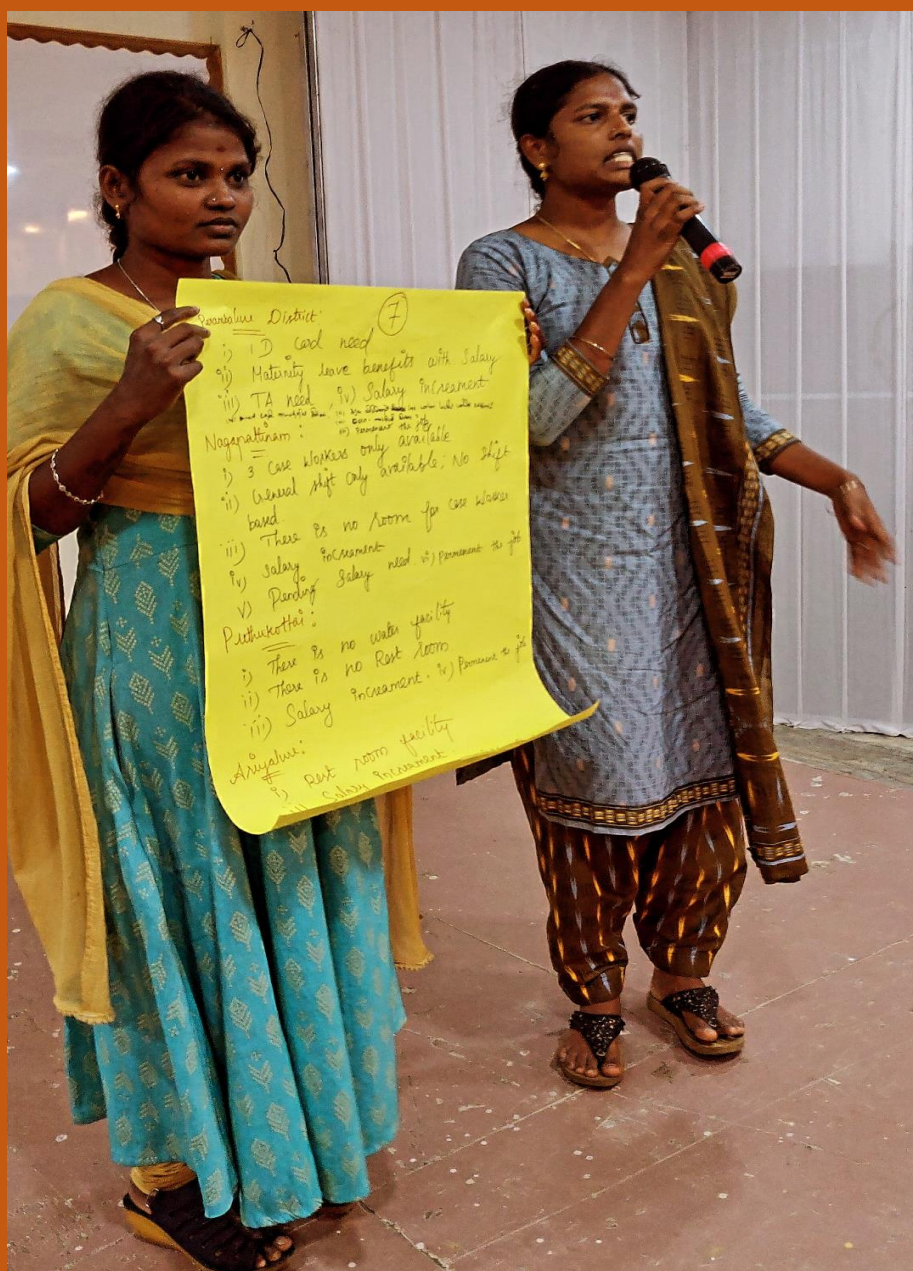




**Gender-Responsive COVID-19 Recovery in India**  
Training Guide for Gender-Based Violence  
and Related Functionaries



**Social and Development Research and Action Group**  
[www.sadrag.org](http://www.sadrag.org)



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## **List of Acronyms**

ANM – Auxiliary Nurse Midwife  
ASHA - Accredited Social Health Activist  
CBO - Community Based Organisation  
CCTV - Close Circuit Television  
CDPO - Community Development Programme Officer  
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women  
CMO - Chief Medical Officer  
CMPO – Child Marriage Prohibition Officer  
CPC – Civil Procedure Code  
CrPC - Criminal Procedure Code  
CWD – Child Welfare Committee  
DC - District Commissioner  
DCPU – District Child Protection Unit  
DIR - Domestic Incident Report  
DLSA - District Legal Service Authority  
DM - District Magistrate  
DPO - District Programme Officer  
DSP - Deputy Superintendent of Police  
DV – Domestic Violence  
FGM – Female Genital Mutilation  
FIR - First Information Report  
GBV – Gender-based Violence  
IC – Internal Committee  
ICDS - Integrated Child Development Services  
IEA – Indian Evidence Act  
IPC – Indian Penal Code  
IPV - Intimate partner violence  
LC– Local Committee  
MIS- Management Information Systems  
MLC – Medico-Legal Case  
MoHFW - Ministry of Health & Family Welfare  
MOU - Memorandum of Understanding  
MWCD - Ministry of Women and Child Development  
NCR – Non-Cognizable Report  
NCRB – National Crime Records Bureau  
NGO - Non-Government Organisation  
NLSA - National Legal Service Authority  
NFHS - National Family Health Survey  
NHM - National Health Mission  
OSC – One Stop Centre  
PCR – Police Control Room  
PFO – Police Facilitation Officer  
PO - Protection Officer  
POCSO – Protection of Children from Sexual Offences Act  
POSH – Prevention of Sexual Harassment at Workplace (Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act)  
PWDV – Protection of Women from Domestic Violence Act  
SHO – Station House Officer  
SJPU – Special Juvenile Police Unit  
SLSA - State Legal Service Authority  
SLL – Special and Local Laws  
SP - Superintendent of Police  
UN – United Nations  
UNFPA – United Nations Population Fund  
UNICEF - United Nations Children's Fund  
UC - Utilisation Certificate  
UID - Unique Identity Number  
UT – Union Territory  
VAW – Violence against Women  
VAW/G - Violence against Women/ Gender  
WHO – World Health Organisation

## **PREFACE**

The issue of gender-based violence is one of the factors causing discrimination, biasness against women, other gender, and sexual minorities in particular. Several efforts are made to prevent gender-based violence that occurs across regions, communities, institutions and families all over the world. There has been discussions and deliberations on every possibility, ranging from policy makers to the institutions and activists. However, gender based violence continues to intrude in every aspect of lives, with the marginalised sections of the society being the worst impacted.

During pandemic, violence against women and girls had reportedly been on an increase. As lockdowns and restrictions persisted, women and young girls continued to be subjected to inequalities in accessing services of health, protection, education, livelihood, food etc. They suffered the most during the long period of lock downs and disruptions during the three years of COVID pandemic, the reactionary impact of pandemic that caused loss of livelihood and constraint of money and food at home. The increased vulnerability due to structural violence among the most vulnerable and marginalized were difficult to be reported and addressed due to restricted mobility and inaccessibility of services during COVID-19. The emerging evidence of the past three years year confirms the regressive effect of pandemic on gender equality due to discrimination and loss of opportunities.<sup>1</sup> Against this backdrop, UN Women has implemented 'Gender-Responsive COVID-19 Recovery in India', the program to restructure and create a "new normal" in which no one is left behind. The overall objective is to reduce the disproportionate gender-based risks and negative impact of COVID-19 towards women, including those who are the most marginalized and in particularly vulnerable situations. One of the important components of the program is to strengthen the redressal mechanism on gender-based violence through training and capacity building of One Stop Centres & allied functionaries for gender responsive COVID 19 recovery. The objective is to equip One Stop Centres' staff and related service providers with sufficient knowledge and capacity to enhance the provision of response operating in a highly sensitive and complex environment during COVID-19.

This training guide is developed as a resource for GBV functionaries including that of SAKHI-OSCs to address the survivors of violence sensitively. The guide is based on the experiential and activity based learning for the functionaries.

The training guide has been developed through consultations with several gender experts and development professionals. We would specifically like to thank EVAW, UN Women India for their guidance and support to the making of this training guide. Special thanks to Suneeta Dhar, Co-Founder, South Asia Women's Foundation for her technical inputs during the making of the training guide.

We hope that the training guide would be used as a reference resource for the gender responsive training and capacity building needs of GBV functionaries and would contribute to the strengthening of the GBV response mechanism.

**SADRAG**

*March 2023*

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<sup>1</sup> Women & Girls left behind: Glaring gaps in pandemic responses, UN Women, 2021

## **About the training guide**

### **A Tool for Training of One Stop Centres and related functionaries**

The training and capacity building of One Stop Centres staff and related functionaries is important to build a gender responsive response and redressal mechanism that would benefit the survivors of violence and those at risk. It would be survivor centric and would remove the hurdles faced by survivors of violence.

SAKHI-One Stop Centres is a collaborative effort by central and state governments, and other stakeholders to respond to violence and abuse faced by women and young girls. This mechanism is a step-by-step process towards redressal of complaints filed by the survivor in the most efficient and responsible way.

### **How the training guide will help**

This training guide provides step by step process for One Stop Centres functionaries and other stakeholders to learn and adopt the given guidelines and methodologies in addressing the complaints of violence against women. Depending on the nature of complaint, it will help the functionary to identify, examine and select the available solutions and possible paths for the redressal of the complaint. It will facilitate the learning process of functionaries and will build their capacity for a more streamlined response and offer gender responsive support to the survivor of violence. It will help them learn not only the basic concepts of gender, gender based violence and its implications but will enable them to understand and address it with rights based approach.

### **Using the training guide**

This training guide is a collection of self-contained information organized in a set of structured sessions with specific objective, detailed methodologies and expected outcome. The sessions are compiled in such a way that the participants will exponentially learn the redressal processes through case studies besides the specific cases that they have addressed during the course of work.

### **Making of training guide**

This training guide is developed by Social and development Research & Action Group (SADRAG), under the UN Women program of “Gender-Responsive COVID-19 Recovery in India”. SADRAG is the implementing agency of the program in the selected Indian states of Uttar Pradesh, Punjab and Tamil Nadu.

The training guide is the collective work of several experts who have years of experience in the field of gender and GBV. They have contributed knowledge and information on various sections of the manual. The overall guidance for the development of the manual is provided by EVAW Unit, UN Women office India.

This guide is developed for the training of ground functionaries through workshop mode. It provides guidelines and tools for a two-day training workshop on the subject. It would help the trainers to prepare for their sessions and learn how to structure the training workshops, and give pedagogical guidelines for achieving the learning objectives.

### **Target audience:**

The training guide is a resource for trainers to conduct workshops for One Stop Centres and allied functionaries working on GBV redressal mechanism and are the first contact point for the survivor of violence:

- OSC team - Centre Administrators, Case workers, Counsellors, IT members, multipurpose workers
- Health and para-medical officials
- Practising & empaneled advocates from District legal Services Authority (DLSA)
- Child Line team
- Police officials
- District Protection Officers (DPOs), CDPOs
- Child Welfare Committee members
- Family Counsellors
- Shelter homes for women

## **Learning Objectives:**

The training guide equips trainers with a set of competencies and tools that allows them to:

- Analyse the learning needs of target audience,
- Plan a one or two-day workshop for the participants
- Share knowledge and methodologies to facilitate and conduct the training workshops, and
- Evaluate the learning results achieved by participants of the workshop

## **Content of the training guide**

The training guide contains practical sessions on how to organize, run and evaluate a training workshop for OSC staff and related functionaries. The following tools have been included in the manual:

- A two-day agenda for training workshop
- A tool for pre-workshop analysis of learning needs
- A checklist for the trainer
- Detailed power-point presentations and learning activities for each session of the workshop
- A set of post- workshop evaluation tools

## **Training approach & methodology**

This training guide incorporates the participatory and learner centric approach to be followed during the training workshop. The training approach progressively passes knowledge from the trainer to the learner, in an interactive and participatory way.

The guide has specific defined activities and exercises to promote discussion and exchange of information among the participants. These are developed with an objective of providing a thorough understanding on the key issues and challenges and to describe relevant tools and solutions for redressal of violence towards the survivor.

The guide emphasizes practical contextualized learning since the learning activities are actual life situations and are not the theoretical descriptions and presentations of the concerned issues. They stimulate active involvement and encourage the participants to reflect on their own context and experiences owing to their familiarity with the kind of complaints, they receive in OSCs.

### **Standard of excellence for trainers**

***The selected trainer must meet a few standards for the conduct of training in GBV issues. She/He should:***

- Display good overall thematic knowledge on gender, GBV, working of OSCs and women related legislations
- Have experience in facilitating workshops on gender issues using participatory methodology
- Have good communication and facilitation skills
- Have a good command over the local /spoken language
- Treat all participants with respect and dignity
- Engage in active listening
- Encourage participants to ask questions, be vocal and keep a non-judgmental attitude

### **Assessing the participants' learning needs**

At the time of registration, the participants would be given a survey-based pre-assessment questionnaire along with the training kit. The participants would fill the questionnaire and return it to the trainer before the workshop begins.

The pre-assessment questionnaire would have multiple choice questions in the language used by participants. They would tick mark the option, considered the best by them. The questions would be based on the concepts of gender, GBV and OSCs roles and responsibilities. This information would be compiled to help the trainer know the participants' learning gaps and focus areas to be emphasised during the workshop.

### **Curriculum and workshop agenda**

The training workshop comprises structured sessions on the following themes:

- Gender, other marginalised identities and gender based violence
- Forms of gender based violence and its implications
- Existing response mechanism for the prevention of gender based violence
- Approach and strategy for the implementation of GBV response mechanism & the prescribed guidelines
- Protective legislation on violence against women
- Inter-departmental coordination between govt. departments, stakeholders and agencies for convergent action

The content in the training guide has been developed for a two-day training workshop. Based on the requirement, a one day or two day workshop can be planned by selecting specific modules/sessions from this training guide.

## **Important checklist for the trainer**

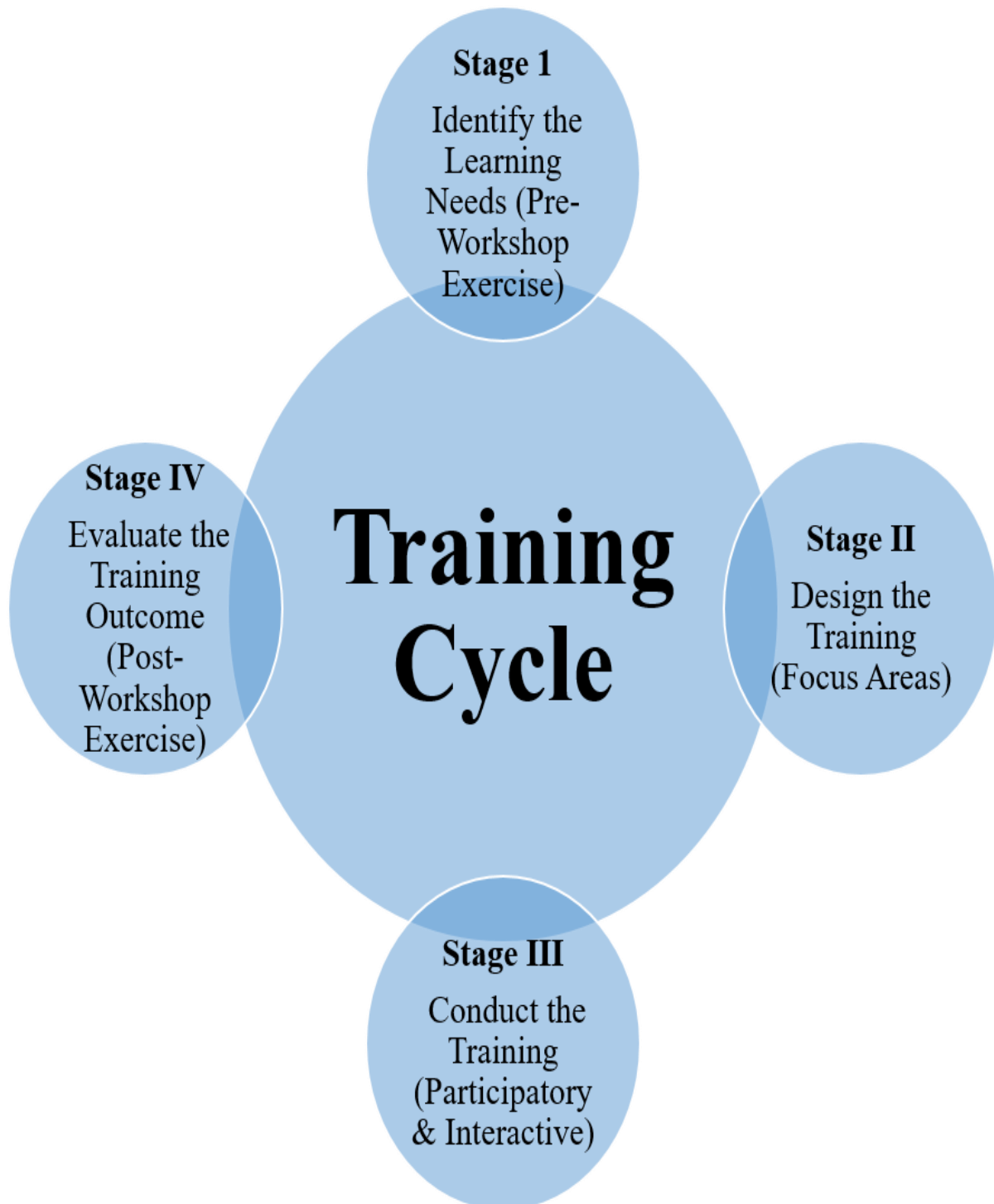
The trainer should prepare a checklist before the workshop. The following materials should be ready before hand:

- Training guide
- Power-point presentations and/or exercise material for all sessions
- Computer/Laptop, printer and effective speakers
- Projector and screen
- Flip charts and chart papers
- Markers/pens (coloured & black)
- Writing pad and notebooks
- Stationery items - scissors, string, glue, sticky adhesive
- Workshop schedule
- Assessment tools for pre and post workshop
- Feedback forms for participants

## **Trainer's notes Checklist:**

- The trainer will explain each session based on its objectives, methodology and presentations. The strategy of drawing upon trainer's own examples and experiences and regional aspect, works well.
  - The participants have immense ground experience so they should be encouraged to ask questions, share examples and experiences around the cases they have seen or worked on.
  - The trainer should encourage group work and allow free exchange of ideas and perspectives among the participants.
  - The trainer should facilitate group presentations. Whenever possible, the group should present its work so that others can share their perspectives and spur further thinking and discussion.
  - Keep ready the visual material provided in the training guide.
  - The trainer should give each participant the hand-outs ensuring they are clear, short, and readable to the point.
  - The trainer may refer participants to additional reading and resources on specific sections detailed in the training guide.
-

## The Training Cycle



## PRE-SESSION 1: Registration, Welcome & Pre-assessment forms

**DURATION - 30 minutes**

| Time duration | Activity                     |
|---------------|------------------------------|
| 15 minutes    | Introduction to the workshop |
| 15 minutes    | Welcome and Introduction     |

### Registration for the workshop:

A Registration Desk should be set up for the participants to register their names for the workshop. As the participants start arriving for the workshop, they will sign the Registration Sheet and would provide the basic profile details.

The participants would be given a Training Kit comprising the notebooks, pen, workshop program, pre-workshop assessment tool and handouts with important information for the workshop.

While the participants are settling, the film, Nazariya by UN Women, is screened in the training hall.

### WELCOME AND INTRODUCTIONS

- On the first day of the workshop, extend a warm welcome to the participants and provide them an overview of the workshop.
- Briefly discuss logistics for the training. Explain the schedule of the workshop days with tea breaks and lunch in the afternoon and detail their overnight staying arrangements.
- Ask all participants to keep their mobile phones on silent mode to minimize distractions during the workshop.
- Introduce yourself to the participants, with details of training experience in the related subject.
- Refer to the pre-assessment tool and guide the participants on how they should fill it up. Convey it in clear words that this is the pre-assessment tool to help the trainer know the level of participants' current knowledge and learning needs on the subject.



Source: Training Workshop, Punjab  
Activity- Group Presentation  
Courtesy: SADRAG Team Member

# Thematic Sessions



## SESSION 1

### Defining Gender and Gender based violence

**Aim:** To introduce participants to ‘gender’ concepts

**Learning Objectives:**

By the end of this session, participants will be able to:

- Recognize ‘gender’ as a socially constructed concept (non-biological)
- Understand the difference between ‘gender’ and ‘sex’
- Learn the inter-sectionality of gender
- Understand the linkages between gender and violence against women

**Time: 120 minutes**

**Session Overview**

| Activity                                              | Purpose                                                                                                                                       | Resource description                                                       | Time       |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|------------|
| Gender Division of Roles and Responsibilities         | To model the gender division of roles within the society                                                                                      | - Interactive discussion<br>- PPT<br>- Flipchart<br>- Cards for group work | 15 minutes |
| Engendering Social Construct                          | To facilitate the understanding on social genesis of gender                                                                                   | - Interactive discussion<br>- PPT<br>- Flipchart                           | 15 minutes |
| Power in gender based division of labour              | To understand the concept of power by virtue of gender based division of labour.                                                              | Group discussion                                                           | 15 minutes |
| Concept of masculine and feminine identities          | To understand how social ideas on masculinity and femininity are formed and affect people at work and at home                                 | - Interactive discussion<br>- PPT<br>- Flipchart                           | 10 minutes |
| Breaking and expanding of restrictive Gender Binaries | To understand impact of socially constructed gender binaries in engaging with survivors of gender-based violence.                             | - Interactive discussion<br>- PPT<br>- Flipchart                           | 10 minutes |
| Gender based discrimination                           | To know implications of gender differentiation as manifested through biases, stereotypes and gender gap in access to opportunities, resources | - Interactive discussion<br>- PPT<br>- Flipchart                           | 10 minutes |

|                                                     |                                                                                                                                                       |                                                                                                                                      |            |
|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|------------|
|                                                     | and knowledge.                                                                                                                                        |                                                                                                                                      |            |
| Power Role Play                                     | To bring clarity on power structures within the society and how it affects people who are socially marginalized including women as a broader category | <ul style="list-style-type: none"> <li>- Interactive discussion</li> <li>- PPT</li> <li>Flipchart</li> <li>Group activity</li> </ul> | 25 minutes |
| Identifying existing forms of gender based violence | To understand Gender Based Violence (GBV) and how it perpetuates in the society.                                                                      | <ul style="list-style-type: none"> <li>- Interactive discussion</li> <li>- PPT</li> <li>Flipchart</li> </ul>                         | 10 minutes |
| How GBV affects the survivor                        | To understand the implications of Gender Based Violence (GBV) on health of women                                                                      | Group work<br>PPT                                                                                                                    | 10 minutes |

### **Activity One:** Gender Division of Roles and Responsibilities

**Purpose:** To unpack the gender division of roles in the society

**Time:** 15 minutes

#### **Facilitation instructions:**

Group work

- Divide participants into small groups
- Give cards to each group where certain items, activities and roles would be listed as following:

| Items       | Activities           | Roles                 |
|-------------|----------------------|-----------------------|
| Handbag     | Cooking              | Nurse                 |
| Newspaper   | Dancing              | Head of the household |
| Wrist watch | Driving              | Cab driver            |
| Trousers    | Sewing               | Farmer                |
| Laptop      | Elderly care at home | Tailor                |
| Car         | Cleaning the house   | Pilot                 |
| Books       | Changing the bulb    | Teacher               |

- Ask the participants to relate each item, activity and role that are assigned to men and women. Example may be given as carrying heavy loads, child care, cleaning and washing, job outside the home, decision making etc.
- The participants would distinctly mark the cards in their groups as Men and Women how these two gendered identities move out of the boxes and write them.
- Discuss the pros and cons of being in the box and out of the box.
- The trainer would engage the participants in a discussion on societal understanding of forming of the masculine and feminine identities and how these affect men and women differently causing risks, vulnerabilities for women, girls and the marginalised communities. The discussion would include expanding the perspectives on gender binaries for an inclusive and pluralistic understanding of the multiple gender identities including the socially exclusive categories of LGBTQI.

### **Pointers for Discussion:**

- Gender roles denote the roles and responsibilities typically assumed by women and men in each culture.
- As these roles change over time as well as under varying circumstances, it is important not to make assumptions about gender roles for a given community.
- Any development intervention that seeks the equal participation of women and men, must take stock of current gender roles and responsibilities.
- Women and men have differing needs and schedules based on the differing roles they perform.

