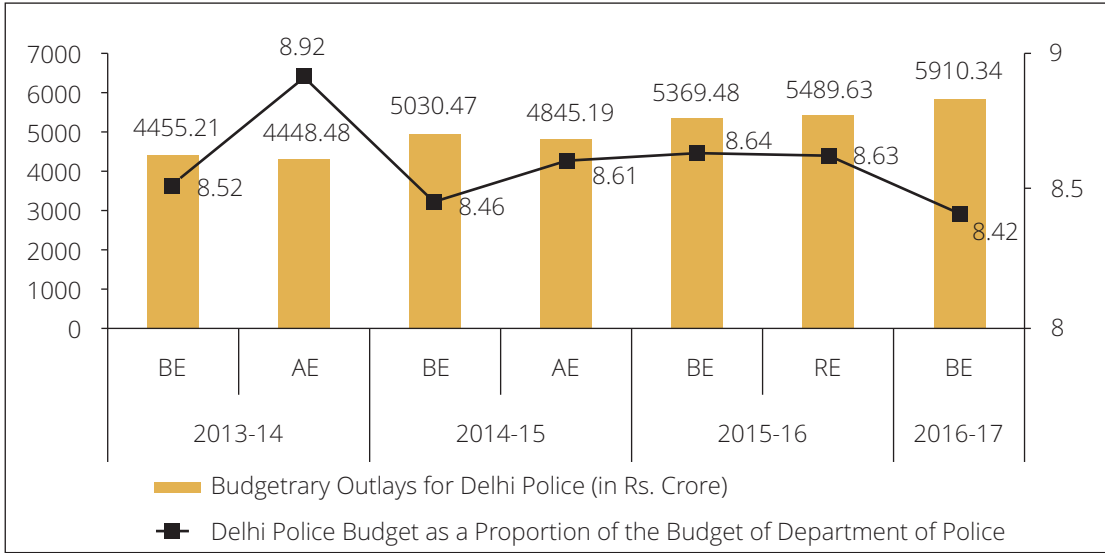
Inadequate budgetary outlays

- Witnessed an increase in absolute amounts over the years, but, as a proportion of the total budgetary allocation to the police force under MHA, have remained almost stagnant
- Delhi Police contends that the budgetary allocations are 'grossly insufficient' to meet its need

3.1 Budgetary resources for Delhi Police

The effectiveness of Delhi Police and the safety of residents in general and women in particular, is inextricably linked with resources available for its functioning.

Figure 3.1: Union Government Budgetary Outlays for Delhi Police



Source: Union Budget documents, various years

Though the budget allocations to Delhi Police have been increasing each year in absolute terms, when seen as a proportion of the overall budget, for Demand No 48¹², i.e., Police under the Ministry of Home Affairs, the allocations have been more or less stagnant.

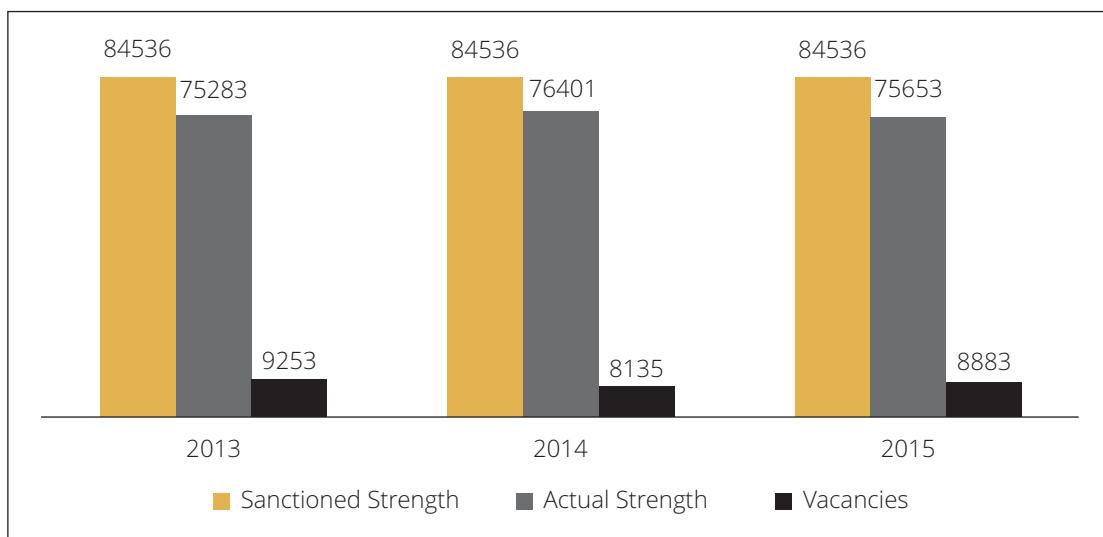
In a submission to the Departmentally Related Standing Committee on Home Affairs, (Report No.185) commenting on the Demand for Grants in 2015-16, Delhi Police has stated that the allocations were 'grossly inadequate'. The report observes: "The Committee is constrained to note that there is major shortfall in terms of allocation to Delhi Police in almost all major schemes, projects, etc. It further states: " The Committee is of the view that the Government should look into this and enhance allocation at RE stage as per requirements of Delhi Police in terms of completing all schemes, projects of Delhi in a time bound and effective manner."

¹² Refers to the total budgetary allocations made to the police forces under MHA

3.2 Is Delhi Police adequately staffed?

Adequate human resources are necessary for effective functioning of the police force. Though Delhi Police is better placed than many other states in terms of police strength, Delhi's unique position as the political capital of the country adds greater demands on the police force. This is because of the presence of important offices and institutions and a greater number of events and dignitaries as compared to other cities and states.

Figure 3.2: Human Resources Availability in Delhi Police



Source: Information provided by Delhi Police, in response to a query under the RTI Act, 2005
Note: Information for 2015 is till the month of November

Vacancies in Delhi Police: The actual strength of Delhi Police is lower as against the number of sanctioned posts. During the last three years, the actual number of personnel in Delhi Police was approximately 9,000 short of the number of the 84,536 sanctioned posts, a significant shortfall in a jurisdiction the size of Delhi.

Adequacy of sanctioned posts: Not only is the functioning of the Delhi Police adversely impacted by the shortage of personnel, the number of sanctioned posts itself is inadequate. In January 2016, the High Court of Delhi criticised the Union Government for not providing funds to create additional posts in the Delhi Police, wondering how an inadequate force would ensure safety of women,

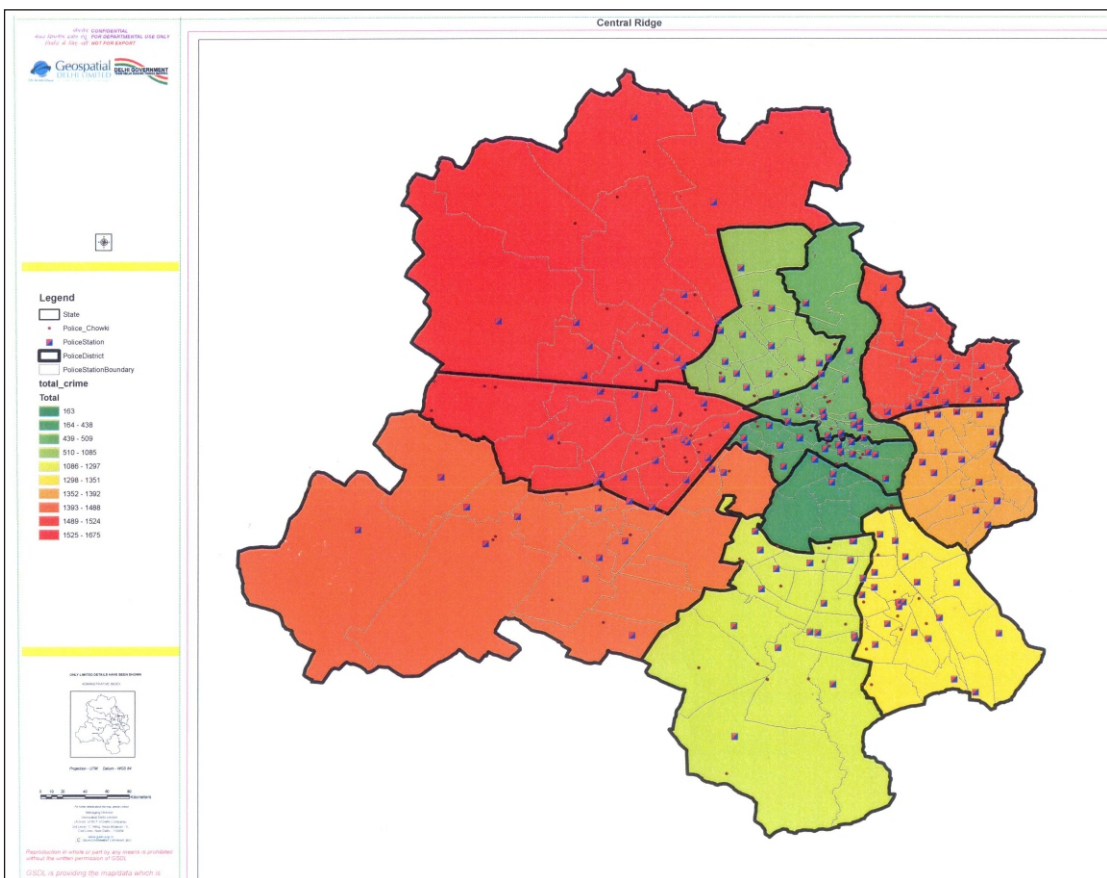
The number of police personnel in Delhi, per 1 lakh of the population is 384, which is higher than many states

- However, significant numbers of personnel in Delhi Police are deployed for VIP security.
- Police stations are also required to depute a few staff to the offices of police commissioners and other high level institutions. They also carry out functions such as providing security to Legal Cells, Parliament Questions Cells for which there is no formal sanction of human resources.

children and the elderly. Questioning the Ministry of Finance for not clearing funds for recruitment of additional police personnel in Delhi, despite clearance from the Ministry of Home Affairs, the court observed, "Two ministries are loggerheads with each other, one asking for additional police force and another not clearing it"¹³.

