

**MONITORING AND EVALUATION ON THE
IMPLEMENTATION OF THE PROTECTION
OF WOMEN FROM DOMESTIC VIOLENCE
ACT 2005**

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NEED FOR M&E

Success of any law depends on its implementation

The M&E process is akin to the concept of social audit wherein people work with the government to monitor and evaluate the planning and implementation of a scheme / programme / policy / law.

Process helps in:

- Demystification of law
- Dissemination of relevant information

OVERARCHING OBJECTIVE OF THE M & E (2007 - 2011)

- To examine whether infrastructure under the PWDVA is adequate in meeting the objective of the law, namely, realizing a woman's right to live in a violence free home.
- To map the implementation of the PWDVA on the ground, analyze emerging trends, collate best practices and identify infrastructural needs.
- Trace the developing jurisprudence under this law.
- Identify best practices , shortcomings and suggest remedial measures / amendments required in law.

M&E : GENERAL METHODOLOGY

- Questionnaire administered to the nodal departments for data on infrastructure
- Meeting with NGO representatives
- State visits undertaken for in depth interviews with stakeholders using questionnaires developed in house



M&E : GENERAL METHODOLOGY

- Surveys with select stakeholders in states
- Surveys with women who have used the law
- Order analysis
- Analysis of judgments delivered by the higher judiciary

METHODOLOGY FOR ORDER ANALYSIS

- Three steps are involved:
 - Develop matrix of indicators to identify good practices based upon socio cultural context, specific substantive and procedural issues that require clarification and to evaluate trends
 - Transfer information from orders to this matrix
 - Analyse emerging trends



METHODOLOGY FOR BUDGET INFORMATION

- Questionnaires developed and filed under Right to Information Act in each state
- Response received from state government
- Analysis



M&E : PARTNERSHIPS (2007-2011)

- ❑ Ministry of Women and Child
- ❑ National Commission for Women
- ❑ Office of the Hon'ble Chief Justice of India
- ❑ Partners working in a regional and national level



M&E : PARTNERSHIPS (2009-2011)

- Collaboration with International Center for Research on Women
 - 3 year partnership
 - Baseline: 2009
 - Midline: 2010
 - Endline: 2011
- Collaboration with Center for Budget and Governance Accountability
 - Responsible for budget analysis under the PWDVA



Partnership with ICRW

- Developed pre and post training questionnaires
- Tools used-
 - Anonymous surveys with stakeholders
 - Focus group discussions
 - Key informant interviews
 - In-depth interviews

M&E 2010: MAIN FINDINGS

- Inadequate data from nodal agencies and lack of uniformity in reporting system
- Lack of support services for POs
- Lack of uniform protocols among stakeholders for procedural issues
- Low awareness among health professionals and lack of visibility
- Poor functioning of the multi agency coordination committees
- No impact assessment for trainings and awareness programmes



M&E 2010: MAIN FINDINGS

- Courts are taking purposive approach while interpreting the law
- High number of compromise cases among the orders analyzed
- Compensation orders increased

MAIN FINDINGS FROM BUDGET ANALYSIS 2010

- Only 14 out of 28 states had provided separate budget for implementation of PWDVA
- States without separate allocation are meeting expenses under PWDVA through existing schemes of women welfare
- Most states devised state plan schemes for implementation. E.g.- Haryana
- Wide variation in amount allocated:
 - Highest- INR 7,22,23,000 (Karnataka)
 - Lowest- INR 2,30,000 (Meghalaya)

MAIN FINDINGS FROM BUDGET ANALYSIS: 2010

- Expenditure vis-à-vis allocation:
 - Near complete expenditure: HR, AP, Assam, WB
 - Poor utilization: MP
 - No expenditure vis-à-vis allocation: Punjab
- Broad heads of allocation:
 - POs
 - Computers, training, salaries, support staff / contractual services
 - Publicity and workshops



MAIN FINDINGS FROM BUDGET ANALYSIS: 2010

- Neglected issues:
 - Support for SPs
 - Limited information shared regarding budgetary allocation: no transparency

LIMITATIONS FOR METHODOLOGY FOLLOWED: 2007-2010

- Infrastructure:
 - Poor response from states
 - Incomplete data
- State visits, surveys
 - Problems with securing permissions:
 - No permission to interview magistrates
 - Police personnel are deployed in several other duties and hence difficult to get permissions
- Order analysis
 - Not all states send orders

LESSONS LEARNT AND RECOMMENDATIONS

- No uniformity in record keeping
 - Appropriate authorities should issue practice directions. E.g. MOHFW to issue practice directions to all notified MFs to maintain records for all victims of domestic violence and action taken etc
- Continued lack of clarity around role of police
 - Practice directions should be issued in each state
 - Good practice: AP model where detailed directions were issued by the DGP.

LESSONS LEARNT AND RECOMMENDATIONS

- Lack of adequate funds
 - Adequate budgetary support should be given by the central government to supplement funds provided by states
 - Needs of each state must be assessed and allocations made accordingly
 - Heads of allocation must include appropriate budget for M&E of the law

LESSONS LEARNT AND RECOMMENDATIONS

- No tracking system for judicial orders
 - Uniform tracking system should be developed
 - Orders should be digitized and made available on website
- Guidelines to be issued by the Supreme Court to clarify procedural issues
 - Incorporate mechanisms within orders to enforce them
 - Open mandatory opening of banks within court premises to facilitate orders of maintainance

LESSONS LEARNT AND RECOMMENDATIONS

- Amendments required to the Act
 - DIR should not be mandatory
 - Act to include breach of all orders
 - **A provision for M&E of the law must be incorporated**
 - **Central registry of all orders passed under the Act**
 - **Annual M&E to be conducted and report to be published and given wide publicity**
 - Appeal from maintenance orders should be prohibited



Thank you