### **Activity Two: Engendering Social Construct**

**Purpose:** To encourage participants to understand the social genesis of gender

**Time:** 15 minutes

### **Facilitation instructions:**

Group work

- Draw the figure of a new born baby on the flip chart
- Divide participants into groups to discuss and reflect on the following questions on the cards

- Who all are around the baby after the birth? (parents, relatives, friends)
- How do people refer to the sex of the child at birth?
- What kind of talks happen at the birth of the child?

- After five minutes of discussion, bring the groups back together and get feedback on their ideas.
- The trainer would capture key points on a flip chart board at the front.

### **Facilitation notes:**

- The trainer would initiate a discussion around the process of socialisation that starts before the birth of the child.
- The trainer would clearly explain, how children learn about gender from a very young age. Girls and boys are taught how to behave in a masculine or a feminine way, as well as what is expected of them as girls and boys. This is reinforced in their lives through parents, teachers, peers, the media and institutions.

- The trainer can give examples how the process of socialisation influences the roles and responsibilities assumed by women and men in society as well as the power relations between them.

**Pointers for Discussion:**

**Slide – 1.1**

**Sex and Gender are not the Same**

| <b>Sex</b>                                                                                                                                                       | <b>Gender</b>                                                                                                                                                                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Biological- Sex is determined by biological differences between women and men (Chromosomal structure). Only women can bear babies and only men can produce sperm | Social and Cultural -Gender refers to the attributes, associated with being male and female, that are acquired through socialization.                                                                             |
| Sex is biologically determined, is no longer considered constant, and is subject to change across time and context                                               | Varies across time and location-These characteristics vary between cultures and change over time.                                                                                                                 |
| Sex- There is a multiversal understanding and not universal understanding of the concept of sex                                                                  | Contextual-Gender shapes and determines the behaviour, roles, expectations and entitlements of women and men in a particular society.                                                                             |
| Created by reproduction needs                                                                                                                                    | Created by social norms -It defines the boundaries of what women and men can and should be and do                                                                                                                 |
| Connotes plurality and differences                                                                                                                               | Connotes discrimination- Gender differences are created artificially, partly through socialization, and partly through positive and negative discrimination in the various institutions and structures of society |

## **PATRIARCHAL STRUCTURE & SOCIALIZATION**

Patriarchy literally means ‘the rule of the father’. It is a social and political system giving men privileges<sup>2</sup>. One of its factors is the socialization<sup>3</sup> process that establishes for all the people that heterosexual men are superior to women and non-heterosexual persons. Not all women or men in different contexts experience life similarly through one universally applicable gender lens. Some will reject the gender identity that is ascribed to them. Others will have constructed a resistant or a counter-typical gender identity that has an impact on their experience of life.

Sexism is a consequence and symptom of a society that practices patriarchy. It divides society into binaries of men and women, insisting that men are more powerful, smarter, and better at almost everything to run a family, therefore they should be in charge.

Socialization affects everyone including women to involve in patriarchal structure where they are expected to be submissive, faithful/loyal and fulfils the desire of men as the major entity. Women’s identity is dependent on the male counterpart as a father, husband, brother, son. A very close example of it is women adopting the last name of their husband after marriage.

### **Activity Three: Attainment of Power: Power in Gender roles and gender based division of labour**

**Purpose:** To understand the concept of power by virtue of gender based division of labour.

**Time:** 15 minutes

#### **Facilitation instructions:**

- The trainer will distribute the activity sheet among the participants.

| <b>Rural Setting</b> |                         |                            |                           |                        |                       |
|----------------------|-------------------------|----------------------------|---------------------------|------------------------|-----------------------|
| <b>Time</b>          | <b>Morning (5-8 am)</b> | <b>Morning (8-12 noon)</b> | <b>Afternoon (12-4pm)</b> | <b>Evening (4-7pm)</b> | <b>Night (7-11pm)</b> |
| Men                  |                         |                            |                           |                        |                       |
| Women                |                         |                            |                           |                        |                       |
| <b>Urban Setting</b> |                         |                            |                           |                        |                       |
| Men                  |                         |                            |                           |                        |                       |
| Women                |                         |                            |                           |                        |                       |

- The participants would fill in the activities performed by men and women during a particular time during the day.
- To make a distinction between rural and urban areas, it is expected to be filled for both the settings.
- The trainer would discuss with the participants about the gendered division of work in the society and how it affects women by making them more vulnerable towards violence and discrimination.

<sup>2</sup> What is Patriarchy? Learning Brief, PRIA, 2021

<sup>3</sup> process of internalizing the norms and ideologies of society, Wikipedia, <https://en.wikipedia.org/wiki/Socialization#>:

### **Pointers for Discussion:**

- The division of labour refers to allocation of gender roles and responsibilities to women and men within a society. The division of labour shows who is performing which roles.
- Different activities and tasks for men and women, where women's tasks are undervalued and invisible e.g. cooking, cleaning, women's work fragmented,
- The division is done as public domain for men, home as the private domain for women
- Productive for men – earning income/wages; Reproductive for women – caring, nurturing, social reproduction; Community leadership for men e.g. Sarpanch and informal leadership without public or formal recognition for women e.g. dais for child birth, wise woman
- Those who make decisions and have power are the ones who influence social beliefs and gender norms for behavior, sexual division of labour, and access to and control over resources

### **Activity Four: Concept of Masculine and Feminine identities**

**Purpose:** To understand how social ideas about masculinity and femininity are formed and affect the people at work and at home.

**Time:** 10 minutes

#### **Facilitation instructions:**

- The trainer will put up a flip chart and create two columns on it.
- One column will be labelled as Masculinity and the other as Femininity.
- The participants will be asked to name some social attributes, behaviours and roles under both headings.
- The trainer would list them on the flip chart.
- This will be followed by a discussion with the participants.
- The following table can be used as a reference.

| Masculinity                                                                             | Femininity      |
|-----------------------------------------------------------------------------------------|-----------------|
| 1. Assertive                                                                            | 1. Submissive   |
| 2. Rational                                                                             | 2. Emotional    |
| 3. Confident                                                                            | 3. Timid        |
| 4. Dominating                                                                           | 4. Sacrificing  |
| 5. Aggressive                                                                           | 5. Affectionate |
| 6. Decisive                                                                             | 6. Passive      |
| .....                                                                                   | .....           |
| Above mentioned are a few examples for attributes that may come up during the activity. |                 |



**Source: Training Workshop, Coimbatore & Madurai, Tamil Nadu**  
**Activity- Question-Answer Session**  
**Courtesy: SADRAG Team Member**

### **Pointers for discussion**

- Power relations between femininity and masculinity determines the Roles and responsibilities; Acceptance and expectations; Privileges and prohibitions; Access to and control over resources; Participation in decision making processes; Reward and punishment
- There is a shift in the gender roles wherein more and more men are getting actively involved in parenting their children and in household work. However, excessive feminisation of the household work still holds true in our society. In most societies unpaid domestic work continues to be seen as feminine and largely done by women. Men who try and do more of this work that is perceived as low status are often ridiculed for taking on this feminine, (that is subservient role) or they are overpraised for getting involved in caregiving roles and considered heroes.
- The gender division of labour with low value domestic work seen as feminine and high value public leadership seen as masculine is one of the many ways in which men benefit from their masculinity. In most societies, masculinities are not only different from femininities, but are also accorded more social status, economic reward and political power.
- When the ideas about masculinity emphasises the superiority of masculinity over women, gender inequalities takes a clear picture and attributes of patriarchy become visible.



**Source: Training Workshop, Punjab**  
**Activity- Group Presentation**  
**Courtesy: SADRAG Team Member**

### **Activity Five: Breaking and expanding of restrictive Gender Binaries**

**Purpose:** To support participants look beyond socially constructed binaries to engage with survivors' of gender based violence.

**Time:** 10 minutes

#### **Facilitation instructions**

- A volunteer from the participants will be requested to draw a human body on the flip chart.
- The participants will be asked to identify parts of the body.
- The participants are also expected to identify organs deciding sex of the person.
- The trainer will ask participants the following question.
  - Does the anatomy of the person inform their gender identity?
  - How one expresses their desire, does it depend on their anatomy?
  - What sex and gender has to do with who does a person get attracted to?
  - What do you think, which is more relevant towards forming ones identity: sex or gender?

The layers of gender will be opened up and the binary form of looking at a person will be reviewed with the participants.

#### **Pointers for discussion**

SEXUALITY is an expression. It can be both positive and negative attitudes, thoughts and behaviour. It is not static. It is dynamic and multi-faceted. Focus can shift, intensity and importance can increase or decrease with changing experiences, beliefs, circumstances, environment, conditions etc. It is individual and experienced differently by each.

Gender and Sexual identities are seen within the binaries<sup>4</sup> of man and woman, boy and girl based on gender assigned to them at birth. The recorded reason towards existence of gender binaries relates to process of reproduction and that the cohabitation should happen between two people who are man and a woman. This cohabitation is assumed to protect social structure of family that will retain the division of labour and resources within the family. This aspect of living is prevented with the institution of marriage where it is usually difficult for the woman to move out due to lack of resource ownership, support system, decision making, societal pressure etc.

This is also when people are praised to follow the box of gender they are assigned and punished/ out casted/ ridiculed for trying to move out from assigned gender box. This is where the first paradox comes where men with feminine traits for example: being lean or short or inability to make decisions or wanting to wear bright colours or makeup etc. Whereas as a masculine man they should be broad in their physique, have assertive voice, keep moustache, wear less bright clothes etc. This is also when the difference between gender identity and gender expression may come into question.

### **Activity six: Gender based discrimination**

**Purpose:** To help participants understand the implications of gender differentiation as manifested through bias, stereotypical image and gap in access to opportunities.

**Time:** 10 minutes

#### **Facilitation Instructions:**

- Put up a flipchart on the stand.
- Ask the participants if they have heard or seen or experienced themselves any kind of discrimination.
- Follow the points provided by the participants and discuss their effect on lives of people. For instance, if a girl is not allowed to attend school, she is getting deprived of right to education.
- Discuss the socio-cultural practices and rituals based on participants' context.

The facilitator would engage the participants in a discussion on the existing forms of gender discrimination with examples drawn upon everyday life.

---

<sup>4</sup> Consisting of or relating two

Slide – 1.2  
Existing forms of gender discrimination



**Pointers for discussion**

**Gender Stereotype** - preference of one gender over others. The example of skewed Sex Ratio may be cited here.

**Gender Bias** - excludes women based on their gender and deny them with rights and opportunities. The example of intra-household food consumption pattern may be cited here.

**Gender Discrimination** - Gender discrimination refers to any distinction, exclusion or restriction made based on socially constructed gender roles and norms which prevents a person from enjoying full human rights. Different roles and responsibilities are assigned based on gender and these restrict the mobility and growth of women in general. Examples may be drawn from intra- household settings to that of public spheres.

**Activity 7: Power role play**

**Purpose:** To bring clarity on power structures within the society and how it affects people who are socially marginalized including women as a broader category.

**Time:** 25 minutes

**Facilitation Instructions:**

- 8 participants will be asked to volunteer for the activity and other participants will be observers.
- The participants will be given anonymous identities as following:
  1. Educated single upper caste woman
  2. Young married upper caste woman
  3. Educated married Dalit woman
  4. Dalit woman doing care work in the city

5. Adivasi first generation woman learner
6. Trans woman doing gig work in a city
7. Woman doing sex work
8. Young Muslim college woman living in hostel

➤ Approximately 5 statements will be stated with respect to accessibility and/or affordability of resources, stigma, stereotypes, autonomy, discrimination, biases etc.

### **Prospective Statements for Gender role play activity**

1. Intimate Partner Violence faced by the woman where support from police was received.
2. The woman forced to do cleaning work at education/ workplace.
3. The woman can inherit land.
4. Government support and schemes are available.
5. There is no fear from late night mobility.
6. Decision for marriage is in the women's control.
7. She has easy access to housing facility.
8. There is access to public health without fear of judgments by the healthcare providers.
9. There is societal acceptance to the woman's existence and freedom to express her opinions.
10. She receives appropriate remuneration for her work.

- The trainer will read each statement where based on the identity adapted by the participants, they will either take a step forward or step back.
- After the statements are asked, the participants are likely to be in different positions depending upon their adapted identity and positioning due to the statement.
- Each participant will be asked to share their level of ease or difficulty faced as per the identity assigned to them.
- The trainer will facilitate the discussion that will express the rightful needs and challenges accessing laws and policies.

**Note: Above mentioned identities and statements are not exhaustive and may be changed based on the context of the region and participants.**

### **Pointers for Discussion:**

- Power is at the heart of all forms of social injustice - gender discrimination and other inequalities. Power is based on: Who gets what, Who does what, Who decides what and, Who frames the agenda. While we have a basic understanding of how power functions, how it manifests in our day to day life. We know that some individuals and groups have more power than others; we know that women have less power than men in our societies.
- However, most of us do not see all the different faces of power, or the hidden and invisible ways in which it works, or our own relationship to power. When we understand power more fully, we can create more effective strategies for social change and justice and we can build an understanding that we need to "empower" those who are less powerful.

- The three spaces in which power operates- in public spaces - visible in public institutions like the government, police, army, courts
- In private spaces – within the family, marriage, friendship, and other relationships
- Within ourselves - self-esteem, confidence, control over one's body
- Remember that we also carry power within us! Some people feel powerful even though they may be poor, discriminated or stigmatized by others/ society at large. Many people use this inner power to change their circumstances - to fight for their own or others' rights, to challenge the social norms that create discrimination, or simply to live their lives as they wish.

**Activity 8:** Identifying the existing forms of gender based violence

**Purpose:** To understand Gender Based Violence (GBV) and how it perpetuates in the society.

**Time:** 10 minutes

**Facilitation Instructions:**

- This activity would
- help participants relate the existing forms of gender based violence and the kind of complaints they receive at their OSCs
- The trainer will ask the participants to write down the forms of gender based violence in their respective regions.
- Each participant would write it in their notebook to be discussed later.
- The trainer would initiate a discussion on what do participants understand as gender based violence?
- The trainer may focus on participants' perspectives and opinions on the forms of GBV and how they violate women's right to live with dignity and respect.
- Resource material, Appendix – I

### Slide – 1.3

#### Forms of gender based violence

| <u>Forms of GBV</u>                                                                                                                                                                    |                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>▪ Domestic Violence</li> <li>▪ Sexual Assault</li> <li>▪ Sexual Offence</li> <li>▪ Acid Attack</li> <li>▪ Psycho- emotional violence</li> </ul> | <ul style="list-style-type: none"> <li>▪ Child Sexual Abuse</li> <li>▪ Child Marriage</li> <li>▪ Cybercrime</li> <li>▪ Stalking</li> <li>▪ Sexual harassment</li> </ul> |

#### Pointers for Discussion:

- Gender inequality and discrimination are root causes of GBV, influenced by the historical and structural power imbalances between women and men and other gender identities
- GBV is related to lack of power and control, as well as to social norms that prescribe men and women's roles in society and condone abuse.
- Inequalities between men and women cut across public and private spheres of life, and across social, economic, cultural, and political rights; and are manifested in restrictions and limitations on women

restrictions and limitations on women's' freedom, choices and opportunities; and deprivation of access to water and basic sanitation. Such inequalities increase women's and girls' risks of abuse, violent relationships, and exploitation.

- Violence against women manifests in numerous ways and varies in prevalence and forms. These include: sexual & domestic violence, caste-based discrimination, dowry-related; killings and crimes against women and girls in the name of honour, witch-hunting, sexual harassment, forced and/or early marriages;
- Other forms of gender-based violence also include-
  - Violence against LGBTQI, violence against women with disabilities;
  - Sexual and reproductive rights violations, sex selection practices,
  - Violence in custodial settings and in conflict situations, among others.
- GBV is not only a consequence of gender inequality, but reinforces women's low status in society and the multiple disparities between women and men.

### **Activity 9: How GBV affects the wellbeing and health of the survivor**

**Purpose:** To understand the implications of Gender Based Violence (GBV) on health of women

**Time:** 10 minutes

#### **Facilitation Instructions:**

This activity would inter-link the health of women with gender based violence.

- Divide the participants into groups of 8-10 members.
- Assign different form of GBV to each group.
- Each group would think, discuss and write down about its cause, genesis and the form that it takes in the life of women and young girls.
- Each group would present its discussion points for 5 minutes. This will be based on the views of all group members.
- The trainer will discuss Slide – 4 to highlight the link between GBV and health of survivor.

## Slide – 1.4

### Health consequences of domestic, intimate partner & sexual violence

| Physical Health                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mental Health & Behavioural Problems                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Sexual & Reproductive Health                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Immediate Injuries to: the head, face, ear, nose, eyes and teeth, neck, upper torso, and abdomen with abrasions, lacerations, burns, fractures &amp; homicides</b> <ul style="list-style-type: none"> <li>▪ Headache</li> <li>▪ Fatigue</li> <li>▪ Chronic lower abdominal pain</li> <li>▪ Functional limitation and disability</li> <li>▪ Chronic pain syndromes</li> <li>▪ Fibromyalgia</li> <li>▪ Gastrointestinal disorders</li> <li>▪ Premature Mortality</li> </ul> | <ul style="list-style-type: none"> <li>▪ Depression</li> <li>▪ Anxiety</li> <li>▪ Post-Traumatic Stress Disorder</li> <li>▪ Phobias &amp; panic disorders</li> <li>▪ Sleeping disorders</li> <li>▪ Low self-esteem</li> <li>▪ Psychosomatic disorders</li> <li>▪ Obesity or Anorexia</li> <li>▪ Alcohol &amp; substance abuse</li> <li>▪ Aggression &amp; Violence</li> <li>▪ Intern generational violence</li> <li>▪ Sexual risk taking</li> <li>▪ Self-harm include Suicide</li> </ul> | <b>Sexual &amp; Gynaecological disorders</b> <ul style="list-style-type: none"> <li>▪ Pelvic inflammatory disease</li> <li>▪ STI/HIV/AIDS</li> <li>▪ Cervical Cancer</li> <li>▪ Sexual dysfunction</li> </ul> <b>Obstetric complications</b> <ul style="list-style-type: none"> <li>▪ Unwanted Pregnancy</li> <li>▪ Abortions (safe &amp; unsafe)</li> <li>▪ Miscarriages</li> <li>▪ Premature labor</li> <li>▪ Low birth weight</li> <li>▪ Fatal Injuries</li> <li>▪ Increased Maternal, neonatal &amp; infant mortality</li> </ul> |

The trainer will conclude Session – I with an outline of the approaches to addressing gender based violence.

## Slide – 1.5

### Approaches to address GBV

**Prevention Model:** Predicting the risk to violence before it occurs

**Protection Model:** Protection from violence and ensure women's safety

**Redressal Model:** Agreed processes and procedures to address GBV



## SESSION 2

### Redressal mechanism for GBV: SAKHI-OSC Model

- Understand the structural functional model of SAKHI-OSC, the prevailing redressal mechanism for GBV survivors.
- Know the facilities and services provided at SAKHI -OSC
- Learn the role and responsibilities of ground team at SAKHI -OSC
- Follow the processes of case management and documentation at SAKHI-OSC as per the MWCD guidelines.

**Time: 120 minutes**

### Session Overview

| Activity                                                                                      | Purpose                                                                                  | Resource description                                                       | Time       |
|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|------------|
| Understanding the SAKHI- OSC Model                                                            | To introduce the existing GBV redressal mechanism                                        | - Interactive discussion<br>- PPT<br>- Flipchart<br>- Cards for group work | 30 minutes |
| Know the facilities and services provided at SAKHI-OSC                                        | To model the services provides at OSCs within the framework of its objectives            | - Interactive discussion<br>- PPT<br>- Flipchart                           | 30 minutes |
| Learn the role and responsibilities of ground team at SAKHI -OSC                              | To explain the responsibility of each team member for an efficient redressal mechanism   | - Group discussion<br>- Role Play                                          | 30 minutes |
| Follow the processes of case management and documentation at SAKHI-OSC as per MWCD guidelines | To detail the prescribed processes for online documentation and maintenance of databases | -                                                                          | 30 minutes |

### Activity One: Understanding the SAKHI- OSC Model

**Purpose:** To introduce the existing GBV redressal mechanism

**Time:** 30 minutes

### Facilitation instructions:

Group work:

- The trainer will make mixed groups of participants which would comprise OSC functionaries, police and other departments present there
- Each group will be provided chart papers and colourful pens
- Ask participants to draw the OSC that they are working in. They may draw a rough picture showing the layout of the centre, available space and surroundings and the facilities available therein
- Group presentations will follow where each group will present its model of SAKHI-OSC
- The group leader from each group would explain the basic structure of the OSC drawn on the chart paper

- The other groups will be encouraged to ask questions and a discussion would follow.

### **SAKHI-OSC Model**

SAKHI-OSC are single window redressal mechanism which are created to support women who have experienced violence in public and private settings, including the home, community, and workplace. The purpose and objective of the SAKHI-OSC are to:-

- Offer integrated services to women who have experienced violence in public and private settings;
  - Provide immediate, emergency, and non-emergency services to GBV survivor;
  - Support the GBV survivor through medical, legal, psychiatric, and psychosocial counselling services, all under one roof.
- SAKHI-OSCc are located in an adequate accommodation with separate access, having at least 5 rooms and a carpet area of 132 m<sup>2</sup> within hospital/medical premises.
  - An existing Government/Semi Government institutions/ Women Institutions/Swadhar Grehs/Working Women Hostels located within 2 km radius of the hospital/medical facility may be used for SAKHI/ OSCs.



**Source: Training Workshop, Coimbatore & Madurai, Punjab**

**Group Activity- Case Management**

**Courtesy: SADRAG Team Member**

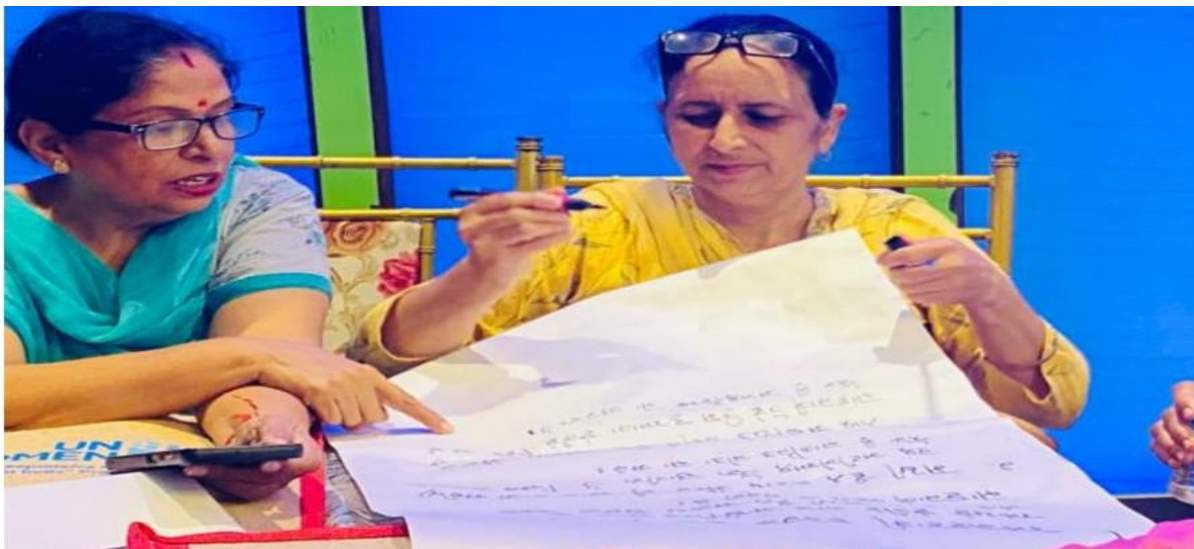
- The trainer would use the prescribed SAKHI-OSC model and would explain the coordinated role of each stakeholder, emphasising the scope for convergence in action.