3.3 Spatial inequity of police presence across Delhi

The presence of police across Delhi is unequal, with maximum police presence concentrated in the centre of the city, leaving peripheral areas significantly underserved. Peripheral areas report a high rate of crime against women, and this raises concerns over access to police services for the large number of women living in areas beyond the central parts of Delhi.

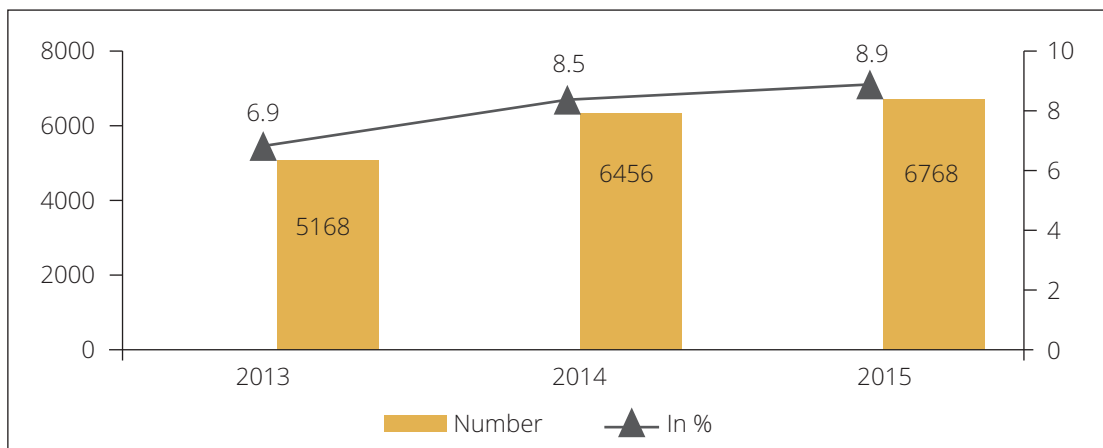


¹³ <http://www.ndtv.com/delhi-news/delhi-high-court-slams-centre-for-not-clearing-additional-police-force-1271216>

3.4 What is the representation of women in Delhi Police?

Women’s presence in the police force is essential, as it is likely to increase women’s access to police and encourage women to report crimes. In January 2016, the Ministry of Home Affairs approved 33 percent posts at the Constable level to be filled by women.¹⁴

Figure 3.3: Representation of Women in Delhi Police



Source: Information provided by Delhi Police, in response to a query under the RTI Act, 2005
 Note:* As of November 2015

Though the proportion of women personnel in the Delhi Police has gradually increased in the last three years, women still constitute only 9 percent of the total strength of 75,653 in 2015. Moreover, women are concentrated in the lower ranks of the force, and their negligible presence at the higher levels underscores the need to ensure that women are adequately represented at all levels, in addition to increasing the number of women in the police force.

3.5 Functioning of Delhi Police helplines for women

Delhi Police helplines for women, i.e., 1091 and 1096 are important interventions. Table 3.1 presents the number of calls received by both helplines in the last three years.

Table 3.1: Number of Calls Received by Delhi Police Helplines for Women

	Women’s Helpline: 1091	Anti-Obscene Helpline: 1096
Total number of staff	10	4
Total calls received		
2013	1,098	48,640
2014	1,466	51,732
2015*	860	44,867

Note:*up to 9.11. 2015

Source: Information provided by Delhi Police, in response to a query under the RTI Act, 2005

¹⁴ As reported by Press Information Bureau (<http://piib.nic.in/newsite/PrintRelease.aspx?relid=156088>)

As can be seen, helpline 1096 receives a sizable volume of calls. But how well the helpline is able to respond to callers remains a doubt, as the helpline has a total staff strength of only four members, as shared by Delhi Police.

While the helpline 1091 seems slightly better placed in terms of human resources with a staff strength of ten, the number of calls received by the helpline is comparatively low, indicating that women do not seem to prefer the helpline. In this regard, the recommendations of 'A Study Of Delhi Police Help Lines (100 & 1091)' by MARG (2012) with the support of Jagori, UN Women and GNCTD are instructive, as they highlight the need for regular training of 1091 staff and recruitment of individuals who are trained to assist women in distress.

The challenges in effective policing stem from both, complexities in governance and constrained finances. While Delhi Police has instituted several measures for women's safety, delineating expenditure on specific measures is not possible, since the budget documents of Delhi Police do not provide that extent of disaggregation. However, an overall budgetary analysis shows out how the functioning of Delhi Police has been weakened due to inadequate budgetary resources, among other factors. As documented in government and media reports, this is manifest in the shortage of human resources, under served areas of the city and insufficient infrastructure. These factors serve to weaken the functioning of the Delhi Police and raise questions on its ability to make the city safe for women.

4. PUBLIC BUS SERVICE

In recent times, the issue of women's safety in public transport has been prominent in public discourse. Most recently, the NCRB has started reporting harassment of women in public transport. The Delhi Charter of Women's Rights Bill, 2015 (Draft Version) also states: "Every woman shall have access to public transport facilities without fear of the risk of violation of her dignity in any form by means of teasing, molestation, stalking or any other form of threatening behaviour."

A robust public transport system is vital to access the city, especially for those women who rely on public transport more than men, owing to limited access to private modes of transport. Public transport in Delhi includes the Delhi Metro, public buses, taxis, auto-rickshaws and cycle-rickshaws.

Of the various forms of public transport in Delhi, buses are an important means, with an estimated average 39 lakh passengers relying on DTC buses alone in 2014-15¹⁵. An analysis of other means of transport with regard to women's safety is essential for a comprehensive analysis of public transport in Delhi. For the purposes of this study, we have limited our focus to the public bus service in Delhi.

Bus services in Delhi are the responsibility of GNCTD, with DTC being the main provider of buses. The GNCTD has also initiated a scheme for the corporatisation of private stage carriage service to substitute the blue line private stage carriage system, under a Public Private Partnership (PPP) Model. Accordingly, 457 stage carriage bus routes of Delhi have been divided into 17 distinct clusters, in which buses are currently operated in 9 clusters by DIMTS.

How can increased investments in public transport enhance women's safety?

- Adequate number of buses/metros, with regular frequency, including to peripheral areas of the city
- Regular public transport during off-peak hours
- Well-lit, conveniently located bus stops
- Monetary concessions to women passengers, especially for economically weaker women
- Means of transport to ensure last mile connectivity
- Provision of CCTV cameras, GPS and security personnel in public transport

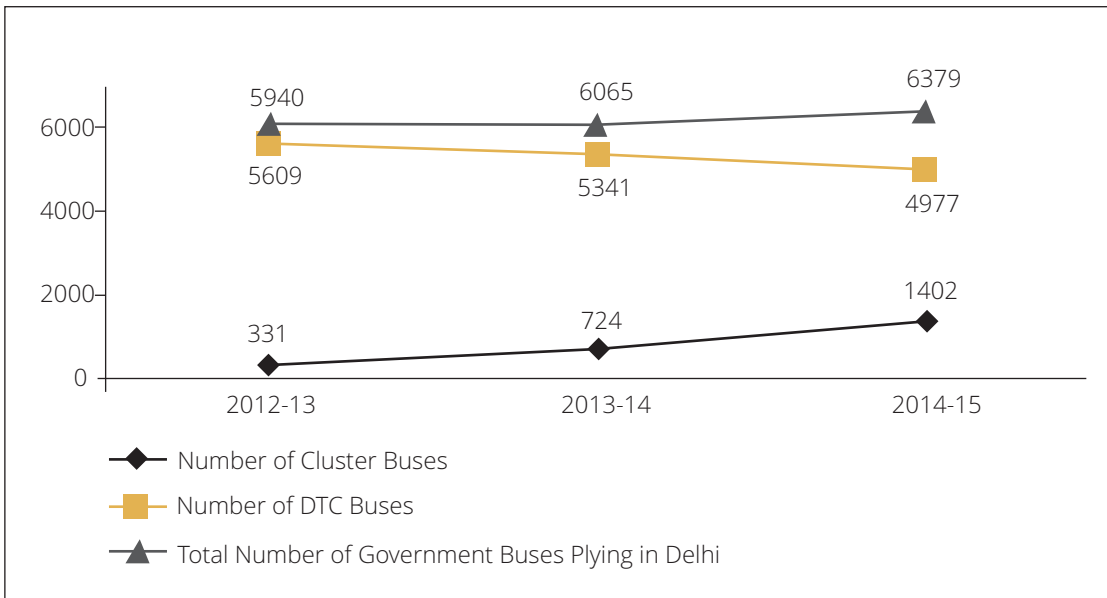
¹⁵ Economic Survey of Delhi 2014-15

The analysis in this section is based on information available in the public domain and obtained from RTI applications. Since the budget of DTC is not available to the public, the following section analyses the functioning of DTC on select parameters, while also assessing the implementation of specific measures undertaken for women's safety.

4.1 Does Delhi have enough buses?

While the total number of government-run buses plying in Delhi has shown a slight increase in the last few years, it remains well below the estimated requirement of 11,000 buses. The slow uptake of the cluster scheme has meant that less than 1,500 buses are operational under the scheme. At the same time, the decline in the number of buses operated by DTC is a concern. In fact, the number of passengers catered to by DTC daily, has also declined from 47 lakh in 2012-13 to 44 lakh in 2013-14 and to 39 lakh in 2014-15. The shortage of buses affects both the coverage and frequency of bus service. It would result in restricted mobility of women or reliance on private modes of transport, which may not necessarily be safe means of travel.