## Slide – 2.1

### The SAKHI-OSC model

# Sakhi – One Stop Centres

## Role of SAKHI One Stop Center and Helpline

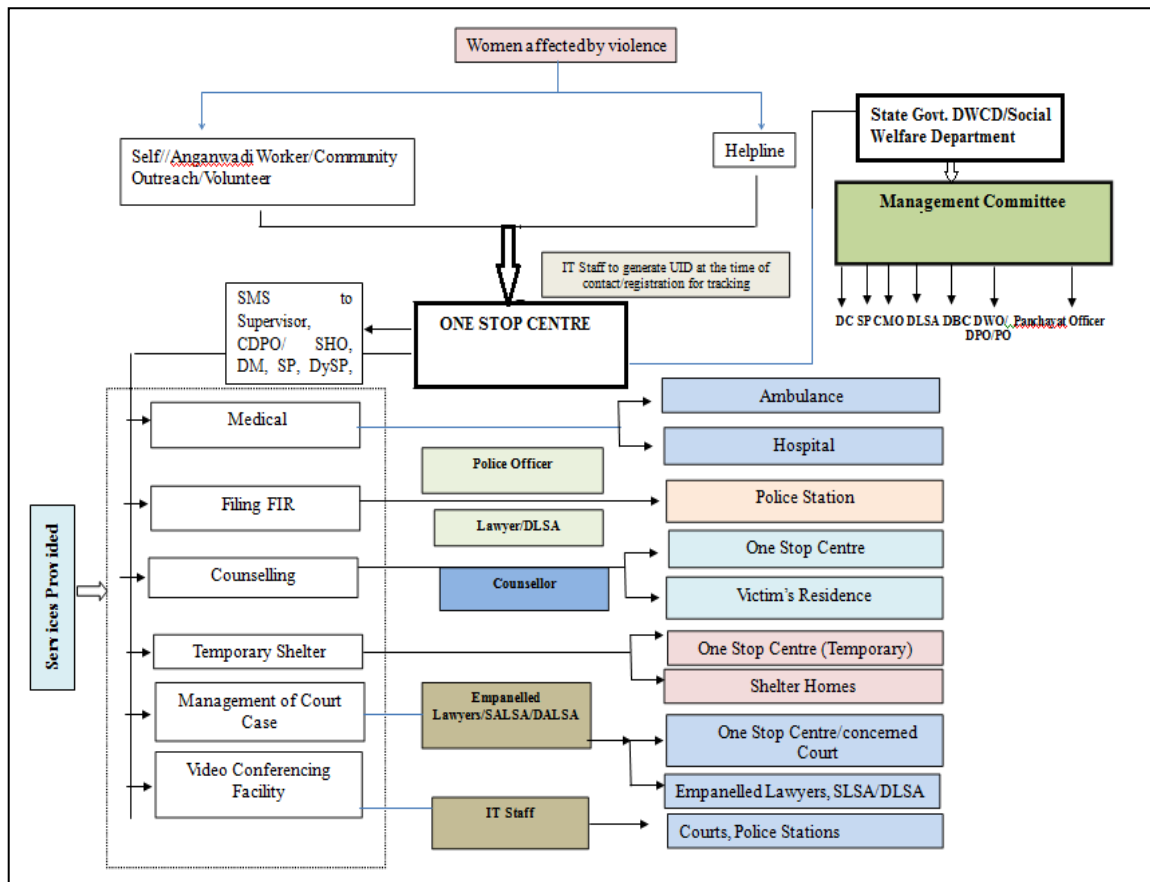


Source: Training Workshop, Punjab  
Group Activity- Case Management  
Courtesy: SADRAG Team Member

- The trainer would explain the multi-stakeholders convergent model of SAKHI-OSC.

## Slide – 2.2

### The Convergent SAKHI-OSC model



Source: Training Workshop, Trichy & Madurai, Punjab  
 Group Activity- Role Play on case management  
 Courtesy: SADRAG Team Member

- The trainer would explain the availability of emergency and non-emergency services for GBV survivors (**Annexure – II**).

**Activity 2:** Know the objective and services provided at SAKHI-OSC

**Purpose:** To model the services provided at OSCs within the framework of its objectives

**Time:** 30 minutes

**Facilitation instructions:**

- The trainer will float an open question on the kind of services available at SAKHI-OSCs.
- The trainer will note the participants response on the flip chart

**Facilitation notes:**

- The trainer would emphasise two things here:
  1. The 24 hours single window facility at SAKHI - OSC and why is it important
  2. The accessibility and availability of services to all women irrespective of caste, class, religion or community.

The SAKHI-OSC supports all women including girls below 18 years of age affected by violence, irrespective of caste, class, religion, region, sexual orientation or marital status. For girls below 18 years of age, institutions and authorities established under Juvenile Justice (Care and Protection of Children) Act, 2000 and the Protection of Children from Sexual Offences Act, 2012 are linked with SAKHI-OSC.

- The trainer would explain the availability of emergency and non-emergency services for GBV survivor along with the team member responsible to provide it. Upon receiving the information of GBV survivor, the centre creates a crisis response as per the need, it may include emergency response and non- emergency response.

### **Slide – 2.3**

#### **Emergency Response Mechanism**

| <b><u>EMERGENCY RESPONSE</u></b>                     |                                                                                                   |
|------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <b>For immediate medical aid, send an ambulance.</b> | The survivor is sent to the nearest hospital for medical care                                     |
|                                                      | The Centre Administrator/paramedic/case worker/ANM supervises the procedures.                     |
|                                                      | Inform CMO/Head of hospital.                                                                      |
|                                                      | In case of complaint of sexual assault, medical examination is conducted as per MOHFW guidelines. |
|                                                      | Collect and seal the survivor's clothes for forensic examination.                                 |
|                                                      | Ensure preparation of medical report.                                                             |
|                                                      | Refer the survivor for Psycho-social counselling                                                  |

|                                                                        |                                                                                                                   |
|------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
|                                                                        | Facilitate the filing of FIR                                                                                      |
| <b>For rescues/ stopping violent situations, send police/ PCR van.</b> | Send information to PFO (Police Facilitation Officer), Para Legal/SHO/SP of the concerned area.                   |
|                                                                        | Assist and guide in lodging the FIR.                                                                              |
|                                                                        | Ensure the safety of the survivor by providing police protection/putting her in nearest SAKHI-OSC or Shelter Home |
|                                                                        | Provide medical aid with the help of the nearest hospital                                                         |
|                                                                        | Refer for psycho-social counselling.                                                                              |

## Slide – 2.4

### Non-Emergency Response Mechanism

#### **NON- EMERGENCY RESPONSE:**

- The Centre Administrator registers the complaint. Together with the IT staff, the case is registered in the online/web-based case management system, a Unique Identity Number (UID) is generated for tracking.
- As soon as the complaint is registered, the Centre Administrator sends a text message (SMS/Internet) to the DPO/PO/CDPO/ SHO/ DM/ SP/ DYSP/CMO of the district in which the women has filed the complaint.
- The centre facilitates the medical aid for the affected women, if required.
- The centre (Centre Administrator) facilitates the filing of the FIR, with the aid of PFO and legal personnel/lawyer.
- The centre provides psycho-social counselling to the survivor.
- The centre provides legal-aid through empanelled lawyers with SLSA/DLSA.
- The centre facilitates the case proceeding, with video conferencing facilities for police and judicial proceedings, with an IT staff under the Centre Administrator's supervision.
- The centre follows up with the case to its logical conclusion.

**Activity Three:** Learn the role and responsibilities of ground team at SAKHI -OSC

Purpose: To explain the strategy of response and action through team work

**Times:** 30 minutes

Group work

#### **Facilitation instructions:**

➤ The trainer would make mixed groups of participants from different departments

1.Each group would comprise 8-10 participants

2.Assign different case profiles among the participants' groups. For example;

- A 30 years old woman comes with the complaint of physical beatings by her husband. She says that she is in pain but there are no external signs of beatings.

- A young girl of around 20 years comes to OSC with the complaint of sexual abuse. She says that she was forcibly taken away by two men and was raped.
- A 40 years old woman comes with her friend who says that she is emotionally abused by her husband. She has two children and her husband pays no attention. She is forced to leave her job because there is no support at home.
- A girl of around 13-14 years is brought to OSC by a Good Samaritan. He says that he had found the girl crying on the road side. She was alone so he brought her to the OSC.
- The police brings a woman in the middle of the night after rescuing from her home, where she was facing domestic violence from her husband and in-laws.

The trainer would emphasise that these women approached OSC at different stages of violence and needed early intervention to prevent reoccurrence of violence.

1. The participant groups would brain storm the process of complaint redressal in the given situations and present their response and action through role-plays as a team.
2. While one group presents the role-play, the others would observe and ask questions on response and action taken by the group.
3. A robust discussion would follow among the groups and each group would learn from the inputs provided by other groups.

### **Key Points of preparation for the OSC team to do their respective role and responsibilities:**

- Every time, take a few moments to prepare yourself before taking up your role about the particular case and delve into its process. Run the following check list as your preparation for taking up your role in the case of the GBV –
  - Centre yourself and bring your sensitive, empathic self to the fore.
  - Recall the importance of having a gender sensitive response in your interface and dealing with each case of gender-based violence that comes to you for counselling, action, coordination and documentation.
  - To help build your gender sensitive response, recall the key messages from the section on understanding gender concepts viz.
    - ✓ Gender inequality and gender-based discrimination are root causes of GBV
    - ✓ When the ideas about masculinity emphasises the superiority of men over women, gender inequalities take a clear picture and attributes of patriarchy become visible.
    - ✓ There is asymmetrical power relation between women and men which is linked to the gender roles and responsibilities; Acceptance and expectations; Privileges and prohibitions; Access to and control over resources; Participation in decision making processes; Reward and punishment
  - After listening or reading the case related documents, use the information to do a risk analysis for the complainant using the above pointers along with the information provided by the complainant wrt the threats, risk faced and the immediate cause and nature of violence experienced by the complainant.
  - It will be immensely helpful for each member at the OSC and the concerned departments and stakeholders to conduct their role responsibly and respond through a mutually coordinated action and to act in the best interest of the complainant and keeping in mind the principle of “do no harm”.

**Slide – 2.5**  
**Role of responsibility of each member of OSC**

| <b>PERSONNEL</b>                         | <b>ROLES AND RESPONSIBILITIES</b>                                                                                                                                                                               |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Centre Administrator</b>              | Daily operations – collaboration with team members/ service providers<br>Initial point of contact, supervise every case till logical end & follow up                                                            |
| <b>Case Worker</b>                       | Supports the administrator                                                                                                                                                                                      |
| <b>Police Facilitation Officer (PFO)</b> | Assists in police investigation/ provides protection                                                                                                                                                            |
| <b>Para Legal Personnel/ Lawyer</b>      | Informs on legal rights / simplify the legal procedures / legal proceeding                                                                                                                                      |
| <b>Para Medical Personnel</b>            | Provides first aid and immediate life-saving medical assistance, draft the medical case history                                                                                                                 |
| <b>Counsellor</b>                        | Provides psychological counselling & guidance, support in referral services, draft the case history                                                                                                             |
| <b>IT Staff</b>                          | Generates the Unique for registration, document the case history, record proceedings for case management, develop the web based data, help in video conferencing, data entry operations, safety of CCTV footage |
| <b>Multi- purpose Helper</b>             | Maintain hygiene & sanitation, visitor register, provide information on legal aid/ police/ medical assistance sheet to the women, provide basic kit to the woman who stays at the OSC.                          |
| <b>Security Guard/ Night Guard</b>       | Overall security & safety of all capital assets, furniture and equipment at the OSC.                                                                                                                            |

**Recommended action at SAKHI-OSC**

Police Facilitation Officer- If complaint is refused, the PFO will speed up the procedure or, in rare circumstances, flag it for attention from the appropriate authorities. Under section 166A of the IPC, the PFO will also bring legal action against police officers who refused to register the complaint and had declined aid to the affected women.

Para-Medical Personnel- The paramedical staff will ensure strict adherence to the MoHFW protocols developed to conduct forensic examination and other testing by the doctors in cases involving survivor of sexual violence.

Para Legal Personnel/ Lawyer- In the event that the trial or investigation relates to a sexual assault offence as defined by sections 376, 376A-D of the IPC, it is the responsibility of the prosecutors handling the case to complete the investigation or trial as much as they can within two months from the date the charge sheet was filed.

**Activity Four:** Following the complaint registration process at SAKHI-OSC (MWCD guidelines).

**Purpose:** To ensure inclusivity of service delivery

**Time:** 30 minutes

**Facilitation instructions:**

- The trainer will throw open the question on complaint registration process and access route for complaints at SAKHI-OSC.
- The participant's response will be noted on the flip chart.
- A discussion will follow with the participants.

**Slide – 2.6**

**Registration of the complaint**

| <b><u>Addressing the Complaint</u></b>                                                      |
|---------------------------------------------------------------------------------------------|
| Registration of Complaint – CA & IT                                                         |
| Communication to DPO/PO/CDPO/SHO/DM/SP/DYSP/CMO/PO                                          |
| Registration of Case details on web based system<br>Follow the prescribed registration Form |
| Note the Unique ID Number                                                                   |

- The trainer would emphasise the importance of communication between Centre Administrator and district officials such as PO, DPO, and CDPO etc.
- The trainer would show the copy of a complaint registration form and would discuss the kind of information that each column needs to be filled with.



## SESSION 3

### Case Management at SAKHI - OSCs

**Aim:** To introduce the complete process of case management for a gender sensitive response and action

**Learning objectives:**

By the end of this session, the participants will be able to:

- Learn gender sensitive communication with survivor of GBV
- Know the various steps of case management and documentation
- Learn the process of inter-departmental coordinated response and action

**Time:** 180 minutes

**Session Overview:**

| Activity                                            | Purpose                                                                       | Resource description          | Time (minutes) |
|-----------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------|----------------|
| Gender sensitive communication with survivor of GBV | To learn the gender responsive service delivery                               | PPT<br>Flipchart<br>Pair work | 30             |
| Psycho-social counselling at SAKHI-OSC              | To learn counselling the survivor with rights based approach                  | PPT<br>Flipchart<br>Pair work | 50             |
| Complaint redressal in specific cases               | To learn emergency and non-emergency response action                          | PPT<br>Flipchart<br>Pair work | 30             |
| Resource mapping at district level                  | To learn to map and explore available resources at district level             | PPT<br>Flipchart<br>Pair work | 30             |
| Coordination with essential departments.            | To learn convergence through inter-departmental and inter-agency coordination | PPT<br>Flipchart<br>Pair work | 40             |

**Activity One:** Gender sensitive communication with survivor of GBV

**Purpose:** To learn the gender responsive service delivery

**Time:** 30 minutes

**Facilitation instructions:**

- The trainer will make three pairs of participants with two members each. While one will be the survivor, the other will be the OSC member
- The trainer will provide the pointers for a conversation - How to respond, i.e., approach the survivor of violence, the language used and initiation of talking with the survivor

- The participants will discuss and will enact the communication between the partners and the others will observe and make notes in their notebooks.
- The trainer will elicit the participant's responses and write on the flip chart.
- The trainer will refer to CNRSC points (Slide – 3.1) citing examples from the participants role play.

### **Slide – 3.1**

#### **Reaching out to survivor**

| <b><u>Addressing the Survivor</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>▪ Compassionate enquiry – Empathetic and understanding, non-victimising approach)</li> <li>▪ Non-judgemental – open, impartial, neutral, unprejudiced</li> <li>▪ Gender responsive- Avoid reinforcing gender stereotypes, belief system, behaviour &amp; values</li> <li>▪ Respectful – survivor's dignity</li> <li>▪ Sensitive – receptive, refrain from blaming</li> <li>▪ Caution – privacy &amp; confidentiality</li> </ul> |

- The trainer will refer to the MWCD guidelines for OSCs on how to address the survivor.

### **Slide – 3.2**

#### **Important guidelines for OSC Team**

| <b><u>Standard guidelines for communication with survivor</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Greet the survivor by name; use her preferred name.</li> <li>• Make her your central focus. Concentrate on her words.</li> <li>• Introduce yourself to the survivor and tell her your role, e.g. Centre Administrator, Paramedic</li> <li>• Offer water and put her at ease.</li> <li>• Ensure privacy for history taking, examination and counselling.</li> <li>• Aim for an attitude of respect, professionalism within the boundaries of your survivor's culture.</li> <li>• Have a calm demeanour. A frightened survivor will want to be in the company of people who are not frightened.</li> <li>• Be unhurried and give time.</li> <li>• Maintain eye contact. Be empathetic and non-judgmental as your survivor recounts her experiences. Aim to limit the number of caregivers attending to the survivor: 'one-on-one' care works best in sexual assault cases.</li> <li>• Ask the survivor if she wants to have a specific person present for support.</li> <li>• Ask the survivor if she has any questions.</li> </ul> <p style="text-align: right;"><i>Source: MWCD Guidelines 2017</i></p> |

### **Key Points of preparation for the OSC team to do their respective role and responsibilities:**

- Every time, take a few moments to prepare yourself before taking up your role about the particular case and delve into its process. Run the following check list as your preparation for taking up your role in the case of the GBV -
  - Centre yourself and bring your sensitive, empathic self to the fore.
  - Recall the importance of having a gender sensitive response in your interface and dealing with each case of gender-based violence that comes to you for counselling, action, coordination and documentation.
  - To help build your gender sensitive response, recall the key messages from the section on understanding gender concepts viz.
    - ✓ Gender inequality and gender-based discrimination are root causes of GBV
    - ✓ When the ideas about masculinity emphasises the superiority of men over women, gender inequalities take a clear picture and attributes of patriarchy become visible.
    - ✓ There is asymmetrical power relation between women and men which is linked to the gender roles and responsibilities; Acceptance and expectations; Privileges and prohibitions; Access to and control over resources; Participation in decision making processes; Reward and punishment
  - After listening or reading the case related documents, use the information to do a risk analysis for the complainant using the above pointers along with the information provided by the complainant wrt the threats, risk faced and the immediate cause and nature of violence experienced by the complainant.
  - It will be immensely helpful for each member at the OSC and the concerned departments and stakeholders to conduct their role responsibly and respond through a mutually coordinated action and to act in the best interest of the complainant and keeping in mind the principle of “do no harm”.

### **Activity 2: Psycho-social counselling at SAKHI-OSC**

**Purpose:** To learn counselling the survivor with rights based approach

**Time:** 50 minutes

#### **Facilitation instructions:**

- The trainer will make mixed groups of participants drawn from different departments
- Each group will be provided a different case profile such a sexual abuse, domestic violence, sexual harassment, forced dowry etc.
- The trainer will provide certain pointers for counselling: How to identify violence, what to ask, how to listen and how to guide the survivor etc.
- Two members from each group would engage in counselling, one would be the Counsellor and the other, the survivor or complainant.
- While two members of the group engage in counselling, others would observe and make notes.
- A discussion will follow among the groups on the technique of providing counselling to survivor.
- The trainer would explain the systematic technique of counselling (Slide – 3.3).

### Slide – 3.3

#### Salient Points for Counselling

##### Pointers for discussion

- The psycho-social counselling should be rights based and follow the feminist principles of counselling, which takes cognizance of power in social relationships including that in marriage, and enable the survivor to identify and relate her distress to the prevailing power dynamics, especially, where women are not able to fight the situations of coercion and control and authoritative behaviour of the family members.
- While counselling, allow the women to be heard with respect, sensitivity and genuineness, and without being blamed. Emphasise that the onus of proof of abuse is on the perpetrator, not the survivor.
- Conduct the survivor's safety assessment during the counselling. Ask about the frequency, intensity and the kind of violence perpetrated on the survivor. It is important to know the existing and potential risks to her life.
- If the woman is unsafe, prepare a practical safety plan with her.
- Provide support for medical referrals, medico-legal case registration and police complaint if needed.
- If the woman is afraid of returning home, offer the temporary shelter at the OSC. This would also provide her necessary time and space to decide what she wants.
- Quality control measures put in place for counselling includes case reviews and presentations on a regular basis in the presence of an expert. The needs of the survivor are at the centre of the functioning of the crisis centre. Utmost importance is given to ensure the safety of the woman, to her healing process and adhering to the principle above all, to do no harm.

..... Dilasa, CEHAT

**Activity Three:** Complaint redressal process in specific cases

**Purpose:** To learn emergency and non-emergency response action

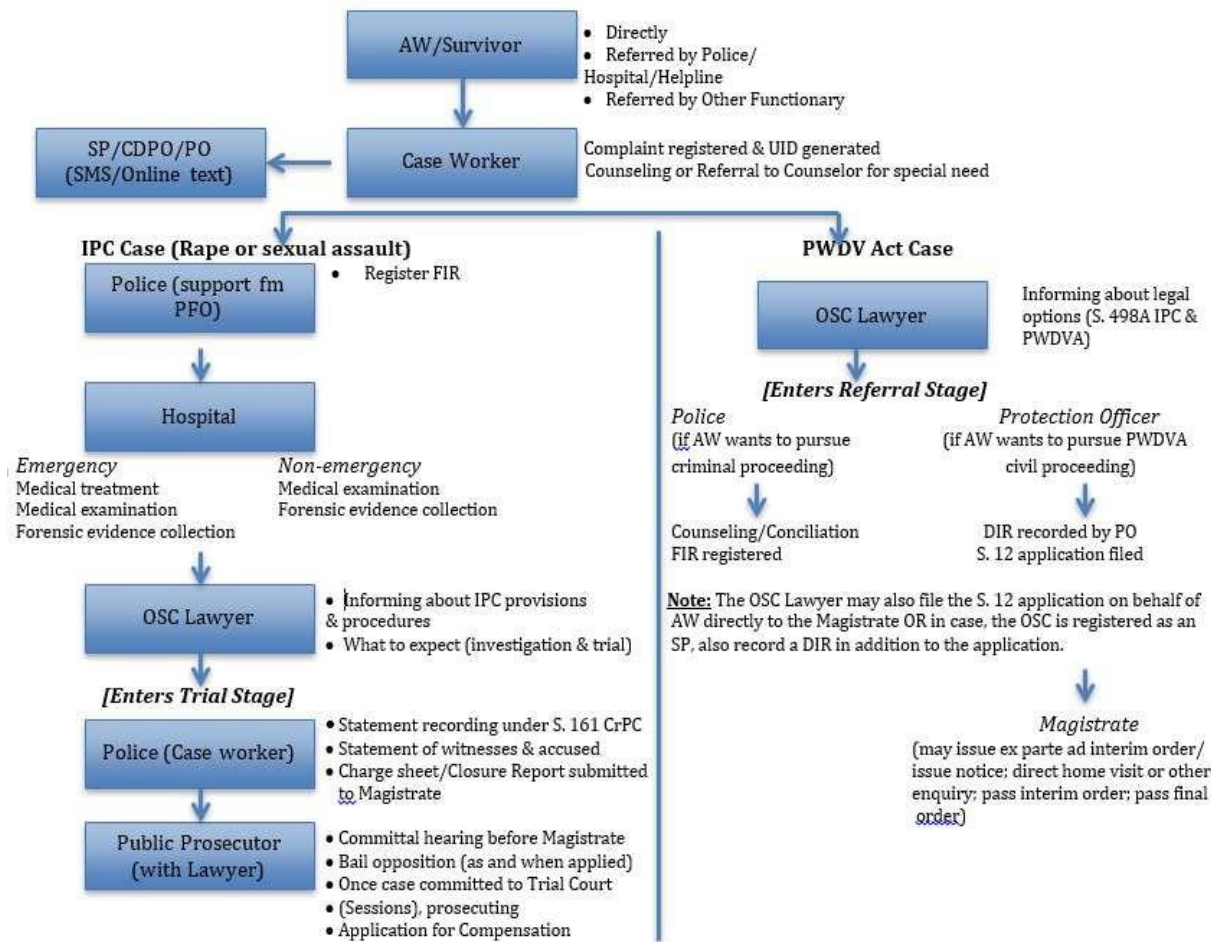
**Time:** 30 minutes

##### **Facilitation instructions:**

- The trainer would ask the nature of complaints received at SAKHI-OSC.
- The participants would speak out the type of complaints received at their centre. The trainer lists them on the flip chart.
- These complaints are divided for emergency and non-emergency response.
- The participants will discuss the response in specific cases.
- The trainer would explain the response action in following situations:
  1. IPC (Sexual assault case) and PWDV case (**Slide – 3.4**)
  2. Civil Case (**Slide -3.5**)
  3. POCSO Case (**Slide-3.6**)

### Slide – 3.4

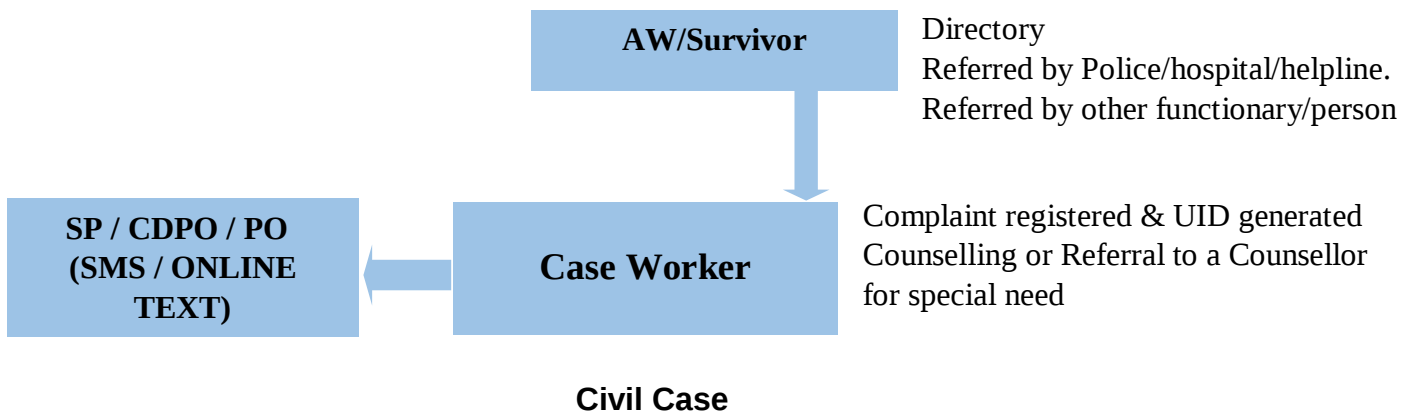
#### Response action – IPC (Sexual assault case) and PWDV case



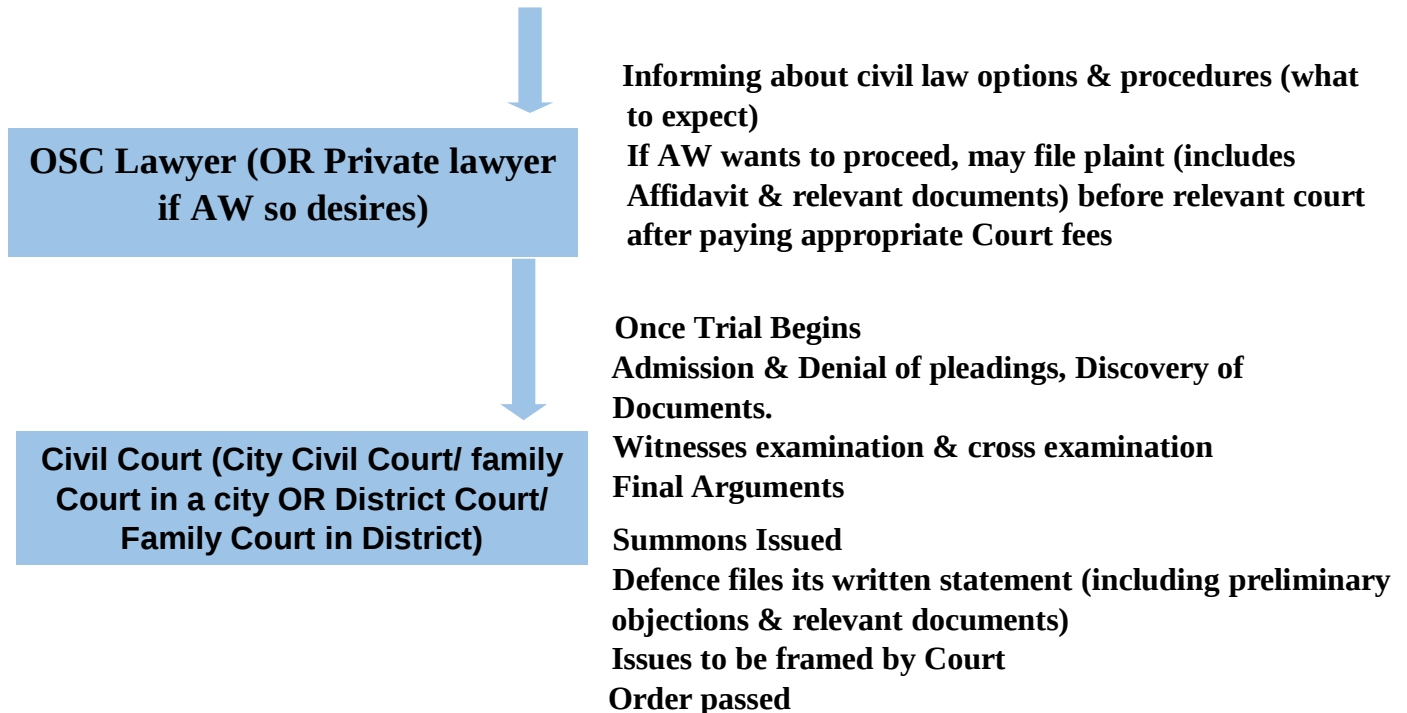
(Source: UN Women)

### Slide – 3.5

#### Response action: Civil case



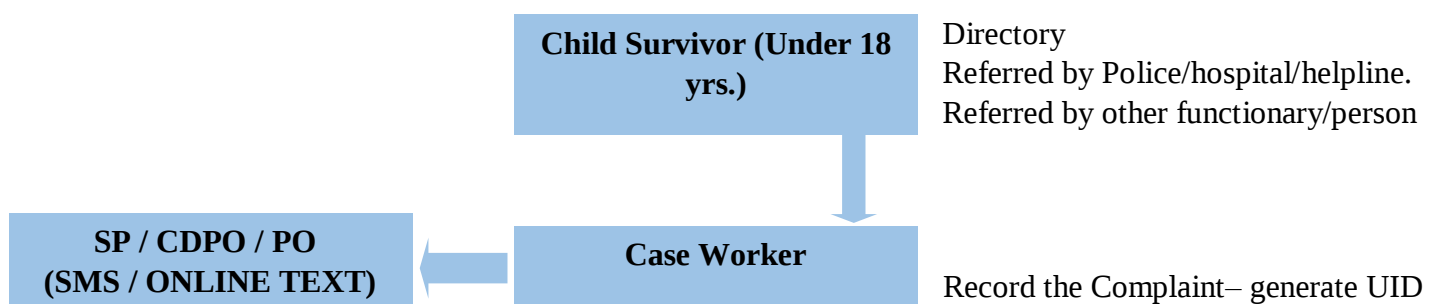
**(Matrimonial / Custody/ Inheritance related for which CPC applies)**



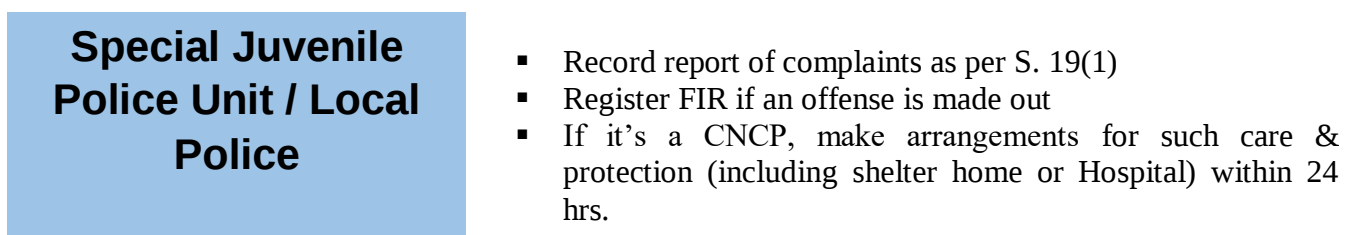
**Please Note: Enforcement of Court Order:** If non-compliance, Lawyer can file execution application. There are three ways in which a Civil Court order can be enforced - Filing for criminal contempt as per Contempt of Courts Act, 1971; application under Order 21 Rule 31 CPC for imprisonment of respondent; and attachment of property/documents under Order 21 Rule 31/43 respectively.

### Slide – 3.6

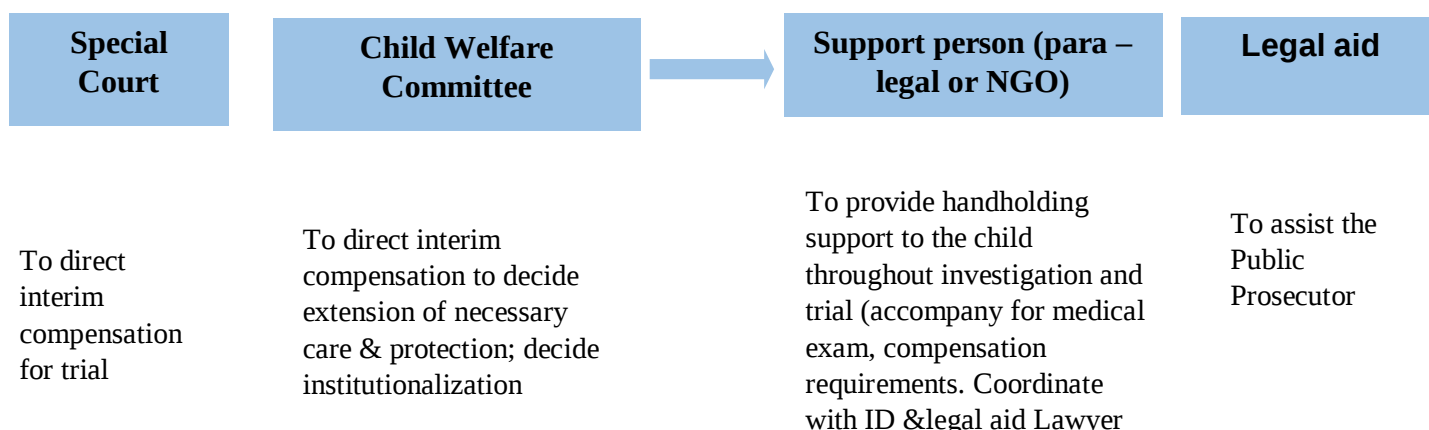
#### Response action: POCSO case



#### **(POSCO Case – Referral to SJPU or local Police)**



- Refer the child-to-Child Welfare Committee in accordance with section 19 and rule 4 (3) of POCSO Rules
  - Refer the child to a special court (( if a special court is not there, then sessions court) within 24 hrs. with steps taken
  - Inform about the right to legal and lawyer.
  - Get the medical examination of the child done public/ private hospital.
  - Ensure recording of S. 161 CrPC statement, if it is a female child statement to be recorded by a women police officer, and as far as practicable for all children as per S. 24 POSCO – audio, Videos as per S. 161 CrpC



### Case Specific Steps

- The first point of contact at SAKHI-OSC is the Centre Administrator or Case Worker (authorized by her on her behalf) who will take following steps:
- Listen to the grievance; document the case history and ask the IT person to register the case in the online/web-based case management to generate a UID.
- After registration of complaint, a text message (SMS/Internet) is sent to the PO/DPO/CDPO/ SHO/ DM/ SP/ DYSP/CMO of the district/area
- Based on the needs of the survivor and as expressed by her, the Centre Administrator refers her to the Counsellor or the 28 Para legal worker, to the hospital, or to the Police Facilitation Person for the registration of the FIR.
- If the survivor is provided the temporary shelter, provide her the Basic Kit for personal use. The kit will have a soap, comb, shampoo, hair oil, sanitary pad, tooth brush, tooth paste and diapers (in case of infants).
- The functionary, next to CA, will interact with the survivor to document the additional information received, the remedy/support sought, and action taken into online case management system. This is done through the password-protected access and adding to the UID generated case documentation made by the IT person.
- For instance, if the survivor is referred to the Police Facilitation Officer for registration of FIR, she will do the needful and document the progress and any additional detail in the case management system. This will ensure that the aggrieved does not have to repeat/narrate her

story/incident each time she interacts with a new functionary.

Source: One Stop Centre Scheme Implementation Guidelines for State Governments/UT Administrations – December, 2017

### **Activity Five: Resource mapping for convergence**

**Purpose:** To learn to map and explore available resources at district level

**Time:** 30 minutes

#### **Facilitation instructions:**

#### **Group work**

- The trainer would divide the participants groups and would give them chart papers and colourful pens
- Each group would be asked to map the resources and facilities available in their district. They would prepare an inventory of resources available for medical support, legal guidance, psycho-social counselling etc.
- The participants groups would create a road map for the pooling of resources through convergence approach.
- The group leaders would present the resource enhancement map, and the process of managing the case through convergence.
- The trainer would use pointers to explain the available departments and agencies for convergence and referral services at district level.

### **Slide – 3.7**

#### **Resource Directory at district level**

***Every SAKHI-OSC should maintain a resource directory with contact details of the following:***

1. All Hospitals Chief Medical Officer
2. List of Forensic Labs
3. Ambulance Service
4. District Magistrate/ District Collectors Office
5. Office of the SP, DSP and all Police Thana
6. Crime Against Women Cell
7. Protection Officers
8. District Legal Services Authority
9. District Panchayat Raj Officer
10. District Education Officer
11. District Social Welfare Officer
12. Elected Representatives of the PRI
13. Rural Development Functionaries
14. NGOs/ CBOs Directory specialized in dealing with services for women affected with violence and volunteers.
15. Community Leaders
16. Members of Nehru Yuva Kendras/ Youth Clubs
17. Swadhar Greh/ Short Stay Home
18. Helplines by Social Justice Ministry, Home Ministry, Women and Child Development
19. Local Chemists

20. Blood Banks
21. Counsellor
22. Ward/ Municipality's Directory
23. Resident's Welfare Association (RWA)
24. Directory of WCD Functionaries namely CDPOs, Supervisors and Anganwadi Workers, ASHA's and ANMs
25. Poorna Shakti Kendras
26. Mahila Police Volunteers (MPVs)
27. Village Convergence and Facilitation Service (VCFS)

**Activity Six:** Coordination with essential departments

**Purpose:** To learn convergence action through inter-departmental and inter-agency coordination

**Time:** 40 minutes

**Open Discussion**

**Facilitation instructions:**

- The trainer will ask the participants, which departments do they converge with, for support and collective action?
- The trainer will list the participants' response on the flip chart along with the purpose of convergence with each department.
- The trainer will explain the three main government departments which are internally linked with SAKHI-OSC model (Slide-3.8).

### **Slide –3.8**

#### **Inter-Departmental Convergence**

##### **HEALTH (Ministry of Health & Family Welfare/ State/ District)**

- Protocols for doctors in local dialect
- Directories of referral services – Doctors, hospitals, clinics, blood banks, ambulance, available at state / UTs
- Providing Medico-legal case form for aggrieved women
- Proper collection of evidence in case of sexual assault.
- Identification of para-medical staff and MOU with identified institutional resources.
- Sensitizing health personnel dealing with GBV cases.

##### **LAW (Ministry of Law & Justice/ NLSA/ SLSA/ DLSA)**

- Availability of lawyers to give immediate legal aid to the women and liaison with SAKHI-OSC.
- Availability of para legal volunteers
- Expediting the case of women and facilitate compensation to the survivor
- Sensitizing the legal personnel dealing with GBV cases.

##### **HOME (Ministry of Home Affairs/ State/ District)**

- Designating police officer at SAKHI-OSC for facilitating the filing of FIR and collection of evidences.
- Sensitizing police personnel dealing with GBV cases.



Source: Training Workshop, Bhatinda, Punjab  
Activity- Informal Discussion with participants  
Courtesy: SADRAG Team Member

### **Pointers for discussion**

#### **COORDINATION WITH OTHER DEPARTMENTS**

The OSC will have coordination with the Ministry of Health and Family/State/District, Ministry of Home Affairs/State/District, and Ministry of Law and Justice/NLSA/SLSA/DLSA.

The main role of Ministry of Health and Family/State/District is to provide Protocols for doctors to be made available in local dialect and a calendar form is to be provided to the OSC. Different Directories of Doctors/Hospitals/ Clinics Blood Banks (public & private) which are operational within the State/UT, directories with complete address, phone number of in-charge/nodal Doctor and hospital, and directories of Ambulances (public and private) to be provided to the OSC.

The Ministry are supposed to provide supportive roles to OSC. New Medico-Legal Guidelines (MLC), 2014 for survivors and victims of sexual violence are to be provided and a copy of filled MLC form to be given to the aggrieved woman being examined for her record. It is also to be seen that the protocols are enforced, training and sensitization of health personnel including para-medical staff, ensuring proper collection of evidence in cases of sexual assault, Support process of identifying para- medical staff, and MOUs with each identified institutional resource.

The Ministry of Home Affairs/State/District designates police officers for OSC to facilitate prompt and proper filing of FIR. Facilitation in proper collection of evidence.

The department would also sensitize police personnel dealing with GBV cases.

The Ministry of Law and Justice/NLSA/SLSA/DLSA is supposed to provide List of dedicated and sensitive lawyers ready to give legal aid to the women affected by violence and liaison with OSC and List of district wise para legal volunteers. It would also support in ensuring expeditious disposal of cases and facilitating compensation to the survivors of violence.

Support and facilitate the orientation and training of the concerned staff in the above-mentioned departments for gender responsive handling of the cases of the GBV. The gender sensitisation tool kit and training manual should be there with all the concerned departments.



**Source: Training Workshop, Trichy, Tamil Nadu**  
**Activity- Role Play on Case Management**  
**Courtesy: SADRAG Team Member**



**Source: Training Workshop, Coimbatore Tamil Nadu**  
**Activity- Question-Answer Session**  
**Courtesy: SADRAG Team Member**



## SESSION 4

### **Systematic documentation of cases and follow-up**

**Aim:** To introduce the systematic documentation of data on financial, administrative and operational aspects of SAKHI-OSC

**Learning objectives:**

By the end of this session, the participants will be able to:

- Learn the process of data management system
- Learn the procedure of documenting monthly/quarterly data on women accessing SAKHI-OSC services
- To understand the need for keeping data confidential and safe

**Time:** 120 minutes

**Session Overview:**

| Activity                                               | Purpose                                                         | Resource description                   | Time (minutes) |
|--------------------------------------------------------|-----------------------------------------------------------------|----------------------------------------|----------------|
| Maintaining updated documentation                      | To learn how to update information on monthly reports           | PPT<br>Flipchart<br>Group work         | 40             |
| Completion of case profile, action taken and follow up | To learn the process of case study documentation                | PPT<br>Group work<br>Copies of formats | 40             |
| Maintenance of Standard formats                        | To learn to document proper information in financial statements | PPT<br>Group work                      | 40             |

**Slide 4.1**

**Standard reporting formats**

| <b><u>Prescribed Report Formats</u></b> |
|-----------------------------------------|
| Monthly Progress Report Format          |
| Success Stories : Case Study Format     |
| Statement of Expenditure Format         |

**Activity One:** Maintaining updated documentation of cases received at OSC

**Purpose:** To learn how to update information on monthly reports

**Time:** 40 minutes

**Facilitation instructions:**

- The trainer would divide participants into small groups
- Each group would be provided with the photo copy of standard formats for monthly reports (**Annexures-XI**).
- The groups would discuss the format and make notes on the challenges to fill any particular kind of information
- The trainer would emphasize the need for:
  1. Systematic recording of data in monthly reports, and
  2. Maintaining the confidentiality of the survivor in reports
- A discussion would follow with participants.

### **Monthly Progress Report**

The form requires information along important indicators such as:

1. Age categories - below 18, 18-35, 35-60 and 60 and above.  
The maintenance of age wise data reflects the prevalence of GBV cases in a particular age category.
2. Type of registration - Self or Referral.  
It indicates the source of GBV cases, indicating the awareness on SAKHI-OSC in the district.
3. Type of services – Counselling, FIR registration, medical or legal  
The indicates the kind of service provided in specific cases of GBV and its effectiveness and relevance for the survivor
4. Points for Self-Reflection by the case worker- to review the information in the monthly progress report from the perspective of gender responsiveness
  - a. Kinds of violence upon review and analysis of the monthly progress report of the cases in OSC
  - b. OSC preparedness in dealing with the cases of GBV in a gender responsive manner -Client sensitive and empathetic environment in OSC; Gender sensitive communication, Active convergence with the concerned stakeholders and departments

**Activity Two:** Completion of case profile, action taken and follow up

**Purpose:** To learn the process of case study documentation

**Time:** 40 minutes

Group work

**Facilitation instructions:**

- The trainer would divide participants into small groups

- Each group would be provided with the photo copy of standard formats for case study (**Annexure- XII**).

### **Success Stories: Case Study Format**

The case study format is a mirror on the survivor's status of complaint, service provided and if she was benefitted by the support at SAKHIOSC.

The facilitator would point to the column on

**Story after this.....** which needs to be filled with proper follow-up with the survivor.

Key gender responsive and gender just lessons learnt from the case study- What went well, What could have been done better, What didn't work well in the handling of the case

**Activity Three:** Maintenance of standard reporting formats

**Purpose:** To learn to document proper information in financial statements

To see the gender responsiveness in the financial management systems of the OSC

**Time:** 40 minutes

Group work

**Facilitation instructions:**

- The trainer would divide participants into small groups
- Each group would be provided with the photo copy of standard formats of financial statement study (**Annexure XIII**).
- A discussion would follow on the various columns and information to be filled.

### **Statement of Expenditure**

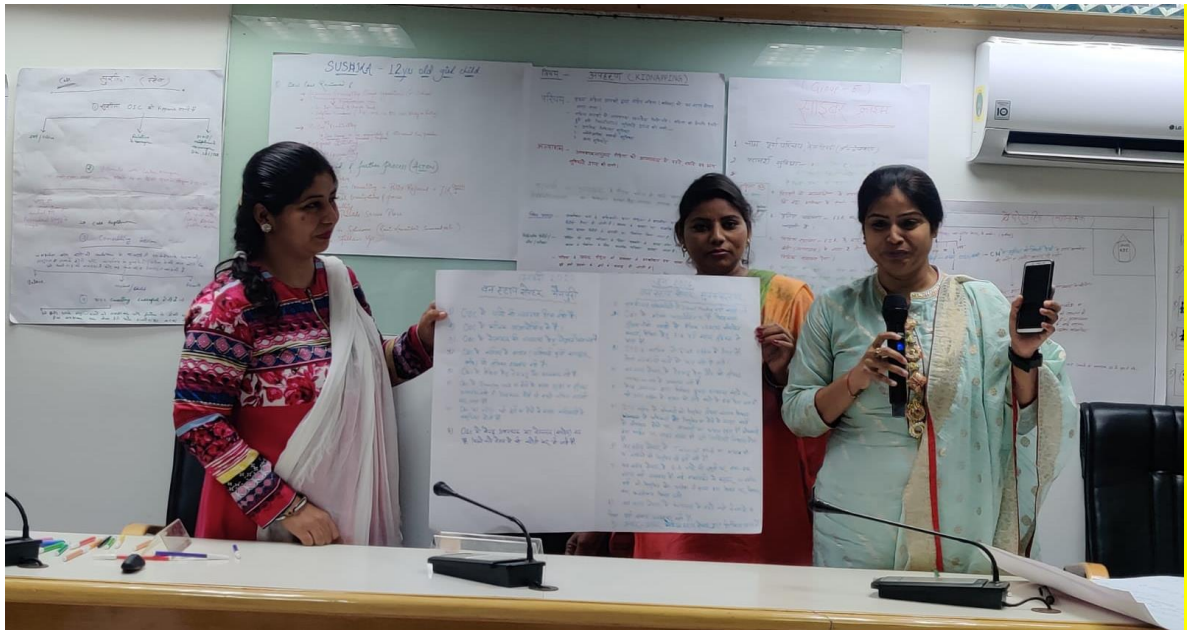
SAKHI-OSC receives funds from the local district administration. These funds are allocated under separate heads of expenditure and need to be spent as per the given plan of expenditure.

It is very important to maintain the expense statements with proper bills for a regular flow of funds.

Timely submission of Quarterly and Annual Statements of Expenditure is an important requirement.

It is useful to analyse the expenditure statement of the OSC, using the tools of gender responsive budgeting.

A short summary could be prepared to make a qualitative assessment of the utilisation and expenditure of funds from the gender responsive perspective as to whether the planning and expenditure of funds in OSC has made provisions to address the needs of the women and help mitigate the challenges due to gender discrimination and violence faced by them.



**Source: Training Workshop, Noida, Uttar Pradesh**  
**Group Activity- Presentation on Case Management**  
**Courtesy: SADRA Team Member**



**Source: Training Workshop, Noida, Uttar Pradesh**  
**Group Activity- Presentation on Case Management**  
**Courtesy: SADRA Team Member**



## SESSION 5

### Relevant laws for addressal of GBV

**Aim:** To know the relevant laws on violence against women

**Learning objectives:**

By the end of this session, the participants will be able to:

- Understand violence against women as a human rights violation
- Know the laws that can be used to address violence against women in private, public, online and work spaces
- Increase an understanding of how laws can be applied
- Develop linkages between the situation of GBV incidents and appropriate laws related to women's right.