Figure 4.1: Number of Public Buses Plying in Delhi



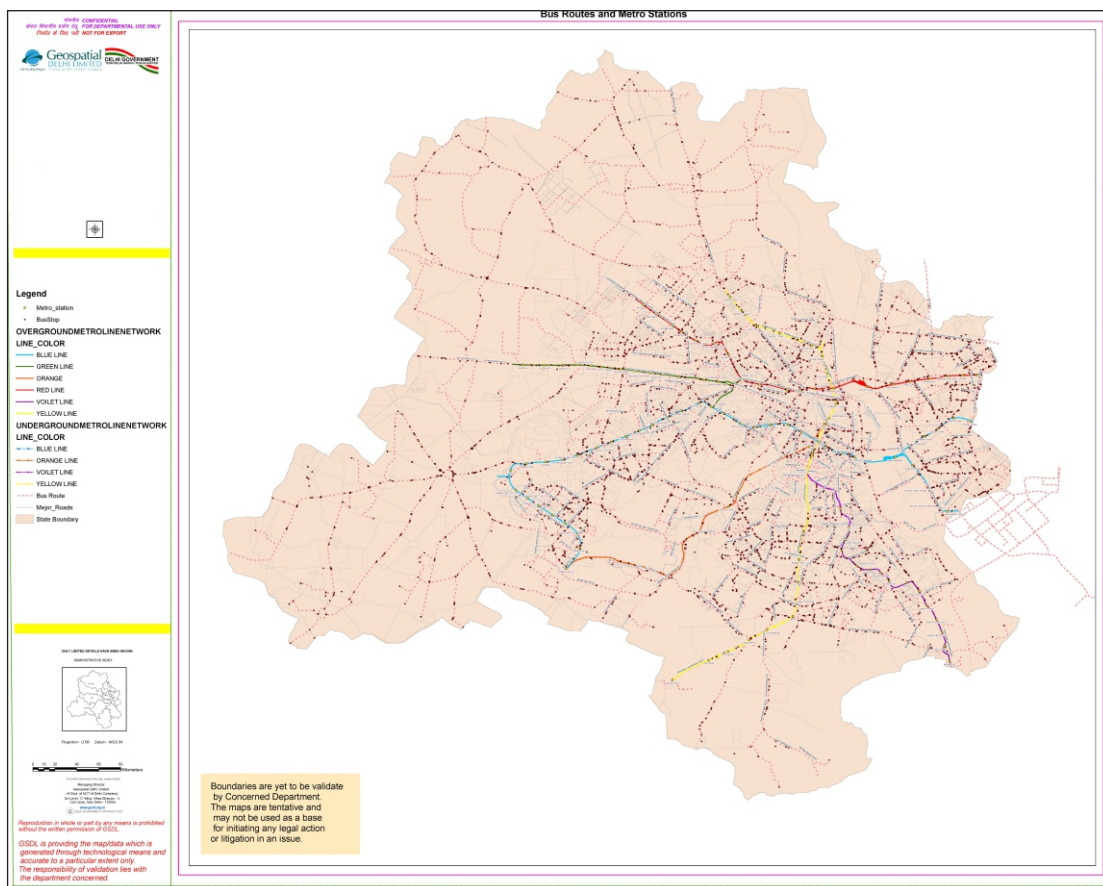
Source: Information as provided by DTC, in response to a query under the RTI Act, 2005

The procurement of buses has also been delayed, due to lack of available space with DTC for the construction of bus depots, for which land has to be provided by Delhi Development Authority. The DDA is under the purview of the Ministry of Urban Development, Government of India. In its recommendations for the Union Budget 2016-17, GNCTD had also made a case for "a special package of Rs. 4,000 crore from the central government for purchase of 5,000 additional buses of different categories and segments which will encourage citizens to shift to public transport."¹⁶

¹⁶ Delhi Government recommendations for forthcoming Union Budget (<http://www.delhi.gov.in/>)

4.2 Underserved areas of Delhi

Data available with Geo Spatial Delhi Limited captures the network of public transport systems spatially in Delhi. This data reflects the spatial inequity in the spread of public transport systems in Delhi — with greater concentration towards the centre of the city — and the peripheral areas left underserved. This raises concerns about the mobility and safety of women in underserved parts of Delhi in the absence of an efficient public transport system.



4.3 Representation of women among DTC drivers and conductors

The presence of other women passengers as well as women drivers and conductors, in buses, contributes to the feeling of safety among women.

Table 4.1: Gender Composition of DTC Drivers and Conductors

	Total Strength	Number of women
Drivers	11,651	1
Conductors	12,412	245

Note*: As on January 2015

Source: Information provided by DTC in response to a query under the RTI Act, 2005

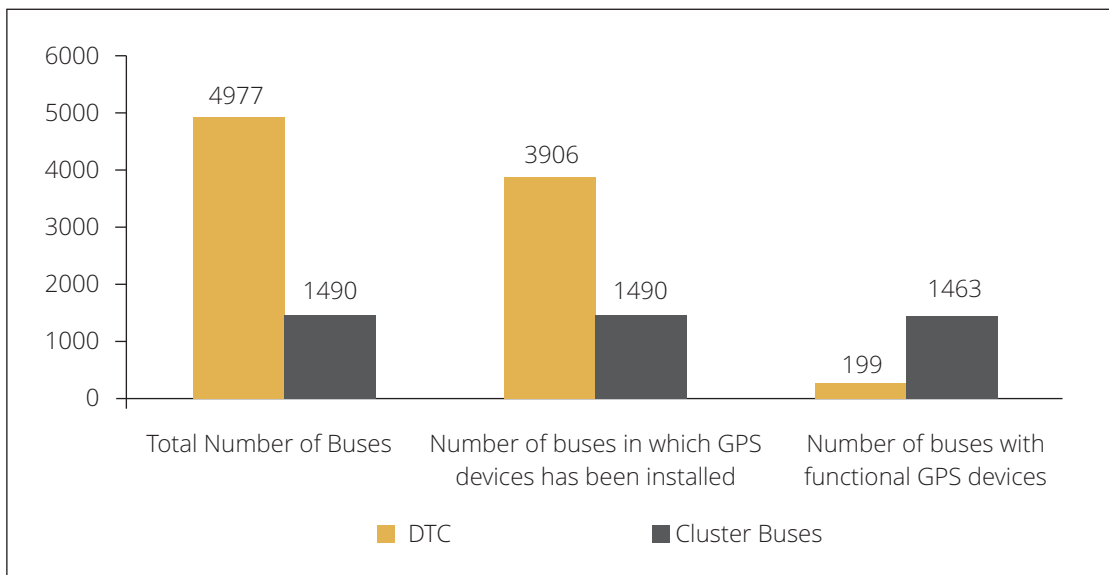
The negligible presence of women as drivers and conductors in DTC presents an immediate area for intervention. The need for a gender balance in DTC's workforce cannot be overstated. There is also a need to create conducive working conditions and take appropriate measures for the safety of the women drivers and conductors.

4.4 How well do measures for women's safety in buses fare?

GPS devices

GPS devices have been installed in DTC buses (except in buses that were about to complete their life-term), as also in cluster buses.

Figure 4.2: Installation and Functioning of GPS Devices in Public Buses*



Note: *Information is as of February 2016

Source: Information provided by DIMTS and DTC, in response to a query under the RTI Act, 2005

As per information provided by DTC, of the 3,906 buses in which GPS was installed, the devices are currently functional in only 199 buses. The functioning of GPS devices in cluster buses seems to be better than DTC. As per information provided by DIMTS, GPS devices are non-functional in 27 of the 1490 buses in which the devices were installed.

In the Budget Speech of 2016-17, GNCTD has proposed to provide GPS in all DTC and cluster buses. Given the dismal track record so far with GPS in public buses, it remains to be seen, to what extent this can be implemented effectively.

CCTV cameras

CCTV cameras could play an important role in enhancing the safety of women in public transport, though its use with caution is necessary, as it entails risks such as secretive surveillance of women.

Installation of CCTV cameras was also a stated commitment of the Delhi Government in its election manifesto. Despite a lot of discussion about its potential to make public transport more secure, its coverage has been fairly limited. CCTV cameras are functional in 200 DTC buses as of 2014-15. In 2016-17, it is proposed to install CCTV cameras in all DTC buses.

Marshals and home Guards

To check the spiraling rate of crimes against women in the city, home guards and marshals have been deployed in DTC buses. The Budget Speech of GNCTD, 2016-17 mentions that 4,000 marshals have been deployed in DTC buses. Responses to the RTI queries revealed that the number of home guards and marshals deployed, and their working shifts, vary significantly from depot to depot, details of which are presented in the annexure.

Efforts at ensuring women's safety in public buses have focused on the use of surveillance and technology. While these may serve the purpose to some extent, it needs to be recognised that the challenges are more fundamental and are related to both, the weak institutional capacity of DTC as well as poor implementation of specific initiatives for women's safety. There is a need for an adequate number of buses, which are evenly distributed across the city, and more women drivers and conductors. Otherwise, women's use of buses would be limited, and marred by a sense of insecurity.

5. NIGHT SHELTERS

Women's safety is closely linked with their access to housing and safe shelter. Census 2011 reports that the homeless population of Delhi has grown by over 50 percent in the last decade, and was 47,076 in 2011. It further estimates the number of homeless women in Delhi as 9,240. Both assessments are contested as a gross underestimation.¹⁷

Among the most dispossessed sections of the population, the homeless in general and homeless women in particular, are vulnerable to exploitation, abuse and violence of various kinds. It is well recognised that a large number of women living on the streets, particularly girls, elderly women, women with disabilities, single women and pregnant women face a high incidence of violence.

Though government housing and shelter services are meant to cater to all sections of the population, the issue of homelessness has not found due space in the policy and programmatic framework of the country.

5.1 Provisions by the Union Government

A programme focusing specifically on providing shelter services to the homeless was undertaken by the Ministry of Housing and Urban Poverty Alleviation (MoHUPA). Guidelines for 'Scheme of Shelters

Table 5.1: Central Funds Allocated and Released for Urban Shelters under NULM in Delhi (in Rs. crore)

	Amount Allocated	Amount Released
2013-14	38.1	26.7
2014-15	53.5	0
2015-16	37.6	0

Source: Information provided by MoHUPA in response to a query under the RTI Act, 2005

What makes homeless women vulnerable to violence?