**Time: 240 minutes**

**Session Overview:**

| Activity                                             | Purpose                                                                                                                                                                                            | Resource description | Time (minutes) |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------|
| Understanding women's human rights                   | To know gender justice provisions in the Constitution<br><br>To understand different definitions of equality<br><br>To understand why gender based violence is a violation of women's human rights | PPT<br>Flipchart     | 20             |
| Introduction to law and the justice system           | To have an overview of laws to address gender-based violence<br><br>To understand the difference between civil and criminal laws<br><br>To have a broad understanding of the justice system        | PPT                  | 30             |
| Crimes against women and the criminal justice system | To have an overview of crimes against women under the IPC, DPA and online harassment<br><br>To understand the criminal justice system—namely, criminal procedure and                               | PPT                  | 40             |

|                                                              |                                                                                                                   |     |    |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|-----|----|
|                                                              | evidentiary standards applied in criminal cases                                                                   |     |    |
| Protection of Women from Domestic Violence Act, 2005 (PWDVA) | To understand how to apply the PWDVA                                                                              | PPT | 60 |
| POSH Act                                                     | To understand how to apply the POSH Act                                                                           | PPT | 30 |
| Laws to address violence against children                    | To have an overview of laws protecting rights of children<br><br>To understand how to apply the POCSO and PCM ACT | PPT | 40 |

### Activity One: Understanding Women's Human Rights

#### Purpose:

- To provide an overview of gender justice provisions in the Constitution
- To explain different definitions of equality
- To understand why gender based violence is a violation of women's human rights

**Time:** 20 minutes

#### Facilitation instructions:

- The trainer would ask the participants if they were aware of human rights enshrined in the Constitution of India.
- The participants would reply referring to various human rights.
- The trainer would explain the rights (Slide-5.1).

### Slide – 5.1

#### Constitutional Right to Equality

##### Right to equality

The Indian Constitution guarantees equal rights under Articles 14 and 15.

##### **Article 14 guarantees**

- **Equality before the law** – all persons are equal
- **Equal protection of laws**—all persons, in similar circumstances, will be treated equally under the law.

##### **Article 15 guarantees**

- Article 15(1) prohibits **discrimination** on grounds of religion, race, caste, sex or place of birth

- Article 15 (3) allows the state to take **special measures** for women and children to ensure equality.

As per these provisions, the Indian State has to take all appropriate measures to –

- *Eliminate discrimination* against women and children *and*
- *Advance* gender equality.

The State not only has the obligation to:

- Discriminate through its *own actions* (e.g. by enacting discriminatory laws or policies) and
- Prevent and eliminate discrimination, perpetrated by *private individuals and organizations* (e.g. by enacting laws to protect women from violence)

## Slide – 5.2

### Definitions of Equality

#### **Definitions of equality**

Equality can be defined in many ways:

- Formal equality—men and women are treated equally
- Substantive equality— Formal equality is not enough because of lived circumstances and historical disadvantages faced by women. In such circumstances, formal equality exacerbates inequalities. To address this requires non-identical treatments to different needs of men and women.
- Transformative equality— Need to address prevailing power imbalances in gender relations and counter harmful gender stereotypes and norms. This requires transforming institutions, systems and structures that perpetuate gender stereotypes to re-distribute power and resources.

#### Illustration to explain different definitions of equality

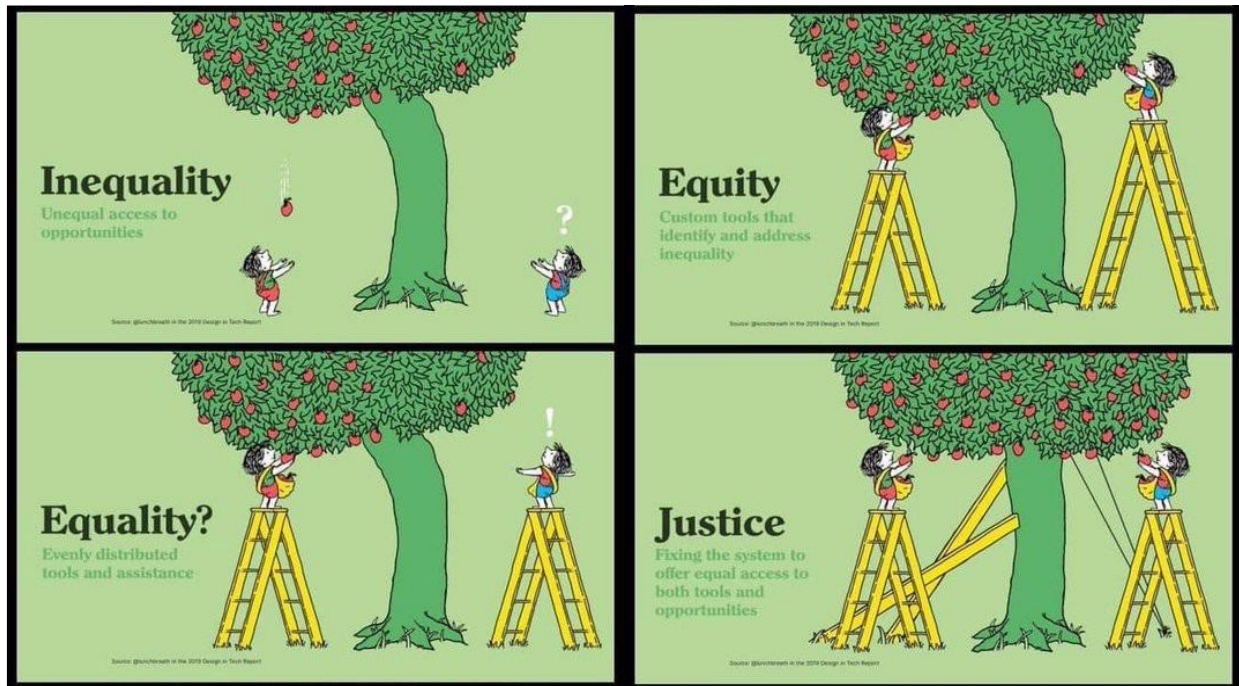
The Government of Swapna Pradesh issues a directive that all ration shops will be open only from 8.00 PM to 6.00 AM.

- ❖ This is an example of formal equality, since the directive treats men and women equally.
- ❖ However, in all likelihood women will not be able to access the ration shop in the evening/night due to fears of violence or may not be able to go out at night because of familial pressures.
- ❖ To ensure equal access for men and women, the Government should keep the shop open during times when women can easily access the ration shop and ensure that the transit paths are well lit and safe. This is the promise of substantive equality.
- ❖ However, if the Government wants to achieve transformative equality, it will need to take

additional measures such as raise awareness on gender stereotypes/norms and its adverse impact on women, take measures to break such stereotypes, as well as enhance women's safety. This will ensure that systemic barriers to women's access to ration stores at night is eliminated.

### Slide - 5.3

#### Inequality to Justice\*



\* Image: Tony Ruth's Equity Series (2019). Source: <https://www.slideshare.net/GabrielGaldamez/tony-ruths-equity-series-2019-247618162>

#### ➤ Gender based violence as a violation of women's human rights

The trainer would explain how gender based violence is a grave form of discrimination and a violation of women's equality rights and fundamental freedoms by linking it with women's inability to enjoy rights and freedoms on the basis of equality with men.

### Slide - 5.4

#### GBV- a violation of women's human rights

Women's rights include:

- The right to life;
- The right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment;
- The right to equal protection according to humanitarian norms in time of international or internal armed conflict;

- The right to equal protection under the law;
- The right to equality in the family;
- The right to the highest standard attainable of physical and mental health; the right to just and favourable conditions of work.

General Recommendation 19, CEDAW Committee

## Activity Two - Introduction to law and the justice system

### Purpose

- To provide an overview of laws to address gender-based violence
- To understand the difference between civil and criminal laws
- To provide a broad overview of the justice system

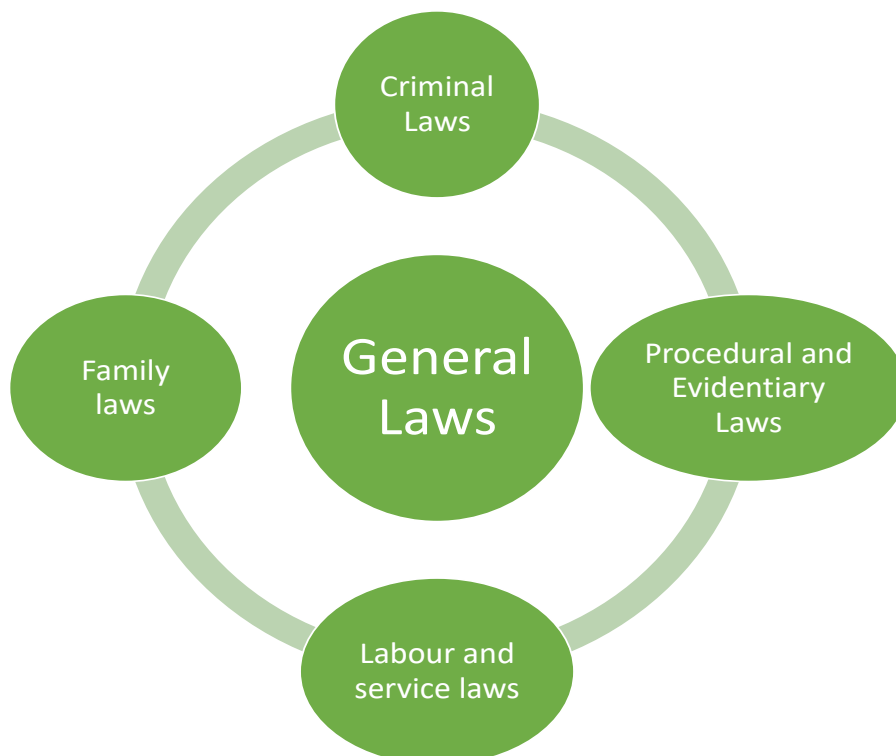
**Time:** 30 minutes

### Facilitation instructions:

- The trainer would explain the various general laws to address welfare and crime aspects of human beings

## Slide- 5.5

### General Laws



- The trainer would refer to special laws that are meant to address violence against women. These can be gender/child specific provisions within general laws, or special laws to address a specific form of violence.

- The trainer would add that general and special laws can be used together. E.g., the PWDVA can be used simultaneously with IPC provisions on cruelty in marriages and family laws on divorce/maintenance/custody.



Source: Training Workshop, Punjab  
Group Activity- Case Management  
Courtesy: SADRAG Team Member

### Slide – 5.6

## Special laws on Violence Against Women and Children



### Special laws to address discrimination against women

- a. ***Scheduled Caste/Tribes (Prevention of Atrocities) Act, 1989 (POA)*** - provides punishments for those committing sexual offences or caste/tribe-based atrocities against women belonging to Scheduled Caste or Tribe. The POA also has provisions for compensation for victims of caste / tribe based atrocities and/or their dependents.
- b. ***Rights of Persons with Disabilities Act, 2016*** - promotes and protects the rights and dignity of people with disabilities in educational, social, legal, economic, cultural and political spheres. This law was enacted to comply with the United Nations Convention on the Rights of Persons with Disabilities.
- c. ***The Maintenance and Welfare of Parents Act, 2007***: includes legal obligation for children and heirs to provide sufficient maintenance to senior citizens, and proposes to make provisions for state governments to establish old age homes in every district.

Special laws can be civil or criminal in nature or have elements of both in them.

### Slide – 5.7

#### Division of Laws

Laws can be broadly categorized into civil and criminal laws

- **Criminal laws** – These are aimed at punishing and imposing penalties on offenders. Examples - IPC, DPA, POA.
  - **Civil laws** — These can be used by women to get protective orders, remedies and compensation from perpetrators of violence. Examples - PWDVA, POSH Act.
  - **Laws with civil and criminal provisions**— These are POCSO and PCM ACT
- The breach of a court order in a civil suit is a criminal offence.
- There are different court systems for both-criminal and civil justice systems.

### Slide – 5.8

#### Difference between criminal and civil laws

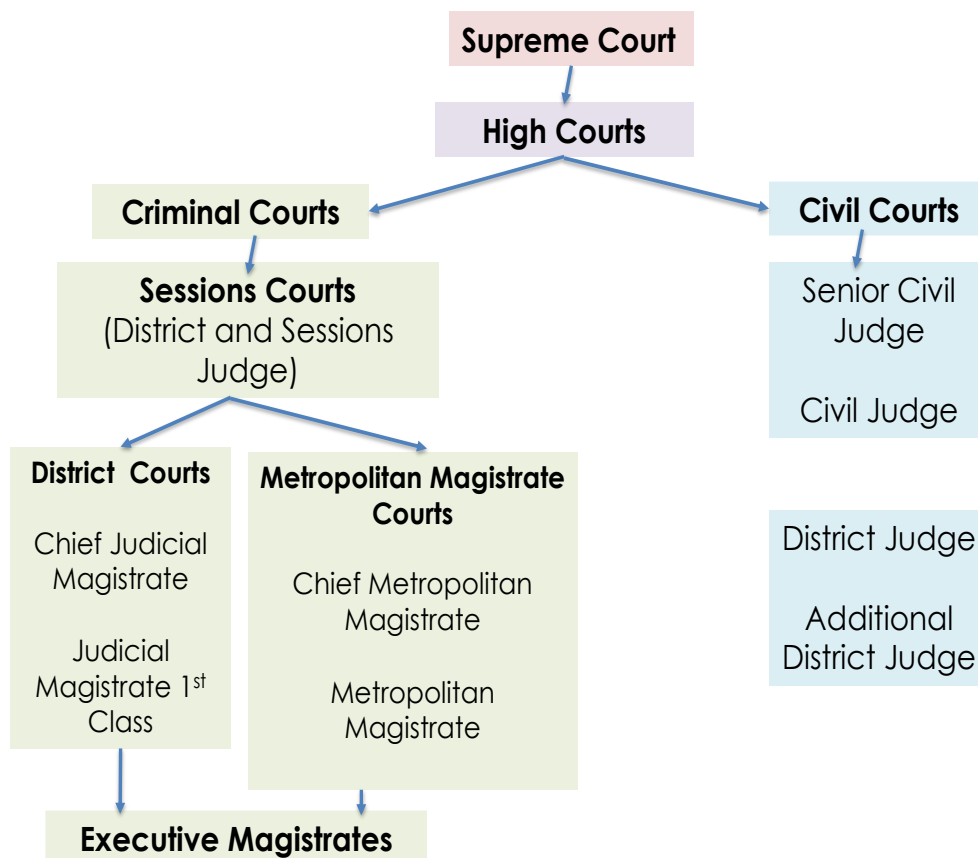
| <b>Criminal Law</b>                                                         | <b>Civil Law</b>                                                                                                                                                |
|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Recognizes certain acts as offences punishable with imprisonment or penalty | Recognizes civil wrongs and contractual obligations                                                                                                             |
| Objective is to punish offenders                                            | Objective is to provide remedies or compensation for civil wrongs, as well as injunctions to stop anything that harms the legitimate interests of the survivor. |
| Proceedings can be initiated with complaints to the police or magistrate    | Proceedings can be initiated by filing a suit or petition in court                                                                                              |

|                                                                                                                                                          |                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Anyone can file a complaint in most cases                                                                                                                | Only the affected party can file the suit or petition                                            |
| The court will decide on the punishment based on what is provided in criminal laws                                                                       | The affected party can ask for specific orders to meet his/her situation                         |
| Prosecution is done by the state and public prosecutors pursue litigation in court. Private lawyers are hired by the defence or to assist the prosecutor | A lawyer needs to be hired to represent the person in court                                      |
| Magistrates, Sessions courts and high courts deal with criminal cases                                                                                    | City civil judges, munsifs, district judges, family courts and high courts deal with civil cases |
| CrPC is applied and the standard of proof required is proof beyond reasonable doubt                                                                      | CPC is applied and the standard of proof is the <i>balance of probabilities</i>                  |

- Civil and criminal laws are applied in different court systems –criminal and civil justice systems. Procedure to be followed is laid down in the CrPC and CPC respectively.

### Slide – 5.9

#### Structure of the Judicial System



### Activity Three: Crimes against women and the criminal justice system

#### Purpose:

- To provide an overview of crimes against women in the IPC, DPA and online harassment
- Introduction to the criminal justice system—namely, criminal procedure and evidentiary standards applied in criminal cases.

**Time:** 40 minutes

#### Facilitation instructions:

- The trainer would explain how crimes are categorized in the CrPC, depending on its severity/ gravity:
  - **Cognizable or non-cognizable** - These crimes are those where the police can investigate without a magistrate's order. In non-cognizable cases, police need to get an order from the magistrate to start investigations. Registration of a 'First Information Report' (FIR) is mandatory in cases of cognizable offences.
  - **Bailable and non-bailable offences**- A police officer can grant bail in the case of bailable offences. In cases of non-bailable offences, bail has to be obtained from the appropriate court. Most offences with punishment up to 3 years are usually bailable.

#### Slide – 5.10

#### Crimes of sexual violence under the IPC

| Nature of Crime                                  | Provisions       | Category of Crime         | Punishment                                      |
|--------------------------------------------------|------------------|---------------------------|-------------------------------------------------|
| Rape                                             | Section 375 IPC  | Cognisable & Non-bailable | Minimum 7 years, extendable to life and time    |
| Outraging a woman's modesty with criminal force  | Section 354 IPC  | Cognisable & Non-bailable | 1 year, extendable to 5 and fine                |
| Sexual harassment (not limited to the workplace) | Section 354A IPC | Cognisable & Bailable     | May extend to 3 and/or fine                     |
| Assault with intent to disrobe                   | Section 354B IPC | Cognisable & Non-bailable | Minimum 3 years, extendable to 7 years and fine |
| Voyeurism                                        | Section 354C IPC | Cognisable & Bailable     | Minimum 1 year, extendable to 3 years and fine  |
| Stalking                                         | Section 375D IPC | Cognisable & Bailable     | Minimum 3 years, extendable to 5 years and fine |
| Insulting modesty of woman                       | Section 509 IPC  | Cognisable & Bailable     | 3 years and fine                                |

- IPC includes **offences within marriages**—Section 498A covers all forms of cruelty within marriages, that may lead a woman to commit suicide or incur grievous mental or physical injury—which may or *may not* be related to dowry specific harassment.
- Section 498A criminalizes domestic violence and dowry related harassments/death. However, a complaint can be filed under Section 498A without a mention or show dowry related harassment.
- Under Dowry Prohibition Act (DPA), the giving and taking of dowry is also criminalized under the DPA.
- Section 304B, brought in as a result of sustained campaigns by the women’s movement, criminalizes ‘dowry death’—un-natural death within 7 years of marriages following cruelty or harassment related to dowry demands.

### Slide – 5.11

#### Crime against women in the matrimonial home

| Nature of Crime                                                       | Provisions          | Category of Crime         | Punishment                          |
|-----------------------------------------------------------------------|---------------------|---------------------------|-------------------------------------|
| Cruelty within marriages and/or Dowry related harassment in marriages | Section 498A<br>IPC | Cognisable & Non-bailable | 3 years and fine                    |
| Dowry death                                                           | Section 304B<br>IPC | Cognisable & Non-bailable | Minimum 7 years, extendable to life |
| Giving or taking of dowry*                                            | Section 3 DPA       | Cognisable & Non-bailable | 5 years and fine                    |
| Demanding dowry                                                       | Section 4 DPA       | Cognisable & Non-bailable | 5 years and fine                    |
| Ban on advertisement of consideration for marriage                    | Section 4 A<br>DPA  | Cognisable & Non-bailable | 5 years and fine                    |

#### **Activity Four: Understanding action on dowry demand cases**

##### **Purpose:**

- To plan response action in case of dowry demand

**Time:** 35 minutes

##### **Facilitation instructions:**

- The trainer would explain the following situation to the participants.

A family placed in a town W, was searching for an appropriate match for their daughter X for marriage. With the help and networking of their relative, they found an appropriate match. The talks progressed smoothly and a wedding date was fixed and announced. Following that the bridegroom’s family started making demand from the bride’s family, regarding money, expensive presents, property, etc. The family under societal pressures and obligations, started to work to fulfil these demand. Finding out about these demands and seeing

her family stressed and under pressure, X filed a complaint regarding this matter and told her parents to break the marriage.

- The participants will discuss the OSC response in the above case
- The trainer would guide the participants by focusing on, how to identify and suggest reason for the legislation to be applied in the situation
- The participants would sketch the response action on the flip chart.
- The participants will discuss the OSC response in the above case
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- The participants would sketch the response action on the flip chart.

### Slide – 5.12

#### Other crimes against women

| Nature of Crime                    | Provisions             | Category of Crime         | Punishment                                      |
|------------------------------------|------------------------|---------------------------|-------------------------------------------------|
| Acid attacks                       | Section 326A and B IPC | Cognisable & Non-bailable | 5 to 10 years and fine                          |
| Human trafficking                  | Section 370            | Cognisable & Non-bailable | Minimum of 7 years, extendable to life and fine |
| Exploitation of a trafficked child | Section 370A           | Cognisable & Non-bailable | Minimum of 5 years, extendable to 7 and fine    |

- Crimes against women can happen in online spaces, such as online harassment, cyber stalking, defamation, child and revenge pornography, identity theft, cyber bullying or cyber grooming.

### Slide – 5.13

#### Online violence against women

Crimes through mobile phones, internet, social media, computer games, text messages, email.

1. **Cyberbullying:** Threatening or harassing texts are sent as part of cyber bullying
2. **Non-consensual sexting:** Sending sexually explicit messages or images to someone without their consent is known as non-consensual sexting
3. **Doxing:** Doxing is when personal or identifying information about the survivor is made public

### Slide – 5.14

#### Laws against online violence

- Provisions on obscenity (Sections 292-294 IPC), voyeurism and outraging the modesty of women in the IPC (Sections 354 A, C, D, 499, 503, 507, 509)

- The Indecent Representation of Women (Prohibition) Act, prohibits the indecent representation of women through the media and publications, including the audio-visual media, content in electronic form, and distribution of material on the Internet, and the portrayal of women over the web
- The Information Technology Act, 2000 (IT Act) –
  - **Section 66C** - makes identity theft a punishable offence. Whoever, fraudulently or dishonestly make use of the electronic signature, password or any other unique identification feature of any other person, shall be punished with imprisonment extending to three years and shall be liable to fine up to 100000 INR.
  - **Section 66E** - deals with the violation of the privacy of a person. Capturing, publishing or transmitting the image of a private area of any person without her consent, is punishable with imprisonment, which may extend to three years, and/or fine.
  - **Section 67** - prohibits, and punishes with imprisonment extending up to three years and fine for first conviction and to five years and fine upon second conviction, the publication, transmission and causing of transmission of obscene content.
  - **Section 67A** - makes the publication and transmission of sexually explicit material punishable with imprisonment extending up to five years and fine for first conviction

**Note: Online violence against women can be reported to Cyber Crime Cells or to the nearest police station. Complaints of cyber-crimes can also be reported on the National Cyber Crime Reporting Portal or using the Cyber Crime Helpline 1930**

#### **Activity Five: OSC response to online harassment**

##### **Purpose:**

- To provide an overview of the IT Act for online harassment to women

**Time:** 35 minutes

##### **Facilitation instructions:**

- The trainer would explain the following situation to the participants.

**A college student Reshma, participated in a college level event and for that was also a member of its messaging group. After the completion of the event she left the group, but was now being frequently messaged by an unknown number, with propositional and obscene messages, pornographic pictures, even threatening comments. She blocked the number, but then started to receive messages on the social media accounts and e-mail as well. Feeling distressed by the continuous harassment, Reshma decided to file a complaint on the women helpline (181) number.**

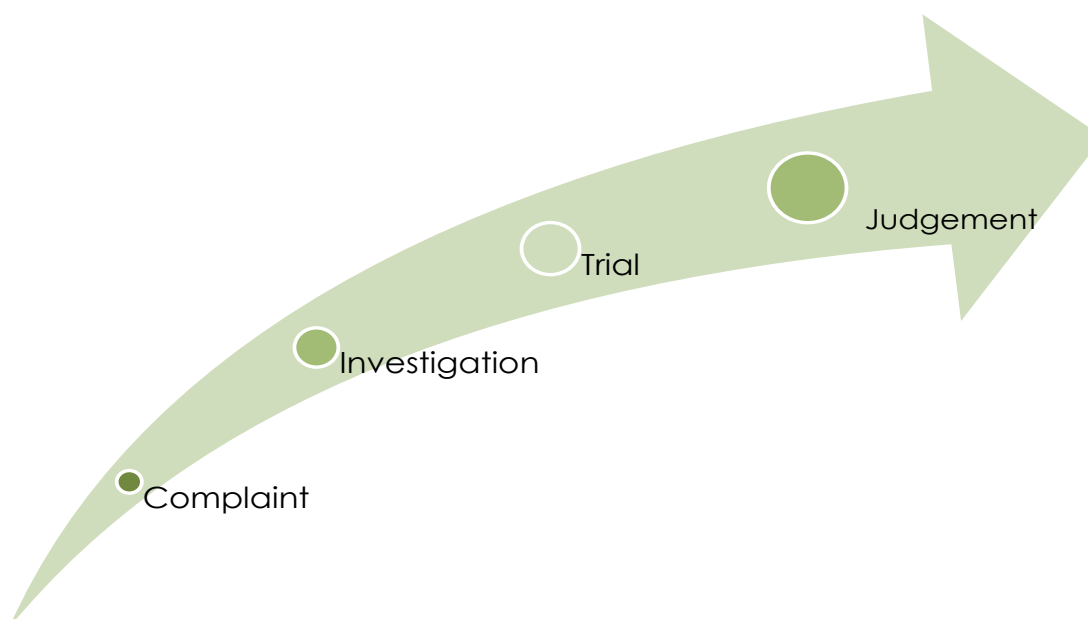
- The participants will discuss the OSC response in the above case
- The trainer would guide the participants by focusing on, how to identify and suggest reason for the legislation to be applied in the situation
- The participants would sketch the response action on the flip chart.

### ➤ Criminal justice system

The procedure applied in a criminal complaint involves registration of a complaint with the police, investigations, trial and sentencing.

Slide – 5.15

## Criminal Justice System



### **Key Points of preparation for the OSC team to do their respective role and responsibilities:**

Every time, take a few moments to prepare yourself before taking up your role about the particular case and delve into its process. Run the following check list as your preparation for taking up your role in the case of the GBV –

1. Study the complaint well and relate it to the specific law, under which it can be addressed.
2. Analyse the case with gender perspective, prioritising the immediate and long term needs of the survivor
3. Discuss the case threadbare with the DLSA or the lawyer who would provide legal aid to the survivor
4. Explain the gender component of complaint to the lawyer in the context of survivor's wishes that she has conveyed to the case worker.
5. Discuss with lawyer, the pros and cons of the legal advice from gender perspective
6. Engage with survivor on details of the legal process and follow it with her consent

## Domestic Violence Act, 2005

**Purpose:** To provide an understanding of how to apply the PWDVA in cases of domestic violence

**Time:** 60 minutes

### Facilitation instructions:

- The trainer explains the genesis of PWDVA.

Around 32% of women between the ages of 18-40 have faced violence within the home (National Family and Health Survey: 2019-20). Campaigns by the Indian women's movement, brought about reforms in criminal law in the 80s. Sections 498A and 304B were added. However, it did not provide immediate relief to women facing violence at home. The PWDVA was enacted to provide civil reliefs to women facing violence within the home. The PWDVA can be used in addition to criminal laws and family laws on divorce/separation, custody and maintenance.

### Slide – 5.16

#### Definition of domestic violence

- Violence against women in domestic relationships
- An act that harms or injures or negatively impacts the overall wellbeing of women
- Is physical - harm or danger to life
- Verbal/Emotional – insults or threats that impacts mental well being
- Economic abuse – deprives access to money/property
- Sexual - a sexual act that violates the dignity of woman
- Is dowry related harassment or threats of violence

Section 3, PWDVA

- Any aggrieved women can file an application under the PWDVA. It can be any woman in a domestic relationship and do not have to necessarily been married.
- The application can be filed against the respondent who may be any adult male who has been in a domestic relationship with the aggrieved women or it can be filed against the male and female relatives of the husband/male partner.
- PWDVA provides reliefs that can be obtained by women facing violence within the home.

### Slide - 5.17

#### Reliefs under the PWDVA

- **Protection order:** “Stop violence” orders and to prevent any acts that adversely impact the rights of the aggrieved woman, i.e., selling joint property assets or harming children.
- **Residence order:** To stop dispossession from the shared household. Woman may seek alternate accommodation to stop the violent husband/relatives from entering the shared house.

- **Order for monetary relief:** includes orders for maintenance and to meet any expenses incurred like medical or lost work hours
- **Custody orders:** Temporary custody orders to prevent the abuser from using children to harass the victim
- **Compensation orders:** Muhafza for mental trauma
- **Interim/Ex parte orders**

### Important to know

- Orders under the PWDVA is available to *all* female members in the family (including sisters, mothers, daughters) if they are subjected to violence from male members of the family (fathers, father-in-law, brother, son) or in-laws (mother-in-law, sister-in-law)
- Orders under the PWDVA will remain in force unless the aggrieved person applies for a discharge, or either party applies for modification, etc. by demonstrating altered circumstances.
- Ouster orders, or orders removing the respondent from the shared household under Section 19 (b) and maintenance orders cannot be obtained against any female respondents (i.e. relatives of the husband or male partner)
- Any person violating a protection order or an interim order may be jailed for up to a year and/or fined.



Source: Training Workshop, Trichy, Tamil Nadu  
Group Activity- Presentation on Challenges faced during cases  
Courtesy: SADRAG Team Member

### Slide – 5.18

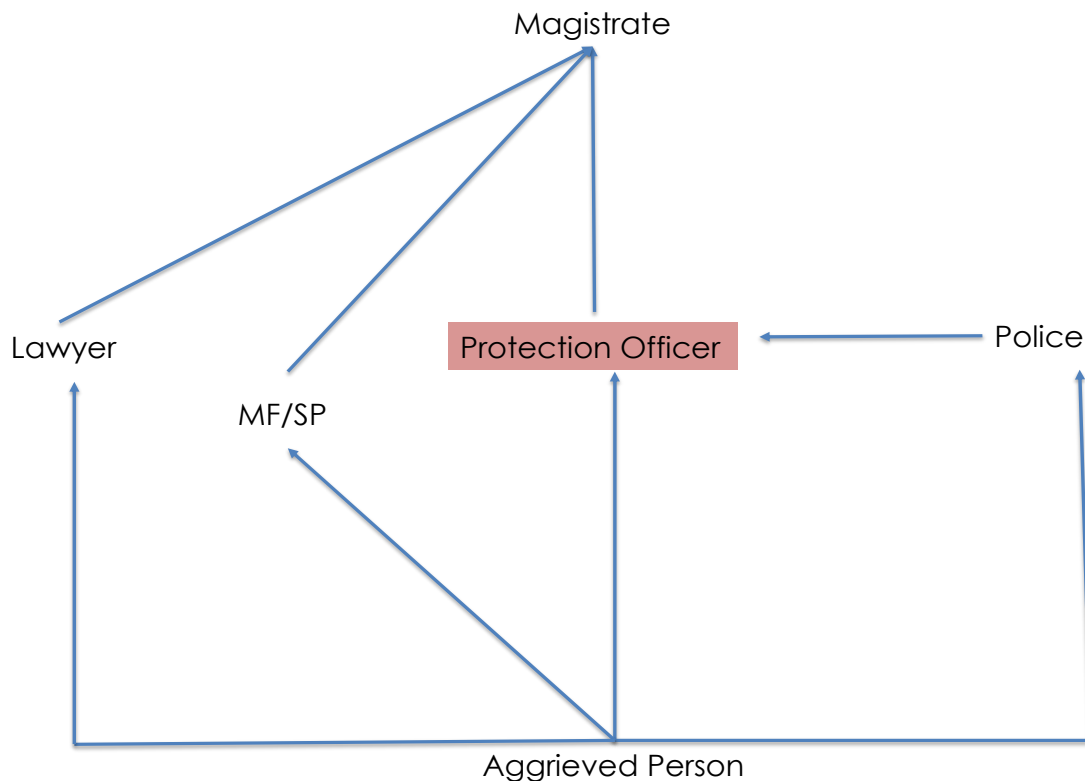
### Response mechanism under the PWDVA

- Protection Officer (PO): is the link between the Aggrieved Person and the court, as well as with support services
- Service Providers (SP): organizations registered under the PWDVA to provide

- supportive services such as counseling, shelter, medical aid
- Medical facilities (MF) and Shelter Homes (SH): notified under the PWDVA provide shelter and medical services
- Counselor/ Family Welfare Experts: conduct counseling on directions of the court
- Police: records criminal complaints, acts on court orders and refers aggrieved persons to Protection Officers, should they want to file an application under the PWDVA
- Lawyers/ Legal Services Authorities: provides legal services
- Magistrate: receives applications, conducts proceedings and pass orders

### Slide – 5.19

#### **Approaching the Court under the PWDVA**



### Slide – 5.20

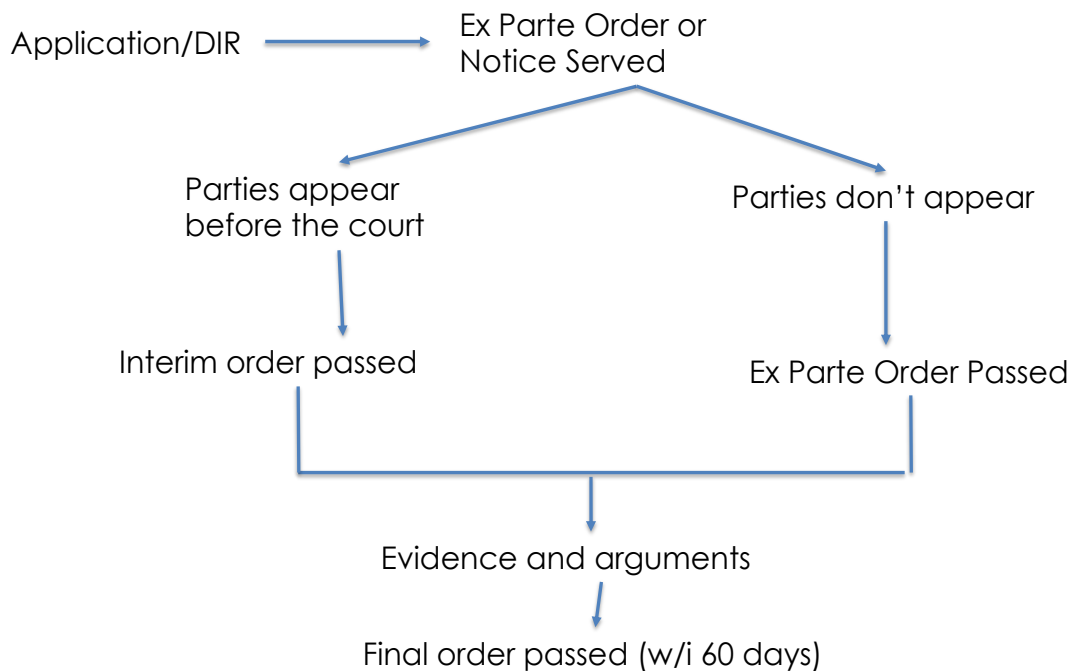
#### **Requisites for remedies under the PWDVA**

- The aggrieved women has to record a **Domestic Incident Report (DIR)** - Form I of the PWDV Rules.
  - DIR can be recorded by a Protection Officer, Service Provider or Medical Facility
  - DIR can be used as evidence in court and to access all forms of support services
  - Recording a DIR does not automatically trigger judicial processes. To initiate judicial processes, an application has to be filed in court.
  - If an Aggrieved Person directly approaches the court or the police, then the court/police can refer them to the Protection Officer to record the DIR

- The PWDVA uses a mix of criminal and civil procedural law to ensure that aggrieved women are able to obtain reliefs in a timely and efficient manner. Primarily, it builds on the procedure provided under Section 125 of the CrPC that provides maintenance to wives, children and parents.

### Slide – 5.21

#### **Court Procedure**



The Magistrate can direct parties to undergo counseling. If the counseling leads to a settlement then a final order is passed by the court in terms of the settlement

The PWDVA acts in addition to other laws, therefore, simultaneous proceedings can be filed by women under other related laws.

- An aggrieved person can record a DIR/file an application along with a criminal complaint under the Section 498A IPC.
- An aggrieved person may also file applications for other reliefs such as maintenance, custody, divorce/separation under the CrPC or personal laws

#### **Activity Six: Planning response in a domestic violence case**

**Purpose:** To provide an understanding of domestic violence case and response

**Time:** 20 minutes

**Facilitation instructions:**

- The trainer would explain the following situation to the participants.

Renu had planned a visit to her cousin Meeta, during the holidays. During her visit, she noticed that her cousin had bruises and wounds on her body. Renu had an honest talk with Meeta, and found out that Meeta's husband Samir, was abusing her, with physical violence, threats and verbal abuse. Meeta felt ashamed and humiliated and did not seek relief for the violence she endured. Renu convinced Meeta to seek help and accompanied her to their nearest SAKHI/OSC to register a complaint.

- The participants will discuss the OSC response in the above case
- The trainer would guide the participants by focusing on, how to identify and suggest reason for the legislation to be applied in the situation
- The participants would sketch the response action on the flip chart.

## **POSH Act, 2013**

**Purpose:** To provide an understanding of how to apply the POSH Act.

**Time:** 30 minutes

### **Facilitation instructions:**

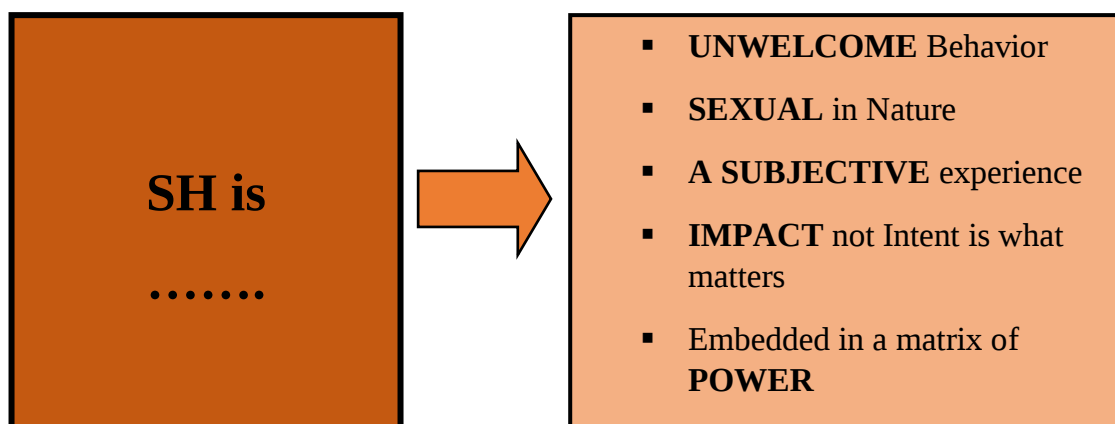
- The trainer would explain the genesis of the POSH Act 2013

SHW was recognized as a violation of a woman's right to equality and dignity, particularly a violation of a woman's right to a safe working environment in *Visakha v State of Rajasthan* (2007).

In 2013, the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act (POSH Act) was enacted. Section 354A was also inserted in the IPC to criminalize all forms of sexual harassment.

### **Slide - 5.22**

#### **What is sexual harassment?**



### Slide - 5.23

#### Forms of sexual harassment

| <u>Forms of SHW</u>                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Verbal                                                                                                                                                                                                                                                                                                                                     | Non-verbal                                                                                                                                                                                                                                                        | Physical                                                                                                                                                                                                                                    |
| <ul style="list-style-type: none"><li>▪ Asking for or making demanding sexual favors</li><li>▪ Making comments with sexual overtures or gestures</li><li>▪ Offensive letters</li><li>▪ Suggestive comments or jokes</li><li>▪ Discussing women's personal issues such as marriage, pregnancy appearance</li><li>▪ Unwanted calls</li></ul> | <ul style="list-style-type: none"><li>▪ Invading personal space</li><li>▪ Displaying sexist or offensive pictures including pornography</li><li>▪ Staring, leering, whistling, winking</li><li>▪ Indecent exposure</li><li>▪ Unwanted letters, messages</li></ul> | <ul style="list-style-type: none"><li>▪ Deliberate contact</li><li>▪ Unwanted touching, grabbing, holding, pinching</li><li>▪ Blocking a woman's path or invading her space</li><li>▪ Attempts to molest</li><li>▪ Sexual assault</li></ul> |

- The POSH Act vests duties on employers to
- **Prevent** SHW by providing a *safe working environment* for **women** and
  - **Respond** to SHW by putting in place *mechanisms for redressing SHW*

### Slide - 5.24

#### Redressal Mechanism under the POSH Act

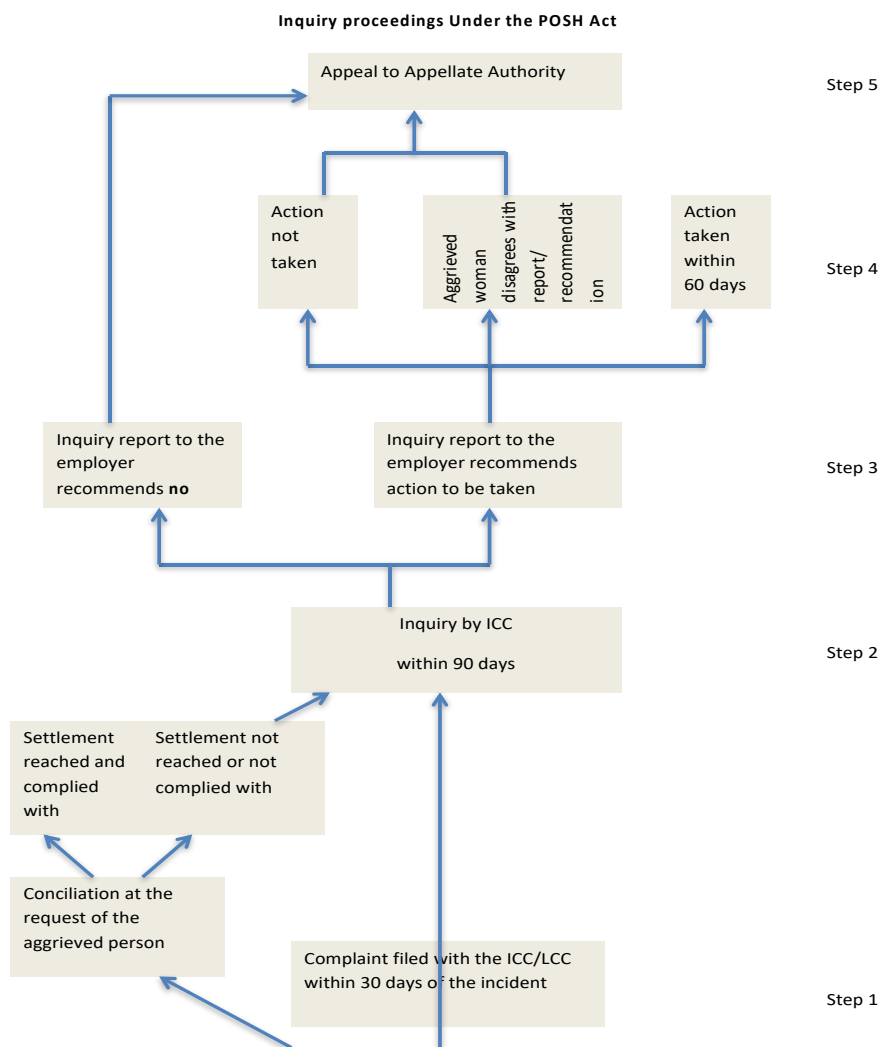
- **Internal Committee:** For workplaces employing more than 10 employees
  - An employer who has failed to put in place an IC may face penalties and may also lose their license or registration to operate
- **Local Committee:** For workplaces employing less than 10 employees
  - Women working in the unorganized sector or in small enterprises (with less than 10 employees) can approach the **Local Committee (LC)**.
  - Every District Officer has to constitute an LC with District Officer as the nodal officer at every Block, Taluka and Tehsil to receive complaints and forward them to the concerned LC

- While conducting inquiries under the POSH Act, IC/LCs have the same powers as are vested with a civil court under the CPC, with regard to:
- Summoning and requiring the attendance of any person and interrogating him under oath;

- A requirement to discover and produce documents;
  - Other matters as prescribed.
- The purpose of the IC/LC is
- To enquire into complaints and create awareness
  - Take preventive steps to ensure that the work environment is conducive to women workers
  - To organize regular meetings and awareness programs for employees
  - Create IEC materials for display

### Slide - 5.25

#### Inquiry Procedure and Outcomes



- In cases where SHW is proven through the inquiry, the IC recommends action against the respondent as per service rules.
- Section 15 of POSH Act also provides for compensation to aggrieved women. In determining compensation, the following factors must be taken into account:

- Affected employee's mental trauma, pain, suffering, and emotional distress;
- The loss of career opportunities caused by sexual harassment;
- Physical and mental health treatment expenses incurred by the victim;
- Whether the alleged perpetrator has a high income or a high status; and
- Whether lump sum or instalment payments are feasible.
- A failure by the respondent to pay the aforesaid sum will result in the IC forwarding the order of recovery to the District Officer concerned.
- It is important to note provisions on **confidentiality** in the POSH Act. Information relating to SHW cases are exempted from the Right to Information Act, 2005.

The Ministry of Women & Child Development has launched Sexual Harassment Electronic Box (**SHE-Box**) to provide single window access to every woman, irrespective of her work status, whether working in the organized or unorganized, private or public sector, to facilitate the registration of complaint related to sexual harassment. Any woman facing sexual harassment at the workplace can register their complaint through this portal. Once a complaint is submitted to the 'SHe-Box', it will be directly sent to the concerned authority having jurisdiction to take action into the matter.

### **Activity Seven: Response in complaints of SH at workplace**

#### **Purpose:**

- To plan the step by step response in complaints of SH at workplace

**Time:** 20 minutes

#### **Facilitation instructions:**

- The trainer would explain the following situation to the participants.

**Neelam, is working in a private IT company. One of the office staff, Rajinder, started to make offensive jokes, demeaning comment to her, whenever he passed by her in their workplace. Neelam tried to ignore these remarks but these started to cause her stress. He then started to message her pornographic materials and pictures. Neelam still tried to ignore the situation, but it further escalated, when he started to corner her in the workplace, tried to make suggestive propositions and even tried to molest her. Neelam feeling immensely distressed by the situation called the women helpline (181) and filed a complaint.**

- The participants will discuss the OSC response in the above case
- The trainer would guide the participants by focusing on, how to identify and suggest reason for the legislation to be applied in the situation
- The participants would sketch the step by step response action on the flip chart.

## **Laws to address violence against children**

#### **Purpose:**

- To provide an overview of laws on child protection
- To provide an understanding of how to apply the POCSO and PCM ACT

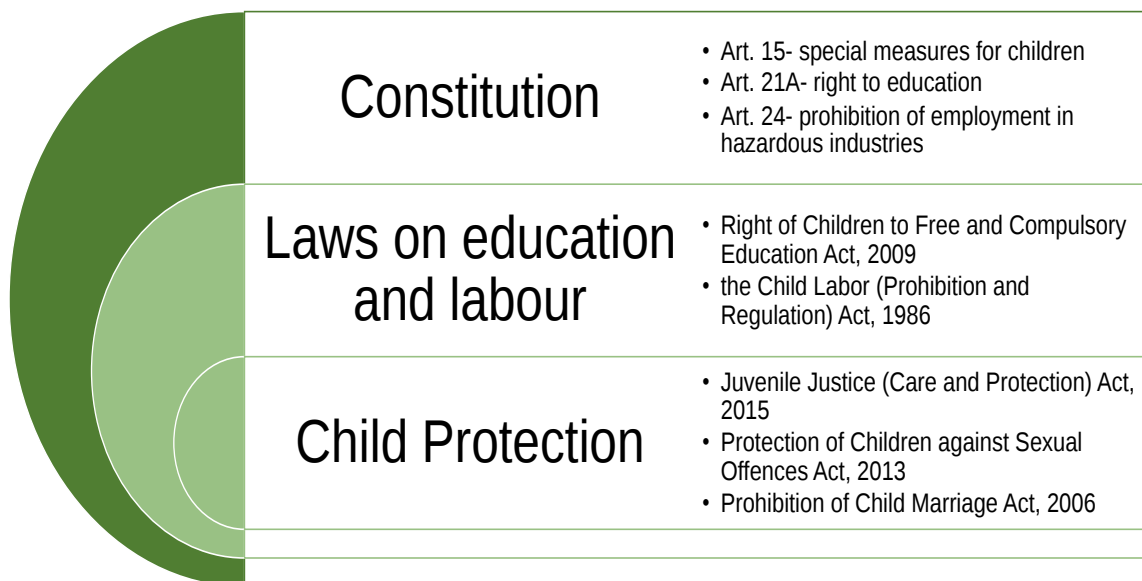
**Time:** 40 minutes

**Facilitation instructions:**

- The trainer introduces constitutional rights and laws for the protection of child rights:

**Slide – 5.26**

## Laws on Child Rights



- **POCSO Act**

- POCSO Act was brought into force in 2012 to provide protection to all children from sexual assault, sexual harassment and pornography. It establishes child friendly investigation and trial procedures to uphold the best interests of children.
- The POCSO Act covers penetrative and non-penetrative sexual assault.
- The Act is gender neutral as it covers children of both sexes –boys and girls. Both men and women can be offenders under the Act, as applicable. In cases where a child perpetrates an offence under the POCSO, then the child will be tried under the JJ Act.
- A child or any person who has an apprehension that an offence is likely to be committed or has knowledge that an offence has been committed, can report. This includes media personnel, staff hotel/lodges, hospitals, clubs, and photographic facilities (Section 20). Such persons have a **mandatory obligation** to report the matter to the SJP or local police. Failure to report is punishable with 6 months and/or fine. Giving of false information is also punishable with 6 months and or fine.