- Lack of public toilets and bathing space
- Approached for sexual favours, constant threat of assault
- Insensitivity on the part of authorities
- Restricted access to support services
- No fixed dwelling site; insecurity of tenure
- Harassment by passers-by, local goons

¹⁷ An independent enumeration of the homeless population of Delhi in 2011 by Supreme Court Commissioner's Office, DUSIB, Mother NGO and Homeless Resource Centre arrived at a figure of 2,46,800 as reported in <http://www.dnaindia.com/analysis/standpoint-the-deplorable-plight-of-delhi-s-homeless-1963341>

for Urban Homeless,' a sub-component of National Urban Livelihoods Mission (NULM), were issued in 2013. However, as per information provided by MoHUPA, it appears that the scheme was not implemented in Delhi.

5.2 Provisions by Government of National Capital Territory of Delhi

The nodal agency for provisioning of night shelters — the Delhi Urban Shelter Improvement Board (DUSIB) — which is under the control of GNCTD, primarily functions under the purview of the DUSIB Act, 2010. The management of the night shelters operated by DUSIB is primarily through NGOs.

What is provided?

- **Basic amenities:** Each night shelter is required to be equipped with durries, blankets, covered and enclosed structure, water, toilets and electricity
- **Rescue teams:** DUSIB also has in place 20 rescue teams, run by NGOs. The rescue teams are required to carry out patrols at night and motivate those sleeping in the open to access the nearest night shelter.
- **Health teams:** There are 10 health teams in place; doctors visit women and children in shelters to provide medical assistance as required. DUSIB also has a tie-up with Institute of Human Behaviour and Allied Sciences (IHBAS) for counselling services.

5.3 How gender responsive is the design of night shelters?

Media reports and the experience of CSOs have consistently drawn attention to the lack of amenities and the lack of security of women in night shelters, as reflected in the many reported cases of sexual assault. Other concerns with night shelters are:

- **Inconvenient locations:** A number of reports on night shelters indicate that they are often in isolated locations, or areas which are far from the employment sites of women.
- **Poor hygiene and lack of privacy:** Night shelters are supposed to provide essential services like toilets and water. In practice, a number of night shelters do not have these facilities, hence limiting their use.
- **Lack of linkages to support services:** Linkages with essential support services like Integrated Child Development Services (ICDS) centres, crèches and basic health facilities, which help create a more enabling environment for women, are often missing.

5.4 Capacity and distribution of night shelters across Delhi

Census 2011 estimates the homeless population of Delhi to be 47,076. As mentioned earlier, this count is contested. Independent estimates project the figure to be between 1.4 lakh to 2.4 lakh. However, the current capacity of the existing night shelters, i.e., 21,574 as reported by DUSIB, is greatly inadequate to meet the shelter needs of even the conservative estimate of 47,000 homeless persons. Hence, the capacity of night shelters, particularly for women, needs to be substantially

expanded. It is also important to specify the number of women that can be accommodated in night shelters.

The presence of homeless population of Delhi is not evenly distributed across the city; it tends to be concentrated in certain regions. Data on the district wise population of the homeless in Delhi, as revealed by Census 2011, shows that over 50 percent of the homeless population is concentrated in the Central, North and South districts of Delhi.

Table 5.2: Capacity and Distribution of Night Shelters across Delhi

Location	Capacity of night shelters	Homeless population			Shelters exclusively for women	
		Total	Male	Female	Number	Capacity
Central	3910	8,957	7,807	1,150	4	230
North	3339	8,104	7,050	1,054	3	234
East	1240	3,208	2,652	556	2	100
North West	1525	4,903	3,944	959	0	0
West	1880	5,160	3,970	1,190	3	170
South	1680	8,505	6,666	1,839	3	150
North East	3020	2,440	1,702	738	2	260
South West	2850	3,755	2,576	1,179	1	50
South East	200	-	-	-	0	0
Shahdra	300	-	-	-	1	50
New Delhi	1630	2,044	1,469	575	2	100

Source: Census 2011 and <http://delhishelterboard.in/occupancy-report/index-ag2.php> accessed on January 14, 2016

Note: The population per district has been provided by Census 2011 for nine districts of Delhi. In the information provided by DUSIB, data pertaining to Shahdra and South East Delhi have been provided separately

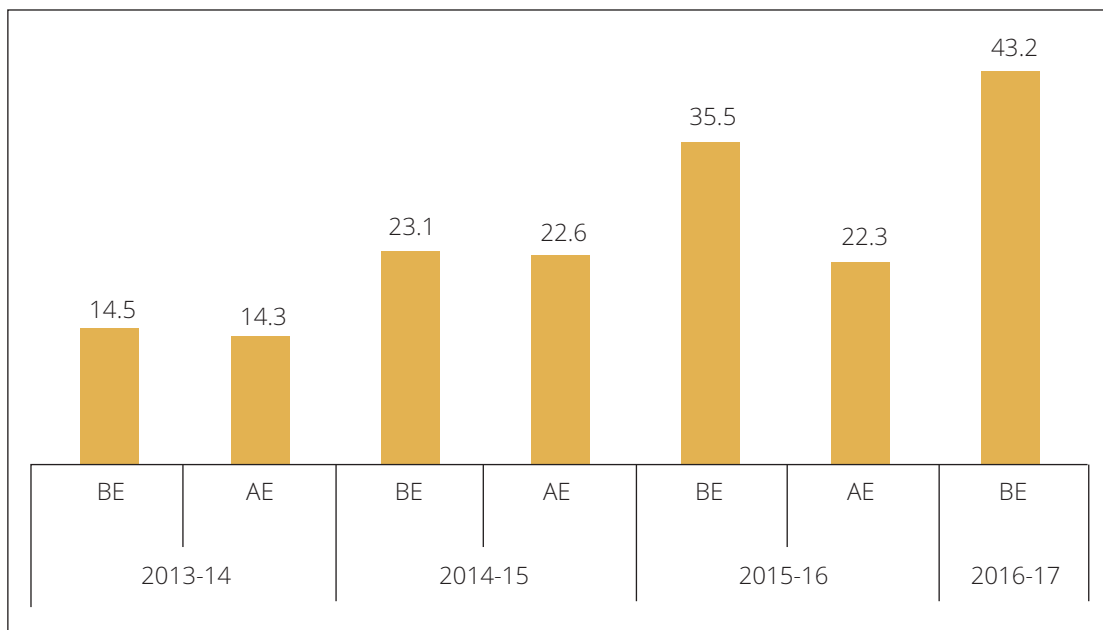
As can be seen from the Table 5.2, though the overall distribution of night shelters seems to be more or less consistent with the spatial concentration of homeless population across districts, the gap between the required number and actual capacity is significantly high in the districts of Central, North, West and particularly South Delhi. The North West and South East districts of Delhi stands out for not having even a single shelter exclusively for women, despite having a female homeless population of around 960 women in North West district.

5.5 Budgetary Outlays for Night Shelters by DUSIB

An encouraging development has been the increase in the unit cost of night shelters from Rs. 35,000 to Rs. 45,000 per shelter per month; this is also reflected in the increased budget allocations for DUSIB. While the aggregate expenditure on night shelters has been increasing over the last two

years, the question arises whether this amount is adequate, given the backdrop of limited coverage and narrow range of facilities and services provided.

**Figure 5.1 Budgetary Outlays for Night Shelters by DUSIB
(in Rs. crore)**



Source: Compiled by authors from budget documents of DUSIB

The low capacity of the night shelters, coupled with good levels of fund utilisation, reflects the need for higher allocations to DUSIB. This is important for enhancing the capacities of the shelters under it, as well as to improve the quality of services being provided.

Policies and programmes on housing have paid the least attention to the needs of one of the most vulnerable sections of society, i.e., the homeless population. Moreover, attention to the issue has largely been the outcome of Supreme Court intervention, through a series of orders since 2010. There exist a number of gaps in the functioning of night shelters; issues of coverage, capacity and quality of services that require immediate attention. Homeless women are particularly vulnerable to different types of violence. Their concerns should be addressed, not only through the provision of night shelters, but through ensuring their access to other related services.



GOVERNANCE AND FISCAL
ARCHITECTURE OF DELHI:
IMPLICATIONS FOR WOMEN'S SAFETY



6. GOVERNANCE AND FISCAL ARCHITECTURE OF DELHI: IMPLICATIONS FOR WOMEN'S SAFETY

6.1 Governance Architecture of Delhi

Delhi, a quasi or semi-state has the distinction of having a complex governance structure, characterised by a perpetual turf war between GNCTD and the Union Government on one hand, and the local governments and GNCTD, on the other. Delhi's governance structure is distinct such that it functions as a Union Territory with a legislature. Like other states, all three tiers of government – the Union Government, GNCTD and the local governments carry out important functions in Delhi. However, since Delhi is the capital of the country, the Union Government plays a greater role in its governance, than in other states.

The distinct features in the case of Delhi are:

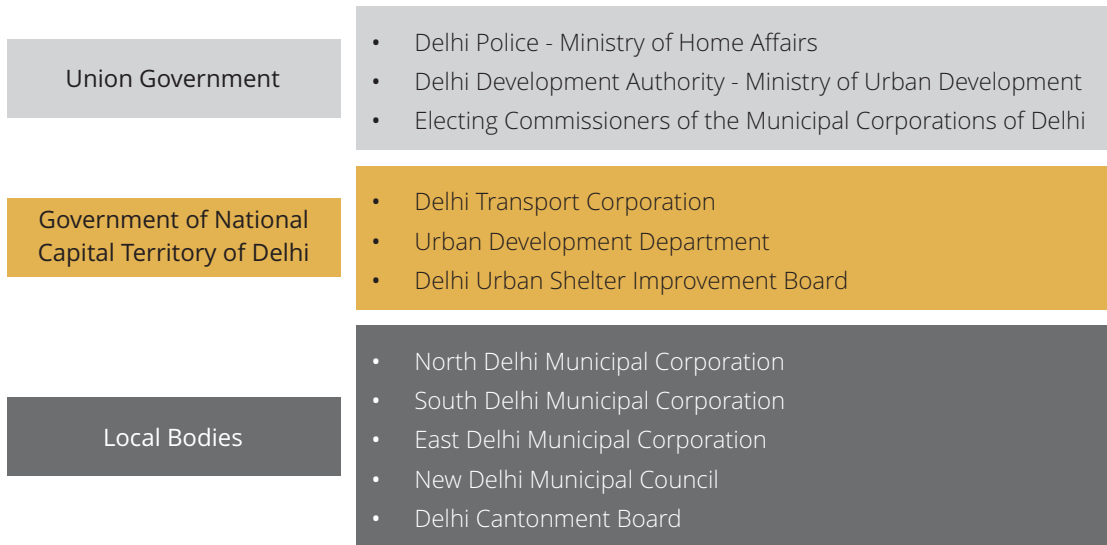
Limited Statehood: The government of Delhi enjoys a 'limited statehood' i.e., certain functions such as public order, police and land are outside the purview of its governance. The functions which are outside the purview of GNCTD are looked after by the Lieutenant Governor of Delhi, the Centre's representative in Delhi.

Complex Governance Structure: The governance structure of Delhi is also complex, with multiple agencies that carry out various functions in Delhi, requiring to work in coordination with each other. The Delhi Police, responsible for maintaining law and order, is outside the jurisdiction of the Government of Delhi. It functions under the Union Ministry of Home Affairs, and is accountable to it. Likewise, DDA which owns most of the government land in Delhi, and is responsible for city planning, is under the jurisdiction of the MoUD.

In what ways does Delhi's governance structure make ensuring women's safety a challenge?

The complex intersection of three tiers of governments in Delhi requires coordination among multiple actors: Delhi Police (under Ministry of Home Affairs), Delhi Commission for Women, Department of Women and Child Development, the municipal corporations and Delhi Development Authority under the Ministry of Urban Development, are required to work in close coordination with each other to ensure women's safety.

The Delhi Commission for Women, in fact, attributes the low levels of safety of women in Delhi to the "absence of synergy among Central Government, Delhi Government and the Delhi Police" (Annual Report 2015-16, DCW)

Figure 6. 1: Governance Structure in Delhi: Focusing on Select Sectors

6.2 Fiscal architecture of Delhi

Besides the governance architecture, it is also important to analyse the fiscal architecture and scope and magnitude of government spending in Delhi. The following section analyses their implications for interventions related to women's security.

The fiscal architecture in Delhi is similar to that in other states, with some distinct features that arise due to its unique administrative structure. Table 6.1 presents the fiscal architecture and fund flow process in Delhi.

Table 6.1: Fiscal Architecture and Fund Flow Processes in Delhi

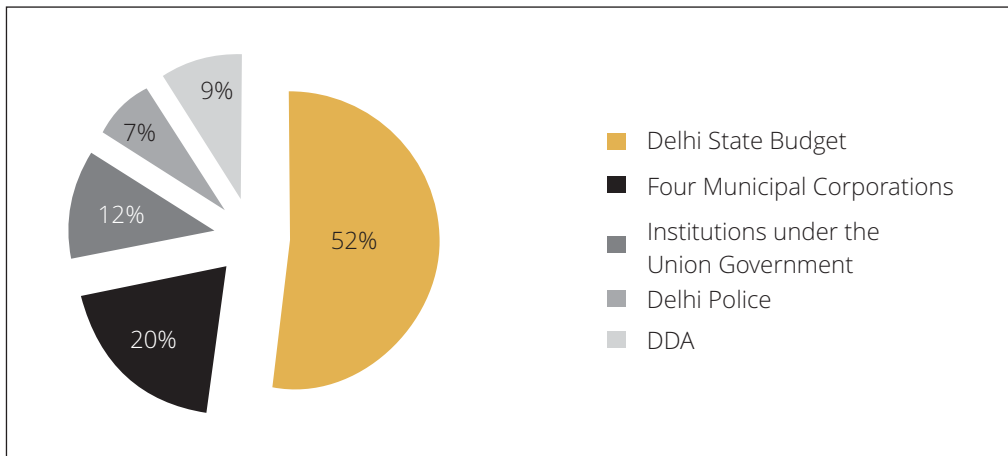
Level of governance	Where does the money come from?	How is the money spent in Delhi?
Union Government	Revenue Receipts (i) Tax Revenue (ii) Non Tax Revenue	A. Direct Spending (i) Functions under the Union Government like Police, land etc. (ii) Expenditure on its institutions in Delhi (e.g. AIIMS, Central Universities etc.)
	Capital Receipts (i) Recovery of Loan & Advances (ii) Borrowings	B. Indirect Spending Through GNCTD: (i) On schemes and programmes being implemented in Delhi (Centrally Sponsored Schemes and Central Sector Schemes) e.g. Mid-Day Meal, ICDS etc.

Level of governance	Where does the money come from?	How is the money spent in Delhi?
		<p>(ii) Through Municipal Corporations: On schemes / programmes of the Union Government (routed through GNCTD budget) e.g. erstwhile Jawaharlal Nehru National Urban Renewal Mission (JNNURM)</p> <p>C. Other devolution To GNCTD: (i) Grants in lieu of State's share in Central Taxes (ii) Grants under 13th Finance Commission for strengthening the online treasuries till 2014-15 (iii) Other Non-Plan Grants</p>
Government of National Capital Territory of Delhi	<p>Revenue Receipts (i) Own Tax Revenue (ii) Own Non Tax Revenue (iii) Grants from the Union Government (Plan Grants, Non Plan Grants, Grants in lieu of share on central taxes etc.)</p> <p>Capital Receipts (i) Recovery of Loan & Advances (ii) Borrowings</p>	<p>A. Direct Spending on (i) Functions under GNCTD (as per the 1991 Act) e.g. on schemes like Ladli Yojana, Dilli Annashree Scheme etc.</p>
		<p>B. Indirect Spending through municipal corporations for implementation of Plan interventions by GNCTD e.g. maternity and child welfare centres, sanitation in unauthorised colonies and Jhuggi Jhopri clusters</p>
		<p>C. Other devolution (i) Grants as per the recommendations of Delhi Finance Commission (ii) Other grants-in-aid (e.g. municipal reform fund, maintenance of capital assets etc.)</p>
Municipal Corporations of Delhi	<p>Revenue Receipts (i) Own Tax Revenue (ii) Own Non Tax Revenue (iii) Grants from GNCTD (share in GNCTD's taxes, non-plan and plan grants etc.)</p> <p>Capital Receipts (i) Recovery of Loan & Advances (ii) Borrowings</p>	<p>A. Direct Spending (i) On functions under the municipal corporations e.g., sanitation, public works and street lightening, etc.</p>

Proportion of spending by each level of Government:

It is worth noting that in addition to GNCTD, the other two tiers of governance, i.e., the Union Government and the municipal corporations also carry out substantial expenditure in Delhi. As can be seen, the spending by the government of Delhi constitutes a little over 50 percent of the total spending in Delhi, indicating that the other two tiers of governments also play a substantial role in the governance of Delhi and thus have an important bearing on interventions pertaining to women's safety.

Figure 6.2: Spending by Various Levels of Governments as a Proportion of Total Budgetary Spending in Delhi in 2016-17 (BE)*



Note: *Does not include the budgets for Delhi Cantonment Board

Institutions under Union Ministries indicated in the figure include Union Government expenditure on select institutions like Union Government hospitals, Grants from Union Govt. to Delhi Metro etc. in Delhi and is only an indicative estimate

Source: Compiled by the authors from budget documents of concerned agencies

Public Spending in Delhi

A look at the per capita government expenditure indicates that Delhi fares better than other states. Per capita government expenditure in Delhi, taking into account the spending by GNCTD alone, stands at Rs. 24,062 in 2016-17 (BE). This compares more favourably than a number of states, as reflected in table 6.2.

Taking into account per capita expenditure by GNCTD, Delhi Police and DDA combined — which is Rs. 31,495 in 2016-17 (BE) (expenditure for the last two is incurred by the Union Government in Delhi) and the per capita total budgetary spending in Delhi by all three tiers of government, which is Rs. 46,346 in 2016-17 (BE) — the per capita spending in Delhi appears to be even higher, compared to other states. The seemingly high level of government expenditure in Delhi would lead us to infer that the scope to increase government spending in Delhi, is therefore limited. However, this needs further scrutiny.

Table 6.2: Per Capita Expenditure by States

States	2016-17 (BE) (in Rs.)
Bihar	13072
Uttar Pradesh	15984
Jharkhand	18003
Madhya Pradesh	20261
Rajasthan	20500
Odisha	21495
Maharashtra	22607
Assam	23623
Chhattisgarh	25708
Tamil Nadu	26656
Puducherry	66650
Per capita budgetary spending in Delhi by GNCTD	24062
Per capita expenditure by GNCTD, Delhi Police and DDA in Delhi	31495

Note: The population projection for 2016-17 is based on the Report of the technical group on population projections constituted by the National Commission on Population, 2006 with modifications using 2011 census data

Source: Based on data compiled from various state budget documents and Census of India, 2011

■ **Is there a need to step up government spending in Delhi?**

Though it is widely argued that the availability of budgetary resources with the government in Delhi is not a constraint, one of the challenges in providing quality services with adequate coverage is indeed linked to the paucity of funds. Availability of trained staff in education and health care and better coverage of services require a greater magnitude of public spending, compared to current levels.

For interventions related to women's safety, an increase in the available resources could enable adequate provisioning of shelter homes, human resources, such as for programmes implemented by DCW, and more effective public bus services with adequate coverage of peripheral areas. It would also result in the increased devolution of funds to municipal corporations (specifically East Delhi Municipal Corporation and North Delhi Municipal Corporation) to effectively implement functions like street lighting and public toilets.