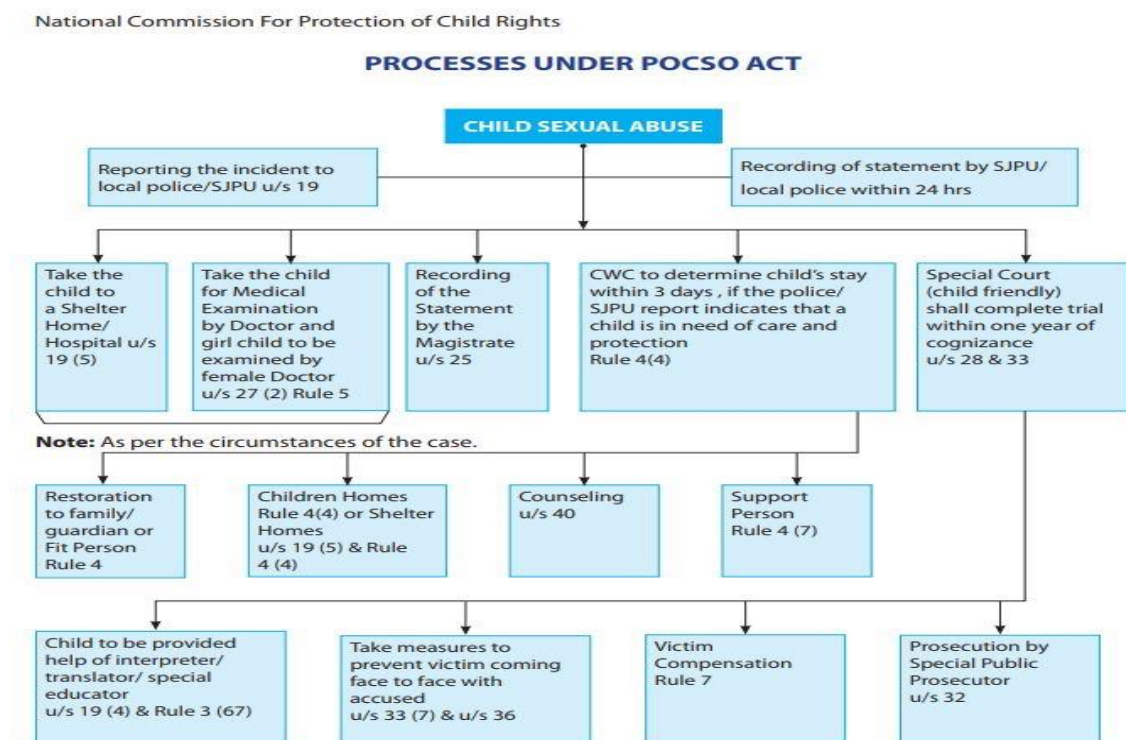
## Slide – 5.27

### Key Stakeholders under the POCSO Act



## Slide – 5.28

### Redressal under the POCSO Act



### **Special procedures under the POCSO Act**

- **Reporting the offence:** the police must inform the child/guardian about available support services, including legal aid and counselling and facilitate the child's access to such services. It arranges transport or escorts the child to receive medical care or conduct medical examinations, whether or not an FIR has been registered.
- **Mandatory reporting:** any person who has knowledge of an offence committed under the POCSO Act has to mandatorily report the offence to the SJPU/police.
- **Recording the child's statement:** A female police officer, not below the rank of a sub-inspector, needs to record the child's statement in plain clothing and in the presence of his/her parent or support person. The statement of a child may be recorded by the police in his/her residence or a place of his/her choice.
- **Confidentiality:** The media is prohibited from reporting the identity of any child victim or any details that may lead to the disclosure of his/her identity. Failure to do so is punishable by a year's imprisonment and/or fine.
- **Medical examination:** the medical examination of the girl child, should be conducted by a lady doctor in the presence of the parent or any other person who the child trusts. The consent of the parent/guardian must be taken for the procedures if the child is under 12 years of age. If the child is over 12 years, then his/her consent needs to be taken.
- **Trial by Special Courts:** Special courts are required to adopt child friendly processes during the trial according to the POCSO Act. Trials must be concluded within a year from the date of taking cognizance of the offence.
- **Burden of proof:** In cases involving offences under Sections 3, 5, 7 and 9, the Special Court shall presume that the accused committed or abetted or attempted such offence unless the contrary is proved. The Court will also presume the existence of a 'culpable mental state' –which includes intention, motive, knowledge or reason to believe a fact.
- Special Courts can direct the payment of compensation to the child for physical or mental trauma or for immediate rehabilitation, in addition to punishment. Special courts may also award interim compensation to the child to meet immediate needs or for relief or rehabilitation, at any stage after the registration of the FIR (Section 33(8)).

**Activity Eight:** Step by step response action in POCSO cases

**Purpose:** Planning the response in POCSO cases

**Time:** 20 minutes

**Facilitation instructions:**

- The trainer explains the following situation to participants.

**Poonam Sharma, a teacher, at a school notices that 10 year old student, Rama is recently reluctant to leave the school premises after class. The teacher, observing this behaviour for several days, enquires Rama, the child about it. Rama, reluctantly tells her that her mother come home late from work and**

she has to spend her day with uncle, Mr Ravi. The uncle, sometimes touches her between her legs and over her chest area, and that she feels uncomfortable with it and does not wish to go home. The teacher realising the situation, immediately contacts Rama's mother and they then file a complaint for the issue at their nearest SAKHI/OSC.

- The participants will discuss the OSC response in the above case
- The trainer would guide the participants by focusing on, how to identify and suggest reason for the legislation to be applied in the above situation.
- The participants would sketch the step by step response action on the flip chart.

## **Prevention of Child Marriage Act**

**Purpose:** Understand the Act's provisions to stop child marriage

Time: 15 minutes

### **Facilitation instructions:**

- The PCM Act provides stringent punishments for child marriages and provides for the appointment of Child Marriage Prohibition Officers (CMPO) to support the implementation of this law.
- The PCM Act contains provisions on the validity of child marriages, punishments for those entering into or associated with child marriages and injunctions to stop child marriages from taking place.
- In 2021, the PCM (Amendment) Bill was introduced aimed primarily at increasing the age of marriage for women to 21 years.
- 'Child', under the PCM Act is defined as a female under the age of 18 years and males under the age of 21 years. A child marriage is one in which either the bride or the groom ('contracting parties') are under these ages.
- Any person can report a child marriage before or after it has been solemnized.
- Report can be made to the police, CMPO, Class 1 judicial or metropolitan magistrate. Any of these authorities may also take *suo moto* (on his/her own) cognizance based on any reliable report or information.

### **Slide – 5.29**

#### **Injunctions under PCM Act**

- Class 1 Judicial or Metropolitan Magistrate has the power to issue an injunction to prohibit child marriages from taking place.
- Injunctions can be granted on applications filed by the CMPO, or receipt of any complaints or on a *suo moto* basis if the court is satisfied that a child marriage is arranged or is about to be solemnized. In order to prevent mass marriages from taking place on days such as Akshaya Tritiya, the District Magistrate will be deemed to be the PCMO.
- Breach of an injunction order is a punishable offence attracting an imprisonment up to 2 years and fine.

### **Status of child marriages under the PCM Act**

- A child marriage is voidable at the option of the contracting party who was underage at the time of the marriage. This means that the marriage can be nullified by either party by filing a petition in court within 2 years of attaining age of marriage or by their guardians if they are minors. However, child marriages are void (null from the beginning) in cases where an underage girl is enticed out of the custody of her guardian, or is forced, compelled or deceived or trafficked. Marriages taking place in contravention of injunction orders are also void.
- While granting annulments, courts can pass interim or final orders directing the groom or his parents, in cases of underage grooms, to return money or other valuable received at the time of the marriage and pay maintenance to the woman up to the time of her remarriage. The court also make appropriate orders regarding the residence of the woman and custody of children born out of the marriage.

### **Slide – 5.30**

### **Punishment under the PCM Act**

| <b>Offences under the PCM Act</b> |                                                                                                                                                                                                                                                                                             |                          |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>Sections</b>                   | <b>Offences</b>                                                                                                                                                                                                                                                                             | <b>Punishment</b>        |
| 9                                 | Adult male marrying a child                                                                                                                                                                                                                                                                 | Up to 2 years and fine   |
| 10                                | Solemnizing a child marriage including performing, conducting, directing a child marriage                                                                                                                                                                                                   | Up to 2 years and fine   |
| 11                                | Promoting, permitting or solemnizing a child marriage- any person having charge of a child, including parent, guardian or any other person who promotes or permits or participates in a child marriage or fails to prevent such a marriage.<br>*Women cannot be punished under the PCM Act. | Up to 2 years and a fine |

- Women cannot be punished under the PCM Act.
- There is a presumption that in cases of child marriages, the person who in charge of the minor has negligently failed to prevent the marriage from taking place.

### **Activity Nine: Planning response in a child marriage case**

**PURPOSE:** To enable the participants to plan a response under the Child Marriage Act

**Time:** 20 minutes

### **Instructions to facilitators:**

- The trainer explains the following situation to the participants.

A woman, Neelu, was visiting her village during her holidays. During her stay, she heard that the neighbouring family has arranged for their 12 year old daughter's marriage. Neelu then, talks to the family

informing them that this is against the law and tries to persuade them to stop the marriage. But the family refuses and explains that this is the way it has been carried out in their family for generations and they will proceed with the marriage. Neelu then decides to file a complaint at the nearest SAKHI/OSC for help regarding this matter.

- The participants will discuss the OSC response in the above case
- The trainer would guide the participants by focusing on, how to identify and suggest reason for the legislation to be applied in the above situation.
- The participants would sketch the step by step response action on the flip chart.



**Source: Training Workshop, Noida, Uttar Pradesh**  
**Group Activity- Case Management**  
**Courtesy: SADRAG Team Member**



## SESSION 6

### **Introduction to government protection schemes**

**Aim:** Share information on government schemes for women and child welfare

**Learning objectives:** To learn the process of building linkages with government welfare schemes:

- State specific schemes, criterion for women to take benefits from the schemes
- Process of filing the application under the specific scheme
- Follow up mechanism to receive the benefits of the scheme.

**Time:** 60 minutes

**Session overview:**

The Government of Punjab, Tamil Nadu and Uttar Pradesh have various schemes for the empowerment of women and children. The Women and Child Development Department monitors the implementation of schemes related to welfare and wellbeing of women in terms of nutrition, health, violence, shelter home for widows, hostel for working women, measures against dowry, gender budgeting and trafficking etc.

The last session of the workshop will be conducted by a state Government official. She/He would explain the existing welfare schemes and how OSCs can link the survivors of violence with the specific schemes and programs. These schemes would help in the economic and social empowerment of survivors of violence.

Detailed government schemes for women and child well-being (**Annexure- XIV**).

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Concluding the workshop

The workshop will conclude with two main activities:

- **Post training assessment:** The trainer will distribute post-training assessment questionnaire to the participants. The questionnaire will comprise multiple choice questions. The participants will choose the best option as per their understanding and learning during the workshop. They would not write their names on the questionnaires given to them.

The trainer would collect the filled questionnaires from the participants and would number each one of it. These would be labelled and kept aside. These participants response would be keyed in later for an in-depth analysis.

- **Distribution of Certificates:** The participants will be provided certificates for participation in the workshop. An informal ceremony would be conducted in the training hall where the state government representative would distribute the certificates along with the trainer of the workshop.

It will be followed by a lively photo session with all.



**Source: Training Workshop, Noida, Uttar Pradesh**  
**Certificate Distribute to participants**  
**Courtesy: SADRAG Team Member**

# **ANNEXURES**

## **ANNEXURE 1**

### **About Gender Based Violence**

#### **Gender Based Violence**

Violence against women and girls is defined as any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Violence against women and girls encompasses, but is not limited to, physical, sexual and psychological violence occurring in the family or within the general community, and perpetrated or condoned by the State.

.....UN Women

#### **Gender-based violence at home**

Home is not a safe space for all. For some people, home can become the manifestation of the worst. Gender-based violence within the home can take different forms with multiple power dynamics operating at the same time. From child sexual abuse, sibling abuse, and emotional abuse by parents perpetrated on the girl child to domestic violence, dowry-related violence, and intimate partner violence, all these manifestations are different forms of gender-based violence at home.

The risk of violence within the home is often normalised because rigid concepts of gender in the family structure are further encouraged in a patriarchal society, legitimising violence in the form of physical aggression, sexual coercion, gaslighting, psychological abuse, and various kinds of manipulative, controlling behaviours.

#### **Violence at institutions and workplace**

Women and members of the LGBTQIA+ community around the world are disproportionately impacted by gender-based violence including sexual harassment and assault at the workplace. Gender-based violence is also prevalent in universities and colleges across the globe. At the university, it includes bullying, harassment, sexual abuse, stalking, as well as the coercive and controlling behaviour of professors who are in positions of power.

At the workplace, gender-based violence can take the form of women being forced to work in an intimidating, hostile environment, being exposed to inappropriate jokes and comments, unwanted physical contact, as well as various unwelcome forms of sexual conduct. Even though workplaces are mandated to have an Internal Complaints

Committee, the implementation of the law on the ground is poor and there is often no accountability on the part of the government or the administration to ensure that all workplaces implement the ***Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act properly and diligently.***

### **Gender-based violence in public places**

Sexual harassment and various forms of sexual violence in public spaces, both in urban and rural settings, are an everyday occurrence for women and girls in every country around the world. From unwelcome sexual remarks and gestures to stalking, rape and femicide, this is a lived reality for women. It happens on the streets, in and around public transportation and at almost every public place. What this in turn does is reduce women's freedom of movement and feeling of safety, becoming a psychological and physical barrier for them to exercise personal autonomy and freedom of mobility.

### **Gender-based violence in cyber space**

In this 21st century digital world that we live in, our online and offline worlds are more integrated than ever. Therefore, gender-based violence manifests in digital spaces in a massive way. Stalking and sexual harassment are now done with the help of digital tools, such as social media and GPS to target women and gender minorities.

Digital tools have also made it easier for the non-consensual creation of derogatory sexual images through artificial intelligence. Furthermore, discrimination, hate speech and cyberbullying are serious forms of online gender-based violence. In a survey carried out by *Plan International*, 58 per cent of young women have said that they experienced online harassment, with half saying they faced more harassment online than on the street. The anonymity and easy access of the internet has made gender-based violence in cyber spaces a frequent, pressing issue.

### **Intersectionality in gender-based violence**

We cannot ignore the relationship between violence and the intersectional identities of individuals while talking about gender-based violence. Caste, class, gender identity, sexual orientation, ethnicity, religion, skin colour, and disability, all play a key role in the perpetration of violence against individuals. The survivors operate under intersecting oppressions, not just on account of their gender but also other socio-economic marginalising factors. All of this affects one's exposure to and experiences of violence.

### **How can gender-based violence be stopped?**

Ending gender-based violence will involve action at all levels: challenging social norms, creating awareness, proactive media representation, supporting the survivors of gender-based violence, strengthening legislation to criminalise violence, and prosecuting the perpetrators without delay. We as a society need to take accountability and

comprehensively address gender-based violence to ensure that it is recognised, remedied and people of all genders find a safe environment to exist and thrive.<sup>5</sup>

## Annexure – II

### Available services at SAKHI-OSC

| S.No. | SERVICES                                      | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SERVICE PROVIDER                                                                                                                  |
|-------|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| 1     | <b>Emergency Response and Rescue Services</b> | For women experiencing violence, SAKHI-OSC provides rescue and referral assistance in association with the National Health Mission (NHM), the 108 service, and the police (PCR Van) for an early and coordinated response and rescue. The survivor is immediately taken to the closest hospital (public/private) or refuge home.                                                                                                                                                                                                   |                                                                                                                                   |
| 2     | <b>Medical assistance</b>                     | Women affected by violence are referred to the nearest hospital for medical aid/examination, following the policies and procedures established by the Ministry of Health and Family Welfare.<br>The SAKHI- OSC makes sure that the hospitals follow the Medico-Legal Case (MLC) examination proforma, and adhere to the New Medico-Legal Guidelines, 2014, developed by the Ministry of Health and Family Welfare for the survivors of sexual violence. The aggrieved woman is provided a copy of the properly completed MLC form. | Centre Administrator through empaneled hospital/ medical practitioner/ paramedical staff. Public and private ambulance providers. |
| 3     | <b>Police Assistance/ Assistance</b>          | The SAKHI-facilitates the filing of an FIR, NCR, or DIR. It makes sure that, wherever possible or available, a female police officer records the testimony of the survivor of sexual assault.                                                                                                                                                                                                                                                                                                                                      | A Police Officer to facilitate the process.                                                                                       |
| 4     | <b>Psycho- social support / counselling</b>   | On-call services for psycho-social counselling are provided by a qualified counsellor. During the counselling sessions, the counsellors must adhere to a set of rules, regulations, and norms.                                                                                                                                                                                                                                                                                                                                     | Empaneled counsellors on pro-bono basis or for honorarium.                                                                        |
| 5     | <b>Legal aid and counselling</b>              | SAKHI-OSC offers legal aid and counselling through empaneled attorneys with National/State/District Legal Service Authority. If the aggrieved women want to                                                                                                                                                                                                                                                                                                                                                                        | Lawyers empaneled with District Legal Services Authority (DLSA/SLSA) or                                                           |

|   |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                |
|---|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
|   |                                    | hire an advocate of her choice, she can do so.                                                                                                                                                                                                                                                                                                                                                                         | empaneled on pro-bono basis or for honorarium.                                 |
| 6 | <b>Shelter</b>                     | The SAKHI- OSC provides temporary shelter up to 5 days to aggrieved women. For long term shelter requirements, arrangements are made in Swadhar Grehs/Short Stay Homes (managed/affiliated with government/NGO). The children up to 12 years of age are allowed to stay with mother.                                                                                                                                   | The Centre Administrator with Swadhar Homes/ other Shelter Homes, Child homes. |
| 7 | <b>Video Conferencing Facility</b> | To facilitate police and judicial processes, the SAKHI-OSC provides video conferencing facilities via Skype, Google Conferencing, etc. The aggrieved woman may use this option to audio-video record her statement, for reference to police and judicial courts. The service is however, provided after consultation with the, District and Sessions Judge and/or Superintendent of Police, of the concerned district. | OSC to facilitate police and judicial proceedings.                             |

### **Annexure - III**

#### **Legislation for women and child**

| <b>General Laws</b>             |                                         |                                                                                                                                                                                                                         |
|---------------------------------|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Nature</b>                   | <b>Name/example</b>                     | <b>Need in cases of VAW</b>                                                                                                                                                                                             |
| Criminal Law                    | Indian Penal Code, 1860 (IPC)           | Covers all forms of crimes including <i>offences</i> against women including domestic violence, sexual harassment, rape, stalking, acid attacks and trafficking                                                         |
| Procedural and evidentiary laws | Code of Criminal Procedure, 1973 (CrPC) | Lays down the <i>procedure</i> to be followed in criminal cases (offences under the IPC and other criminal offences), including investigation, apprehension of suspects, collection of evidence, trials and sentencing. |
|                                 | Code of Civil Procedure, 1908 (CPC)     | Lays down the <i>procedure</i> to be followed in civil cases, including for procedures in suits, collection of evidence and the determination of rights and                                                             |

|                        |                                                                                                             |                                                                                                                                                                      |
|------------------------|-------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                        |                                                                                                             | remedies.                                                                                                                                                            |
|                        | Indian Evidence Act, 1872 (IEA)                                                                             | Lays down evidentiary standards to be followed in criminal trials and civil suits.                                                                                   |
| Family laws            | Laws on marriage and divorce (e.g. Hindu Marriage Act)<br>Laws on guardianship (Guardianship and Wards Act) | Provides for rights in marriages and within the family pertaining to marriage, divorce, custody and guardianship of children, maintenance, residence and inheritance |
| Labor and service laws | Labor Codes, 2022 and other relevant service and labor laws                                                 | Provides for safety requirements, workers' rights, and procedure to be followed in cases of misconduct.                                                              |

#### **Annexure – IV**

##### **Special laws on violence against women and girls**

|                                                                                                                 |                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Protection of Women from Domestic Violence Act, 2005 (PWDVA)</b>                                             | a) Civil orders- protection orders, residence order, orders for monetary relief and temporary custody, compensation order, interim order in cases of domestic violence<br>b) Breach of a civil order is an offence                                                                                    |
| <b>Dowry Prohibition Act, 1961 (DPA)</b>                                                                        | c) Imprisonment and penalties for giving and taking dowry                                                                                                                                                                                                                                             |
| <b>Prohibition of Child Marriage Act, 2006 (PCM ACT)</b>                                                        | d) Injunction to stop child marriages<br>e) Imprisonment/penalties for those involved in child marriages                                                                                                                                                                                              |
| <b>Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act)</b> | f) Inquiry into complaint of sexual harassment at the workplace<br>g) Recommendations for action against perpetrator<br>h) Compensation and other orders affecting employment conditions<br>i) Employer duties to prevent and respond to sexual harassment at the workplace                           |
| <b>Protection of Children against Sexual Offences Act, 2013 (POCSO)</b>                                         | j) Child sexual abuse, including sexual harassment and aggravated child sexual abuse recognized as an offence<br>k) Third parties, such as teachers, can bring complaints on behalf of children<br>l) Access to necessary arrangements to secure a child's safety, including medical and shelter aid, |

|                                                 |                                                                                                                                                                                                                                                                                                                       |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                 | <p>particularly by the police who are also given a protective role under this law.</p> <p>m) Special provisions for the medical examination of children</p> <p>n) Special courts and trials</p> <p>o) Provision for compensation to the child victim, including the child's medical treatment and rehabilitation.</p> |
| <b>Immoral Trafficking Prevention Act, 1956</b> | <p>p) Punishment for those associated in trafficking for prostitution.</p> <p>q) Rescue and rehabilitation of trafficking victims</p>                                                                                                                                                                                 |

## Annexures – V

### A few legal definitions

| <u>Rape</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Under Section 375 of the IPC defines rape to include any or all of the following acts, if committed by a man <b>against the will or without the valid consent</b> of a woman:</p> <ul style="list-style-type: none"> <li>➤ Penetrating the penis into the vagina, mouth, urethra or anus of the woman</li> <li>➤ Inserting any object or part of the body into the vagina, urethra or anus (e.g. inserting a finger into the vagina of a woman) or making a woman do so with him or anyone else</li> <li>➤ Manipulating any part of the body of a woman for as to cause penetration into the urethra, vagina or anus or making her do so with any other person (e.g. forcing a woman to use her finger to penetrate her vagina, or making her do so to another person)</li> <li>➤ Applying mouth to the vagina, anus or urethra of a woman, or forcing her to apply her mouth to the perpetrator or any other person.</li> </ul> <p>Lack of valid consent of the woman happens when any of the above acts takes place:</p> <ul style="list-style-type: none"> <li>• Against her will</li> <li>• Without her consent</li> <li>• With her consent, if such consent has been obtained by causing her fear of death or hurt to herself or someone she knows</li> <li>• With her consent, if she believes that the man, she is engaging with sexually is her husband</li> <li>• With her consent, when, due to unsoundness of mind or intoxication, the woman is incapable of understanding the nature and consequences of the act that she is consenting to.</li> <li>• With or without her consent, if she is under 18 years of age (this is also called statutory rape. See also Section 6 for details on child sexual abuse)</li> <li>• When she is unable to communicate her consent.</li> </ul> <p>Consent is defined as clear, voluntary, unequivocal communication by the woman to the</p> |

sexual act. Lack of physical injuries or active resistance does not imply consent.

Marital rape—non-consensual sex within marriages—is an offence if the wife is under 18 years of age, following the Supreme Court’s judgment in Independent Thought v Union of India in 2017

Under Section 376, the punishment for rape is a minimum of 7 years to life and extendable to life, and fine.