■ **Is there scope to increase government expenditure in Delhi?**

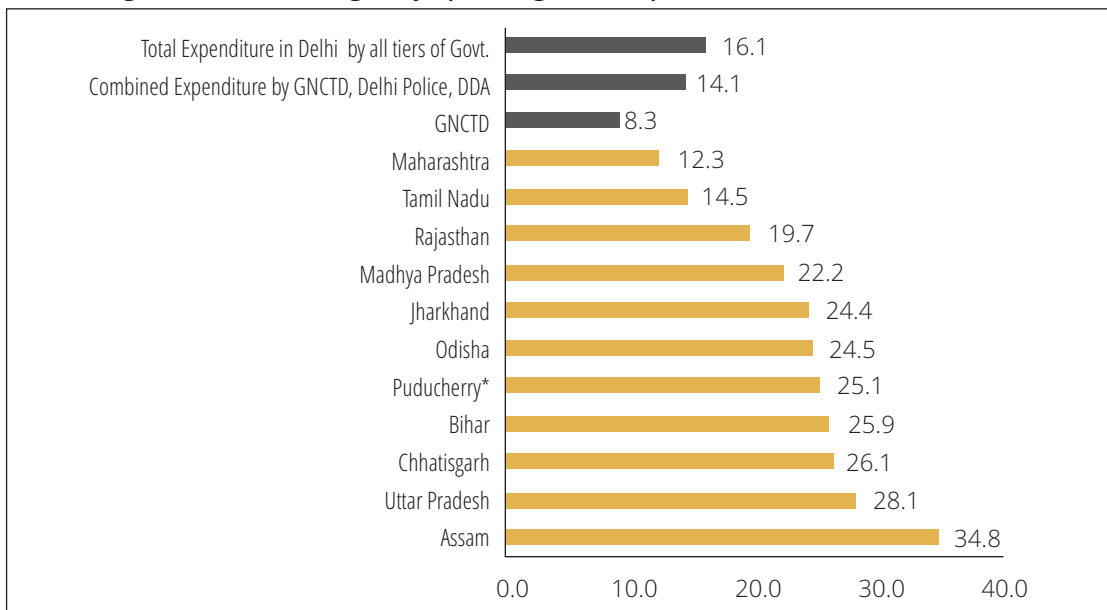
The total budget of GNCTD is around Rs. 46,600 crore in 2016-17 (BE), which as a proportion of the Gross State Domestic Product (GSDP), is around 8.3 percent. This means that as a proportion of the entire economy of Delhi, the share of expenditure by GNCTD accounts for only 8.3 percent. This is fairly low, when viewed in comparison to other states (see figure 6.3 below), implying that the fiscal

space available to GNCTD is quite restricted. Moreover, the Delhi Budget has reflected a fiscal surplus in two of the last three fiscal years, with a revenue surplus. It is observed that notes that certain states have a tendency to reduce fiscal deficits by running a surplus on the Revenue Account which “could be a hurdle towards increasing budgetary expenditures in social sectors.” This is because a large proportion of budgets for the social sector such as health, education, women and child development and social welfare — which are critical for women’s safety — is reported as revenue expenditure.

Thus, there is definitely scope for increasing public expenditure in Delhi with greater prioritisation of critical sectors important for women’s safety.

The figure below presents a comparison of spending by GNCTD and combined spending by all three tiers of governance as a percentage of GSDP with other states.

Figure 6.3: Total Budgetary Spending as a Proportion of GSDP in 2016-17 (BE)



Note: * GSDP for Delhi and Puducherry is for 2015-16 as GSDP figures for 2016-17 are not available

Source: Compiled by the authors from state budget documents; the calculation of total spending in Delhi does not include the budgets for Delhi Cantonment Board

From Figure 6.3, it is clear that even taking into account — combined expenditure by GNCTD, Delhi Police and DDA as well as total budgetary spending in Delhi (by all three tiers of government) — public spending in Delhi is lower than that in many other states. Lower government expenditure implies that the government’s ability to undertake significant expenditure for essential needs is limited.

An increase in the expenditure-GSDP ratio of Delhi, without necessarily increasing the rate of

taxation could be undertaken through the following measures:

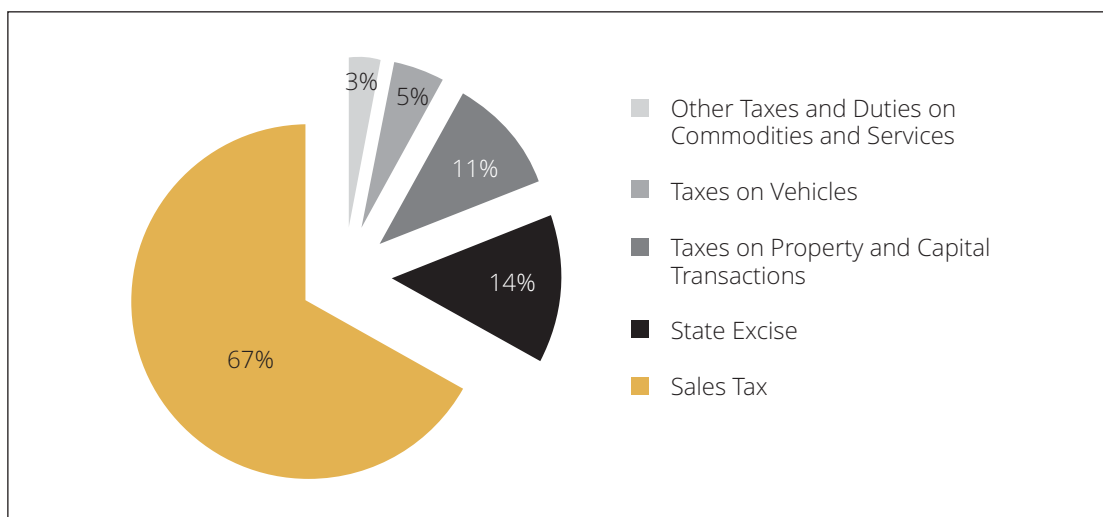
- **Ensuring higher levels of tax compliance:** Ensuring better compliance with Value Added Tax (VAT) could lead to enhanced revenue collection. The government of Delhi has already taken several steps in this direction, which it is hoped, will help enhance the revenue of the Delhi Government.
- **Increasing grants-in-aid in lieu of central taxes to Delhi:** Delhi, not being a full state, is outside the purview of the Union Finance Commission. Hence, it is not eligible for a share in the divisible pool of central taxes. Instead, it receives grants-in-aid, in lieu of the share in central taxes, which have been stagnant at Rs. 325 crore annually since 2001-02. In fact, according to estimates of the Delhi Government, Delhi's omission from the Union Finance Commissions' Terms of Reference, would cost it Rs. 25,000 crore during the 14th Finance Commission's award period, i.e., 2015-16 to 2019-20. Hence, the grants-in-aid which have been constant since 2001-02, need to be revised upwards, in lieu of this share.

Other concerns with budgets in Delhi

High dependence on excise from sale of alcohol: An analysis of the Delhi budget reveals its high dependence on excise revenues from the sale of alcohol. This is an important concern as evidence from studies has highlighted linkages between consumption of alcohol and domestic violence. [Luca et al (2015), Yadav (2014)].

In 2016-17 (BE), 14 percent of Delhi's own tax revenue was raised from state excise (Figure 6.4), of which a negligible proportion is from sale of alcohol for medicinal purposes.

Figure 6.4: Break-up of Own Tax Revenue in Delhi Budget in 2016-17 (BE) [in %]



Source: Compiled by authors from state budget documents, GNCTD

Constrained financial health of municipal corporations

The trifurcation of the Municipal Corporations of Delhi (MCD) in 2012 led to severe financial stress for two of the three municipal corporations that emerged from the trifurcation. While South Delhi Municipal Corporation, owing to the sizable amount of revenue it generates from property tax has fared well, the North Delhi Municipal Corporation and East Delhi Municipal Corporation have suffered severe financial setbacks. This has affected the basic functioning of these bodies, with even salaries of workers remaining unpaid for months at a time.

Critical functions such as street lighting and sanitation, intrinsically linked with women's safety, are the responsibility of municipal corporations. With the severe fund crunch faced by two of the three MCDs, how well these services can be provided, is a question.

The Fourth Finance Commission of Delhi which makes recommendations regarding the distribution of GNCTD's own taxes between GNCTD and local bodies, was expected to address the acute financial stress faced by East and North Delhi Municipal Corporations. The Fourth Finance Commission of Delhi was constituted in 2009 and made recommendations for the period 2011-12 to 2015-16. The commission presented its report in 2013.

In the report, the Commission recommended that 12.5 percent of the taxes, duties, fees and tolls collected by GNCTD during the financial years 2012-13 onwards, be kept in the divisible pool of the NCT of Delhi for each financial year. Further, it is recommended that 50 percent of funds in the divisible pool should be divided amongst all municipalities as per population and area in the ratio 70:30. The remaining 50 percent amount in the divisible pool, it is suggested, should be distributed in the ratio of 34:66 for the financial years 2012-13 onwards between North Delhi Municipal Corporation and East Delhi Municipal Corporation". This is a welcome step as it would address the severe financial crunch faced by the two municipal corporations.

The report also has a set of recommendations for the Union Government municipal corporations. In an explanatory memorandum as to the action on these recommendations by the Fourth Finance Commission of Delhi, the GNCTD has expressed its keenness to implement the recommendations but has made it contingent upon "the Government of India to implement the recommendation of the Fourth Delhi Finance Commission". It further states that "It would be completely impossible for the Govt. of NCT of Delhi to do that till such time as Government of India implements its own part of recommendations". This is a concern because of the financial crisis faced by East Delhi Municipal Corporation and North Delhi Municipal Corporation.

Given the conditionality put forth by the GNCTD in its acceptance of the commission's recommendations (making it contingent upon Union Government to accept the recommendations made for them), it remains doubtful if the recommendations will be implemented. The GNCTD has already constituted the Fifth Finance Commission of Delhi.

Some of the Key Recommendations of the Fourth Finance Commission of Delhi

Key recommendations for the Union Government

- Ensure that MoUD, Gol, does not deal with matters relating to constitution and powers of the municipalities and other local authorities of the Union Territory of Delhi.
- Display its commitment towards the 73rd and 74th Constitutional Amendments by starting the process of enforcing them in letter and spirit, beginning with transfer of control over local authorities such as DDA and the competent authority appointed under the slum areas (Improvements and Clearance) Act 1956 or limiting the authority of municipalities on matters relating to regulation of building activities or undertaking of improvement works.
- Should hold DDA responsible for infrastructure deficits in terms of requirements for municipal services befitting the national capital despite its paying the deficiency charges to other local authorities and should compensate the municipalities for being forced to bear the brunt of providing infrastructure deficits out of their resources.
- Direct the commissioner of police to refrain from framing or enforcing of regulations that impede implementation of the municipal laws enacted by Parliament.
- Recognise that its current fiscal policy in relation to Union Territories with legislature is contrary to the explicit provisions of Article 367(1) of the Constitution.
- Consider releasing the share of the NCT of Delhi in the taxes and duties in the Union list, as at par with other states in the Union of India.
- Should permit GNCTD to collect and appropriate stamp duties and duties of excise on the medicinal and toilet Preparation included in the Union list and taxes on services levied by the Government of India, at par with other states in the Union of India under Articles 268 and 268 A respectively.
- Not deny GNCTD benefits of assignment of proceeds of tax on sale or purchase of goods, and on consignment of goods levied and collected by the Government of India, at par with other states in the Union of India under Article 269 of the Constitution.
- Government to include the (i) net proceeds of taxes collected by the GOI in respect of matters for which the Legislative Assembly of NCT of Delhi has powers to enact laws and (ii) the share of the Union Territory of NCT of Delhi in the net proceeds of the taxes and duties in the Union list. GNCTD is not getting adequate share in central taxes from the Central Government at par with that of other states. Up to 1995-96, the municipalities were assigned the total net collection from the State Vehicles Taxation Act and Entertainment Tax.

Key recommendations for municipal corporations

- The municipal bodies should carry out the core municipal functions which would also improve their financial health and should start exercising economy in expenditure on non-core functions, i.e. which are beyond the scope of the 12th Schedule of the Constitution, such as primary education.
- Less than 25 percent of the stock of the buildings and vacant lands are paying property tax on voluntary basis. There is a need to widen the tax base.



Key recommendations for GNCTD

- 12.5 percent of taxes, duties, fees and tolls collected by GNCTD during the financial years 2012-13 onwards shall be kept in the divisible pool of National Capital Territory of Delhi for each financial year.
- For determining the percentage share of municipalities, the net proceeds of motor vehicle tax and entertainment and betting tax shall not be included as these stand assigned to municipalities.
- Government to include the net proceeds of taxes collected by the GoI in respect of matters for which the legislative Assembly of NCT of Delhi has powers to enact laws and also the share of the Union Territory of NCT of Delhi in the net proceeds of the taxes and duties in the Union list.
- 50 percent of the funds in the divisible pool shall be distributed amongst all the municipalities with reference to existing principle based on population and area in the ratio of 70:30.
- Residual 50 percent to be distributed keeping in view the comparative financial health of each municipality and the infrastructure deficit.
- 50 percent of the remaining available funds in the divisible pool be distributed in the ratio of 34:66 for the financial years 2012-13 onwards between North Delhi Municipal Corporation and East Delhi Municipal Corporation.
- The government while releasing the funds to the municipalities shall specify the purpose for release of those funds and the conditions under which those funds may be utilised by the municipalities.
 - (a) Until such time as GNCTD is able to convince the Central Government to disburse the amounts of revenue collected by it in respect of subjects for which the Legislative Assembly is empowered to enact laws and release the withheld share of Union Territory of NCT of Delhi in the net proceeds of taxes and duties in relation to the Union List, GNCTD should compensate municipalities 50 percent of the loss suffered by them.
 - (b) The net proceeds of the Delhi Motor Vehicle Taxation Act, 1962 and the Delhi Entertainment and Betting Tax Act, 1996 should be assigned to the municipalities being adjunct to the item bearing numbers (b) & (c) of sub section (1) of section 113 Delhi Municipal Corporation Act, 1957 and item bearing numbers (b) & (c) sub section (1) of section 60 of the New Delhi Municipal Council Act, 1994,
- Need to integrate public health policy of the National Capital.



Lack of Budget Transparency

An important means of bringing about accountability in public expenditure is through public engagement with budgets. This necessitates the availability of budgets in the public domain. At present, the budgets of agencies such as DTC and DCW as well as those of municipal corporations (except New Delhi Municipal Council) are not available to the public. Moreover, it is important to present these in an accessible manner to make them comprehensible to common citizens.

In conclusion, any analysis of women's safety in Delhi from a governance and budgetary perspective has to be foregrounded in the context of Delhi's governance and fiscal architecture. The complexity of Delhi's governance architecture, which requires the three levels of governments to work together in a range of sectors, with a multitude of actors, makes the task of ensuring women's safety a challenging one. Linked to this, is the important question of resources for ensuring women's safety. Though it is widely argued that availability of resources with the government is not a constraint in the case of Delhi, inadequate coverage and poor quality of services point to the need for a higher magnitude of public spending. This necessitates an expansion of the fiscal space for GNCTD, which can be achieved without necessarily increasing the levels of taxation in Delhi.



CONCLUDING
REMARKS AND POLICY
RECOMENDATIONS



7. CONCLUDING REMARKS AND POLICY RECOMENDATIONS

The following section presents the policy recommendations emerging from the study. The first part of the section discusses broad action points while the second section presents a summary of recommendations for the Union Government and GNCTD.

(I) Bring about improvements in governance, fiscal and budgetary processes to strengthen interventions that have a bearing on women's safety:

■ **Governance processes:**

At present, a number of actors —under both the Union Government and GNCTD — such as the Delhi Police, DWCD, DCW and public hospitals are implementing a range of critical interventions to respond to women in distress. What is lacking is a single unified response mechanism that could coordinate the efforts of all relevant stakeholders and ensure monitoring and the necessary follow up. This is essential for a cohesive policy and programmatic framework to address the incidence of violence against women in Delhi.

■ **Fiscal Processes:**

Expansion of the fiscal space of GNCTD: Expanding the fiscal space of GNCTD is necessary to enable higher public expenditure on women-centric interventions. Among other measures, this can be achieved through an increase in grants-in-aid to GNCTD in lieu of taxes from the Union Government to GNCTD, and better VAT compliance by GNCTD.

Expanding the fiscal space of Municipal Corporations in Delhi: There is a need to expand the fiscal space of local governments to effectively carry out important functions like street lighting and sanitation. Devolution of a higher magnitude of resources from GNCTD to local bodies is a necessary pre-requisite.

Reduction in the revenues generated from the sale of alcohol: Revenues from sale of alcohol comprised about 14 percent of the own receipts of the budget of GNCTD in 2016-17 (BE), which is a concern as it could increase the threat of violence.

■ **Budgetary processes:**

Higher magnitude of public expenditure on interventions pertaining to women's safety: The low magnitude of public spending is an important constraint affecting the coverage and quality of services and the availability of human resources and infrastructure for implementation of

programmes and services in policing, public transport and crisis response mechanisms. It is thus important to step up budgetary resources for interventions in these sectors.

Enhance budget transparency: The availability of budget documents in the public domain is essential to enable public scrutiny and engagement with budgets. At present, the budgets of entities like DTC, DCW and most of the municipal corporations are not available in the public domain. Presenting these documents in an accessible manner would make them comprehensible for citizens and would enhance transparency and strengthen accountability.

(II) Address constraints in human resources for implementation of programmes and services:

- **Addressing human resource shortages:** The shortage of human resources has affected the functioning of important stakeholders like Delhi Police and DCW, as well as of programmes like shelter homes and helplines. Provision of adequate and skilled human resources, which is linked to the adequacy of budgetary resources, is a necessary pre-requisite for effective implementation of programmes and services.
- **Spatial inequity in human resource deployment:** Delhi Police personnel are not evenly deployed across the city. Their presence is mostly concentrated in the central areas of Delhi, with a scanty presence in the outskirts.
- **Representation of women:** The representation of women in Delhi Police and DTC is extremely low. An increased presence of women as service providers in these sectors would go a long way in encouraging women to access these services.

(III) Adoption of gender responsive budgeting by all agencies: It is worth noting that improvements in only budgetary priorities are insufficient. The specific challenges to women's safety across sectors needs to be addressed through appropriately designed interventions backed by adequate budgetary outlays. Hence, GRB is an important strategy, which if implemented could significantly strengthen such interventions.

Many agencies like DUSIB, DTC and municipal corporations are yet to adopt the strategy. GNCTD has adopted GRB; however, its implementation needs to be strengthened.

(IV) Strengthen accountability mechanisms: Under the present framework, accountability mechanisms to ensure appropriate support and services to address the occurrence of instances of violence are weak. Important programmes for women's security are most often implemented based on considerations like availability of funds. Moreover, redressal mechanisms, when programmes and services are not effectively implemented, are weak. Accountability mechanisms therefore need to be strengthened and popularised. Violence against women is a violation of the right of women to live with freedom and dignity. It is imperative that the State's accountability to its citizens in this regard, is ensured.

(V) Action plan to end violence against women: GNCTD must develop an action plan to end violence against women which articulates the role of each concerned stakeholder. Such an action plan must also appoint a nodal agency/body that coordinates and monitors the work of

Summary of Recommendations for the Union Government and GNCTD

Union Government		
Area/sector	Concern	Measures to be undertaken
Policing (Delhi Police)	<ul style="list-style-type: none"> Inadequate budgetary outlays by the Union Government to meet the requirements of Delhi Police; over the years an increase has been witnessed in absolute terms, but almost stagnant when seen as a proportion of the total budgetary allocations to the police force (Demand 48) under MHA 	<ul style="list-style-type: none"> Stepping up allocations to ensure effective functioning, in consonance with Delhi Police's own estimates of its budgetary requirements
	<ul style="list-style-type: none"> Human resource shortage; inadequate number of sanctioned posts and persistent vacancies against sanctioned posts 	<ul style="list-style-type: none"> Increase in the number of sanctioned posts as per the estimates of Delhi Police Recruitment of personnel to fill up vacant posts
	<ul style="list-style-type: none"> Inadequate representation of women at less than 10 percent 	<ul style="list-style-type: none"> An increase in the representation of women through an overall expansion of the police force Additional recruitment of women personnel ensuring their representation at all levels
	<ul style="list-style-type: none"> Spatial inequity in police presence across Delhi; peripheral areas with high rates of crimes against women are underserved 	<ul style="list-style-type: none"> Adequate police presence to be ensured in areas with high rates of crimes against women
Fiscal policy	<ul style="list-style-type: none"> Expenditure by GNCTD as a proportion of GSDP lower than most states, constraining its capacity to step up investments for enhancing women's safety Grants-in-aid, in lieu of the share in central taxes to Delhi, have been stagnant at Rs. 325 crore since 2001-02 	<ul style="list-style-type: none"> Upward revision of grants-in-aid, in lieu of the share in central taxes to Delhi's from Rs. 325 crore Implementation of other recommendations of the Fourth Finance Commission of Delhi
Support mechanisms for rescue and rehabilitation of women	<ul style="list-style-type: none"> Low budgetary outlays for schemes to address violence against women by MWCD 	<ul style="list-style-type: none"> Increasing the priority for programmes/schemes in the Union Budget
	<ul style="list-style-type: none"> Coverage of One Stop Crisis Centres in the country low 	<ul style="list-style-type: none"> Expand the scope and coverage of One Stop Crisis Centres to ensure at least one such centre per district in the country

	<ul style="list-style-type: none"> Non-implementation of schemes (Swadhar Greh, OSCs) by MWCD in Delhi 	<ul style="list-style-type: none"> Coverage of these schemes should be expanded to Delhi to meet the requirements
	<ul style="list-style-type: none"> Unspent balances under the Nirbhaya Fund 	<ul style="list-style-type: none"> Instituting appropriate mechanisms by concerned ministries and departments in sanitation, street lighting, public transport, policing and law to ensure optimal utilisation of the fund

Government of National Capital Territory of Delhi

Area/sector	Concern	Measures to be undertaken
Fiscal policy	<ul style="list-style-type: none"> Severe resource constraints faced by municipal corporations (especially East Delhi Municipal Corporation and North Delhi Municipal Corporation) affecting functions like sanitation and street lighting Strong reliance on revenue generated from the sale of alcohol 	<ul style="list-style-type: none"> Higher devolution of resources from GNCTD to municipal corporations and implementation of the recommendations of the Fourth Finance Commission of Delhi Ensuring better compliance with VAT could lead to enhanced revenue collection Increase spending by GNCTD in view of the fiscal surplus in two of the last three years
Public Bus Service	Shortage of buses; less than 6,500 buses in 2014-15 against an estimated requirement of 11,000 buses	<ul style="list-style-type: none"> Address the bottlenecks in procurement of buses and ensure adequate coverage and frequency of buses across the city
	Spatial inequity in coverage of transport services; peripheral areas not adequately serviced	<ul style="list-style-type: none"> Ensure coverage and frequency of buses , especially in areas with a high incidence of crimes against women
	Extremely low representation of women in posts of DTC drivers and conductors	<ul style="list-style-type: none"> Ensure a critical minimum representation of women as drivers and conductors taking due precautions to ensure their safety as well

	Weak implementation of measures such as CCTV cameras, GPS devices and deployment of marshals and home guards	Address the gaps and anomalies in implementation ensuring: <ul style="list-style-type: none"> ■ CCTV cameras are installed and functional in all buses, as committed by Delhi Government ■ Functional GPS devices in all buses ■ Deployment of trained marshals and home guards at sensitive, lonely stretches and in off-peak hours
Night Shelters	<ul style="list-style-type: none"> ■ The capacity number of night shelters is only 21,574 for a reported homeless population of 47,076 (Census 2011) ■ Lack of linkages to support services, poor hygiene, lack of privacy and inconvenient locations 	<ul style="list-style-type: none"> ■ Capacity of night shelters needs to be expanded to provide for the actual number of homeless ■ Night shelters for women should be ensured in proportion to their population in each district ■ Provide information on the number of women that can be accommodated in night shelters
Support mechanisms for rescue and rehabilitation of women	Delhi Commission for Women: Increase budgetary outlays to ensure that the Commission is able to function with sufficient infrastructure and human resources, given the growing role of the Commission in ensuring women's safety	
	Shelter Services	<ul style="list-style-type: none"> ■ Enhancing budgetary outlays to allow increase in capacity and staff at these homes ■ Review of guidelines of homes in Nirmal Chhayaa and appropriate modifications to make them more responsive to the needs of women in distress and their children ■ Increase in the number of sanctioned posts ■ Due recognition of mental health concerns; provide sufficient numbers of trained staff and infrastructure to provide appropriate care to residents
	<ul style="list-style-type: none"> ■ Capacity of shelter services inadequate ■ Restrictive guidelines (with respect to age, permission to keep children, etc.) for eligibility of women to seek admission ■ Shortage of human resources ■ Mental health concerns of residents not satisfactorily addressed 	

Public Hospitals	
<ul style="list-style-type: none"> ■ Reliance of public hospitals, including OSCs, on DCW to provide counsellors ■ Insufficient training of medical practitioners on 'Guidelines & Protocols for Medico-legal care for survivors/victims of Sexual Violence' ■ Lack of linkages with support services like policing, shelter, legal aid 	<ul style="list-style-type: none"> ■ Provision of well-trained counsellors within the hospitals to address the psychological consequences of violence ■ Regular training of medical practitioners should compulsorily be carried out in all hospitals; its implementation should also be monitored ■ All hospitals must have necessary linkages with support services to ensure proper support is provided to women approaching hospitals

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Annexure: Deployment of Marshals and Home Guards in DTC Buses

Name of Depot	Total No. of Marshals	No of bus routes	Total No of Home Guards	No of bus routes
Dwarka Sector 8	145	All evening shift	47	All evening shift
Hari Nagar Depot-I	10	Not possible to record	36	Not possible to record
Hari Nagar Depot-III	36 (total Number of Marshals and Home Guards) on 5 routes			
D.K Depot	25	35 routes	53	N/A
Shadipur Depot	8	not specific	17	not specific
Mayapuri Depot	90	8 bus routes	19	8 bus routes
Keshopur Depot	12	14 routes in total	75	14 routes in total
Hari Nagar Depot-II	62	11	43	11
Dwarka Sector-II	68	follows duty book, hence not fixed	73	follows duty book, hence not fixed
G.H Depot	1	Follows bus duty memo	36	Follows bus duty memo
Sukhdev Bihar Depot	6	6 routes	17	17 routes
Millenium Depot	54	according to requirements	46	according to requirements
Sri Niwas Puri Depot	3	2 bus routes	11	6 bus routes
Vasant Vihar depot	71	15 routes	17	15 routes
S.N Depot	69	evening shift	13	evening shift
Dr. Ambedkar Nagar	69	18	17	18
Kalkaji Depot	The unit is not operational since 24.01.16			
Rajghat Depot-1	85	Nil	72	Nil
Yamuna Vihar Depot	45	10 bus routes	20	10 bus routes
I.P. Depot	1	As per present for duty	29	As per present for duty
Gazipur Depot	16	5 bus routes	47	5 bus routes
SMP Depot	38	6 routes in evening shift only	31	6 routes in evening shift only
Noida Depot: Sector-16	1	34/43A, bus no. not permanent to the above route due of changing of buses under repair and maintenance	6	12 bus routes
East Vinod Nagar Depot	6	17 bus routes	39	17
Nand Nagri Depot	1	273	76	33

Rajghat Depot-2	32	14	-
Rohni-4 Depot	Information pertain to HQ	No information	Information pertain HQ	No information
Rohini Depot-2	Nil	Nil	Nil	Nil
Rohini Depot-I	120	8 bus routes	40	8 bus routes
Narela Depot	15	15 bus routes	52	15 bus routes
Bawana Depot	29	No Information	26	No information
G.T.K.R Depot	45 Civil Defence + 24 Marshals DTC	21 bus routes and 90 duties	52	21 bus routes and 90 duties
Nangloi Depot	14	16 bus routes	59	16 bus routes
Wazirpur Depot	48	21 bus routes	37	
Kanjhawala Depot	59	27 Bus routes	51	27 Bus routes
B.B.M. Depot	6	Deputed on different routes in evening shifts	52	52 home guards are deployed on different routes
Rohini Depot-3	64	No information given	73	No information given
Subash Palace Depot	67	8 bus routes	29	8 bus routes
Tekhhand Depot	-	-	-	-
Peeragarhi Depot	4	No fixed route	68	No fixed route



About CBGA

CBGA is an independent, non-profit policy research organisation based in New Delhi. It strives to inform public discourses through rigorous analysis of government budgets in India; it also tries to foster people's participation on a range of policy issues by demystifying them. For further information about CBGA's work, please visit www.cbgaindia.org or write at: info@cbgaindia.org.



About Jagori

Founded in 1984, Jagori (meaning 'Awaken, woman') works towards its vision of helping to build a just society through feminist values. It works to deepen feminist consciousness with a wide range of partners and women leaders from marginalised rural and urban areas through research and knowledge building, perspective development, provision of support services to women survivors of violence, and networking. For more information, please visit www.jagori.org or write at: jagori@jagori.org