However, in cases of ‘aggravated rape’, the minimum punishment is for 10 years, extendable to life and fine. Under Section 376, ‘aggravated rape’ occurs when the perpetrator:

- a. Is in a *position of authority* over the woman, such as police, public servants or armed forces and the rape happens their area or in their custody.
- b. Is in a *management position or the staff* of any *custodial situation* such as jail, remand home, or any other place established under the law, or a *hospital* that a woman may find herself in
- c. Is in a *relationship of trust or authority* (fiduciary relationship) with the woman, such as a teacher or a guardian; or is in a position of dominance or control over the woman.
- d. Commits rape in the context of *communal or sectarian violence*
- e. Commits rape on a *pregnant woman* or woman *under the age of 16* or a woman who is *incapable of giving consent*, or a woman who is suffering from any *mental or physical disability*
- f. Causes *grievous injury* while committing rape or commits *repeated rape* with the same woman.

Sections 376 A to E provides punishments for rapes committed that result in death or a persistent vegetative state of the victim (S 376A), during separation (S 376 B), in relationships of authority (S376C), gang-rape (when rape is committed by more than one person, repeat offenders. In cases of gang-rape or rendering the victim to a vegetative state or resulting in death, the sentence is a minimum of 20 years extendable to life or a death sentence.

Section 377 penalizes non-consensual sex relations that are ‘against the order of nature’.

## Sexual Harassment

### **Sexual harassment:**

Prior to the 2013 amendments, criminal liability for sexual harassment was covered under Sections 354 and 509 of the IPC that addressed outraging the modesty of women using criminal force or word/gesture/act, respectively. These provisions can still be used in cases of online harassment. Following the 2013 amendments, acts of sexual harassment were criminalized with Section 354A that provided that:

**Sexual harassment** covers all acts of sexual harassment (not limited to sexual harassment at the *workplace*), including unwelcome physical contact or advances, a demand or request for sexual favors, showing of pornography against the will of the woman or making sexually

colored remarks.

Touching without consent or using words/acts/gestures of a sexual nature against a woman belonging to a Scheduled Caste or Tribe also constitutes an ‘atrocities’ under Sections 3(w) (i) and (ii) of the POA.

### **Disrobing, stalking and voyeurism**

**Disrobing:** Section 354B of the IPC criminalizes assault or the use of criminal force against a woman with the intention of disrobing her (depriving her of her clothing) or forcing her to be naked.

**Voyeurism:** Section 354C of the IPC criminalizes any man watching or capturing an image of a woman engaged in a private act in circumstances where she would not expect to be observed by any person, or the distribution of such an image.

**Stalking:** Section 354D of the IPC criminalizes the stalking of a woman by a man including continuous following or contacting a woman or attempts to contact a woman to build a personal relationship with that woman, despite a clear indication of disinterest by such woman. It also includes monitoring of a woman’s use of the internet, email or any other form of electronic communication without legal sanction.

## **Annexure – VI**

### **Offences under the POCSO Act**

| <b>Section</b> | <b>Offence</b>                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Punishment</b>         |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 3 and 4        | <i>Penetrative sexual assault</i><br>Penetrating/ inserting penis, object or part of the body into vagina, mouth, urethra or anus or applying mouth to penis, vagina, urethra or anus or makes the child do so with him/her or any other person                                                                                                                                                                                          | 7 years to life and fine  |
| 5 and 6        | <i>Aggravated penetrative sexual assault</i><br>Penetrative sexual assault amounts to aggravated penetrative sexual assault when it involves a person(s) in positions of trust, authority or with a duty to care for / protect a child, or in cases where it has a grave or irreparable effect on the child. For example, if it is committed by a police officer, public servant, staff in jails, hospitals or educational institutions. | 10 years to life and fine |
| 7 and 8        | <i>Sexual assault</i><br>Any physical contact with sexual intent that a person makes with a part of a child’s body (vagina, penis, breast, anus) or any other act with sexual intent that involves                                                                                                                                                                                                                                       | 3 to 5 years and fine     |

|              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                               |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
|              | physical contact without penetration.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                               |
| 9 and 10     | <i>Aggravated sexual assault</i><br>Similar to aggravated penetrative sexual assault, sexual assault becomes aggravated sexual assault when it involves person (s) in positions of trust and authority or if it has grave and irreparable effects on the child.                                                                                                                                                                                                                                                                 | 5 to 7 years and fine                                         |
| 11 and 12    | <i>Sexual harassment</i><br>When a person, with sexual intent: <ul style="list-style-type: none"> <li>○ Utters words or makes a gesture/sound or exhibits a body part or makes a child do so.</li> <li>○ Shows pornography to a child</li> <li>○ Stalks a child</li> <li>○ Threatens to use real or fabricated depiction of any body part of the child or his/her involvement in a sexual act</li> <li>○ Entices a child for pornographic purposes</li> </ul>                                                                   | 3 years and fine                                              |
| 13,14,15     | <i>Using a child for pornographic purposes</i><br>Using a child in any form of media for the purposes of sexual gratification, including <ul style="list-style-type: none"> <li>a. Representation of the sexual organs of a child</li> <li>b. Usage of a child engaged in real or simulated sexual acts, or</li> <li>c. Indecent or obscene representation of a child</li> </ul> And<br>Storing and possessing child pornographic material, including for transmitting, propagating or displaying or distributing in any manner | 3 to 7 years and fine                                         |
| 16,17 and 18 | <i>Abetment and attempt</i><br>Punishment for <ul style="list-style-type: none"> <li>○ Instigating</li> <li>○ Engaging in conspiracy</li> <li>○ Intentionally aiding offences against children</li> </ul>                                                                                                                                                                                                                                                                                                                       | Abetment- same as the offence<br>Attempt- half of the offence |

**Annexure – VII**  
**Domestic violence as an offence**

Women seeking to file a criminal complaint against their husband or his relatives may use Section 498A of the IPC. Section 498A defines cruelty as:

- Willful conduct that is likely to drive the woman to commit suicide
- Willful conduct that is likely to cause grave injury to life, limb or health of the woman. Health includes both physical and mental health
- Harassment with a view to forcing the woman or her relatives to give property

- Harassment because the woman or her relatives failed to give property.

Section 498A is not restricted to dowry related harassment and can be applied in cases where the woman suffers from physical or mental injury.

Other than Section 498A other general (i.e. non gender specific) provisions can also be applied in cases of domestic violence, such as causing hurt (Sections 323 and 324), grievous hurt (Sections 325 and 326), wrongful restraint (Section 341), wrongful confinement (Sections 342, 343 and 344).

### **Dowry**

Section 2 of the DPA defines dowry to be:

- a) Any property or valuable security given or agreed to be given either directly or indirectly
- b) By one party to the marriage to the other or their parents or any other person related to the other party
- c) At or before or at any time after the marriage in connection with the marriage of the parties
- d) It does not include mahr or dower in case of Muslims
- e) It does not include customary gifts or presents that are given at the time of marriage to the bride or the groom without any demand having been made in that behalf, provided that the presents are entered into a list maintained by the parties
- f) The value of the customary gifts should not be excessive having regard to the financial status of the person by who or on whose behalf such presents were given.
- g) A list of gifts/presents made during the course of marriage must be prepared and maintained.

The DPA criminalizes all demands made for dowry. Dowry is not confined to that given or demanded before or at the time of marriage and there is no time limit as long as the property is demanded and is in connection to the marriage. The DPA also provides that items given as dowry belong to the woman and that she is entitled to the same. Any agreement for giving or taking dowry is illegal—no one can go to court and ask for its enforcement.

The definition of dowry is also referred to in Section 304B IPC on dowry death. Dowry deaths are defined to include unnatural deaths of women, such as due to burns or bodily injury, within 7 years of marriage, in cases where the woman had been subjected to dowry related harassment or cruelty. In such cases, under Section 113B of the IEA, there is a presumption of dowry death, if these conditions are met.

### **Acid Attacks**

Section 326A and B criminalizes throwing, administering or attempting to throw acid on any person irrespective of gender, which causes permanent or partial damage or deformity or burns/maims/disfigures/disables.

The term ‘acid’ includes any substance which has an acidic or corrosive character or burning

nature, which can cause bodily injury leading to scars or disfigurement or temporary or permanent disabilities.

The term of Although this provision is gender-neutral, it is important to note that most instances of acid attacks happen against women.

### **Human trafficking**

Sections 370 and 370 A define and provide penalties for trafficking and exploitation of trafficked children respectively.

Section 370 defines trafficking to include recruiting, transporting, harboring, transferring or receiving any person(s), for the purpose of exploitation, by using threats, force abduction, deception, and abuse of power or payments.

Both provisions provide graded punishments depending on whether the offence is committed against a minor or an adult person, repeated acts, or committed by a public servant or police officer.

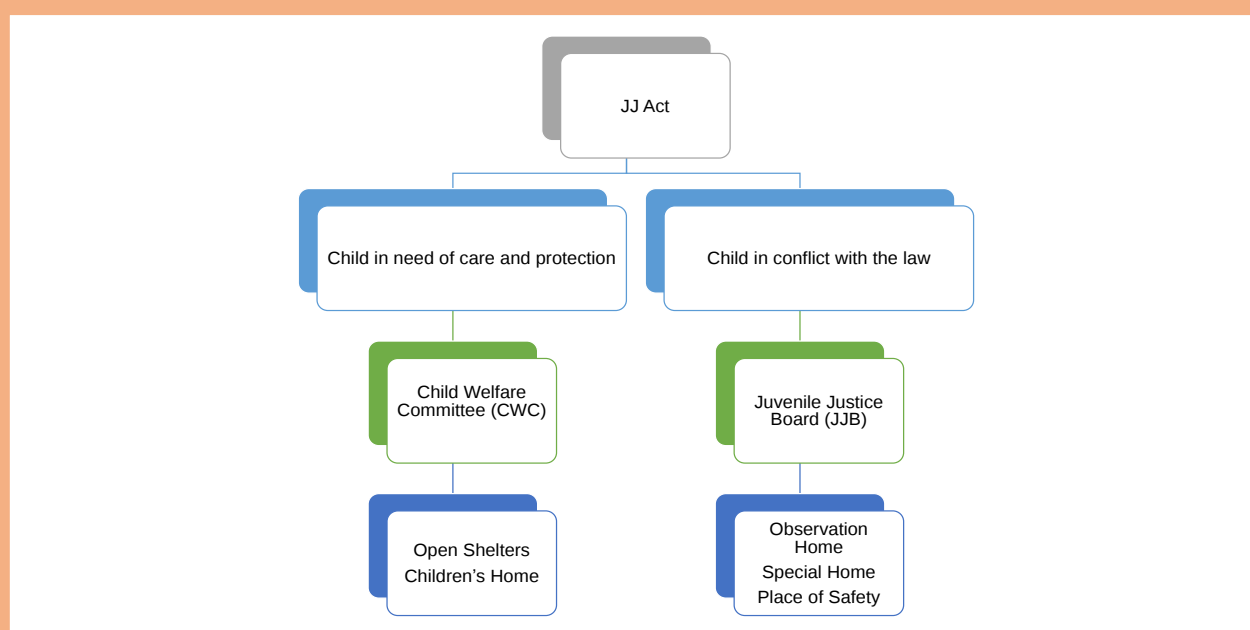
Other than Section 370, the Immoral Traffic (Prevention) Act, 1956 (ITPA) provides penalties for sexual exploitation of victims of trafficking.

## Juvenile Justice Act, 2015

The Juvenile Justice Act, 2015 (JJ Act) provides the legal framework for dealing with children, namely:

1. *Children in conflict with the law* – any child who is accused of or found to have committed crimes.
2. *Children in need of care and protection* – includes any child who is homeless or without any means of subsistence, or is found begging, a street child or a working child, an abandoned, surrendered child or one without a guardian, a missing child, a child victim of conflict/civil commotion/natural calamity, an abused child. (Section 2 (14))

It aims to provide care, protection, development treatment, social re-integration to neglected or delinquent children in need of institutional care, and establishes separate procedures for dealing with the two categories of children.



Under the JJ Act one or more **Child Welfare Committees (CWC)** are established at the district level to inquire into cases involving children in need of care and protection, as well as provide for their basic needs and rights. CWC's may place a child in need of care and protection in a children's home pending inquiries. If the child cannot be restored to his/her family or guardian then he/she can be placed for adoption, foster care, sponsorship or sent to an after-care organization to facilitate his/her reintegration into society upon attaining majority.

The JJ Act mandates that a police officer, not below the rank of an assistant sub-inspector and with appropriate training/orientation, be designated as **Child Welfare Protection Officer (CWPO)** to deal exclusively with children perpetrators/victims. To coordinate the all functions of the police that are related to children, each State Government must constitute a **Special Juvenile Police Unit (SJPU)** in each district or city. SJPUs are headed by officers not below the rank of a Deputy Superintendent of Police (See P-20) and are constituted by CWPOs and two social workers with experience of child welfare—one of whom has to be a woman.

## **ANNEXURE - VIII**

### **Pre-training questionnaire: Learning needs analysis**

This exercise will be administered to participants at the beginning of the training workshop. The purpose of this exercise is to know the level of knowledge and understanding of the training's subject among the participants. Each participant will be given this exercise and they will have to mark it with pen as per the given instructions.

1. Attempt all the questions, each question is mandatory.
2. For each question, tick any one of the options provided as a, b, c and d etc.
3. Complete the exercise and submit it to the Trainer.
4. Don't write your name on the exercise sheet.

1. Is there a difference between sex and gender?

- a) Yes
- b) No
- c) Don't know
- d) None of Above

2. Which of the following is not a Gender Based Violence (GBV)?

- a) Sexual harassment at workplace
- b) Homicide
- c) Sexual assault
- d) Child Marriage

3. Name one of the laws related to GBV

- a) Domestic Violence Act.
- b) POSH ACT
- c) POSCO ACT
- d) All of Above

4. Domestic Violence includes -

- a) Physical and Verbal Abuse
- b) Emotional Abuse
- c) Sexual Abuse
- d) All of Above

5. Cyber- Bullying is -

- a) A form of harassment or bullying perpetrated through the use of electronic or communication devices such as computers, mobile phones, laptops, etc.
- b) A form of harassment perpetrated through the use of the internet.
- c) A form of harassment perpetrated through social media.
- d) All of above.

6. One Stop Centres are meant for -

- a) Women survivor of violence
- b) Men who are abused
- c) Both Men and women

7. One Stop Centres provide facilities to women survivors such as -

- a) Shelter
- b) Register FIR
- c) Legal information
- d) Health check-up
- e) Emotional support
- f) Counselling
- g) All above

8. Women Helpline no. is \_\_\_\_\_.

- a) 181
- b) 191
- c) 121
- d) 108

9. Sexual Harassment of women at workplace is a -

- a) Myth
- b) Fact
- c) Both
- d) Don't know

10. POCSO Act deals with offences against –

- a) Minor
- b) Adult
- c) Both a) and b)
- d) None of above

## **ANNEXURE IX**

### **Post – Training Questionnaire**

This exercise will be administered to participants after the training workshop. The purpose of this exercise is to know the level of knowledge on GBV, OSC after the training sessions. Each participant will be given this exercise and they will have to mark it with pen as per the given instructions.

1. Attempt all the questions, each question is mandatory.
2. For each question, tick any one of the options provided as a, b, c and d etc.
3. Complete the exercise and submit it to the Trainer.
4. Don't write your name on the exercise sheet.

1. What do you understand by Gender?

- a) It is the socially constructed concept
- b) It is the Biological construct
- c) Both a and b
- d) None of Above

2. What is gender-based violence?

- a) Abuse in context of someone's sex
- b) Harm against someone's will
- c) Abuse against women and girls
- d) Abuse against Transgender and LGBTQ community
- e) All of Above

3. One Stop Centres support women in distress through -

- a) Provision of shelter
- b) Emotional support
- c) Police FIR
- d) Counselling
- e) Medical test
- f) Legal support
- g) All of the above

4. How will an aggrieved women access the OSCs support?

- (i) By herself
- (ii) Through a friend, relative, NGO, volunteer, etc.
- (iii) The Women Helpline -181 or any other emergency response helpline
- (iv) All of the above

5. OSC should monitor and follow up with the woman who is provided with help –

- a) Yes
- b) Not necessary
- c) Don't know

6. The shelter in OSC is -
- a) Temporary
  - b) Permanent
  - c) Both
  - d) None of Above
7. Who can file Domestic violence Act?
- a) Survivor herself
  - b) Neighbour and Relative
  - c) NGO
  - d) All of above
8. An External member is important in POSH Committee at workplace –
- a) Yes
  - b) No
  - c) May be
  - d) Not sure
9. The basic features of POSCO ACT are -
- a) Confidentiality of the victim's identity.
  - b) Gender-neutral justice
  - c) Child-friendly investigation and trials.
  - d) All of above.
10. The role of the Case worker is to -
- a) Assist and support Centre Administrator
  - b) Assist PFO (Police Facilitation Officer)
  - c) Assist para-legal personnel/ lawyer
  - d) Maintain all records
  - e) All above

## **ANNEXURE X**

### **Registration Form (Session 3 – Case Management)**

| <b>REGISTRATION FORM</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Registration No:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Date: |
| <p>1. Name (in capital letters):</p> <p>Aggrieved Women:</p> <p>Referred by:</p> <p>2. Address <span style="float: right;">Contact No.</span></p> <p>3. Response Required:</p> <p style="text-align: center;">Emergency <span style="margin-left: 100px;">Non-Emergency</span></p> <p>4. In case of Emergency:</p> <p style="text-align: center;">Police: <span style="margin-left: 100px;">Medical Assistance/Services:</span></p> <p>5. Present address/location (Mention Landmark)</p> <p>6. In case of non-emergency</p> <p style="margin-left: 20px;">(i) Has she filed an NCR/FIR/DIR?</p> <p style="margin-left: 20px;">(ii) In case Yes, Details of the same:</p> <p>7. Assailants:</p> <p style="text-align: center;">Number of Assailants: <span style="margin-left: 100px;">Relationship with the assailant:</span></p> <p style="margin-left: 20px;">Name of assailant:</p> <p>7. Police station nearest to residence: <span style="margin-left: 100px;">Police station nearest to incident:</span></p> <p>8. History of Violence:</p> <p>9. Expectations from the centre (In the woman's words):</p> <p>10. Feedback from the caller about the case, suggestive course of action:</p> <p>11. Recourse Undertaken:</p> |       |

## ANNEXURE XI

### (Session 4 – Systematic Documentation of Cases)

#### MONTHLY PROGRESS REPORT

- **Reporting Month/Year:** -----
- **Name of the Location :** -----
- **No. of meetings of Management Committee held for review the progress/ function of the centre :-** -----
- **Orientation & sensitization programme:**
  - No. of orientation/workshop organized for Government officers/ /Judiciary/Legal Expert/Police officers/ NGOs/Staff of OSC: -----
  - No. of participants attended the orientations/workshops:- -----
- **No. of awareness generation activities organized (if any) :** -----
- **No. of cases registered at the centre and service provided:**
- **Domestic violence cases:**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

- **Rape:**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

- **Sexual Offence / Sexual Harassment :**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

- **Acid Attack :**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

- **Trafficking of Women :**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

- **Child sexual abuse:**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

- **Child Marriage:**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

• **Missing/kidnapping/abduction :**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

• **Cyber Crime:**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

• **Dowry Harassment/ Death:**

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

- Any other crime:

| Age group<br>(in<br>yrs) | No. of cases<br>registered |                 | Service/assistance provided |         |        |                                             |         |              |
|--------------------------|----------------------------|-----------------|-----------------------------|---------|--------|---------------------------------------------|---------|--------------|
|                          | Direct                     | On<br>reference | Legal<br>aid/cou<br>nseling | Medical | Police | Psycho-<br>social<br>support/coun<br>seling | Shelter | Any<br>other |
| <b>Below 18</b>          |                            |                 |                             |         |        |                                             |         |              |
| <b>18-35</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>35-60</b>             |                            |                 |                             |         |        |                                             |         |              |
| <b>60 and<br/>above</b>  |                            |                 |                             |         |        |                                             |         |              |

- No. of visits conducted by State officers: -----
- Documentation of at least one case study/success story of a women with a positive end (as per the sample enclosed)

## **ANNEXURE XII**

### **(Session 4 – Systematic Documentation of Cases)**

#### **SUCCESS STORIES: CASE STUDY FORMAT**

This is the story of \_\_\_\_\_<sup>5</sup> from \_\_\_\_\_ village;  
 \_\_\_\_\_ district \_\_\_\_\_ who has been living in \_\_\_\_\_ shelter  
 home. She is \_\_\_\_\_ years old and belongs to a \_\_\_\_\_ community.  
 She came to the Centre on \_\_\_\_\_ to access legal support in relation to the abuse she had  
 been facing for the past \_\_\_\_\_ years. She was referred to a lawyer immediately and we  
 ensured that we followed up on her case every 15 days to understand the progress she had  
 made in consultation with the lawyer from DALSA.

Story after this.....

**Key gender responsive and gender just lessons learnt from the case study- What went well,  
 What could have been done better, What didn't work well in the handling of the case**

Prepared By:

Approved By (with seal):

<sup>5</sup> Urgent consent has to be taken from the survivor

### **ANNEXURE XIII**

#### **(Session 4 – Systematic Documentation of Cases)**

#### **QUARTERLY STATEMENT OF EXPENDITURE**

##### **One Stop Centre (OSC)**

Name of the State/UT \_\_\_\_\_

Financial Year

Quarter: I (Apr-June)

II (Jul-Sept)

III (Oct-Dec)

IV (Jan-Mar)

#### **PART A: HALF YEARLY OSC BUDGET**

##### **UTILISATION CERTIFICATE**

Certified that out of the total amount of ` \_\_\_\_\_ released under One Stop Centre (OSC) during 20\_\_ - 20\_\_ to the State/UT of \_\_\_\_\_ by Government of India up to half yearly I / II, a sum of ` \_\_\_\_\_ has been utilized for the purpose for which the amount was released as per Scheme norms. Out of this, ` \_\_\_\_\_ was utilized in the current Half Year (I / II).

**Signature and seal of the Authorized Officer**

## **PART B: PHYSICAL**

*In Quarter*

*I/ II/ III/ IV*

*Cumulative upto the Quarter I/ II/ III/ IV*

### **1. Meeting of Committee**

No. of state steering committee meetings held to review the function of the centre -----

a. No. of Meetings of Management Committee held for review the progress/function of the centre -----

### **2. Orientation & sensitization programme**

a. No. of orientation/workshop organized for Government officers/ i. Elected representative/Judiciary/Legal Expert/Police officers/

ii. NGOs/Staff of OSCC -----

b.No. of participants attended the orientations/workshops:- -----

### **3. No. of awareness generation activities organized (if any)** -----

### **4. Number of Cases registered at Centre:-**

a. Domestic violence

i. Below 18 yrs -----

ii. 18-35 yrs -----

iii. 36-60 yrs -----

iv. 60 and above -----

b. Rape

i. Below 18 yrs -----

ii. 18-35 yrs -----

iii. 36-60 yrs -----

iv. 60 and above -----

c. Sexual Offence / Sexual Harassment

i. Below 18 yrs -----

18-35 yrs -----

36-60 yrs -----

iv. 60 and above -----

d. Acid Attack

i. Below 18 yrs -----

ii. 18-35 yrs -----

iii. 36-60 yrs -----

iv. 60 and above -----

e. Women trafficking

i. Below 18 yrs -----

ii. 18-35 yrs -----

iii. 36-60 yrs -----

iv. 60 and above -----

|                                 |       |
|---------------------------------|-------|
| a. Child sexual abuse           |       |
| i. Below 18 yrs                 | ----- |
| ii. 18-35 yrs                   | ----- |
| iii. 36-60 yrs                  | ----- |
| iv. 60 and above                | ----- |
| b. Missing/kidnapping/Abduction |       |
| i. Below 18 yrs                 | ----- |
| ii. 18-35 yrs                   | ----- |
| iii. 36-60 yrs                  | ----- |
| iv. 60 and above                | ----- |
| h. Child Marriage               |       |
| i. Below 18 yrs                 | ----- |
| ii. 18-35 yrs                   | ----- |
| iii. 36-60 yrs                  | ----- |
| iv. 60 and above                | ----- |
| i. Cyber crime                  |       |
| i. Below 18 yrs                 | ----- |
| ii. 18-35 yrs                   | ----- |
| iii. 36-60 yrs                  | ----- |
| iv. 60 and above                | ----- |
| j. Dowry Harassment/ death      |       |
| i. Below 18 yrs                 | ----- |
| ii. 18-35 yrs                   | ----- |
| iii. 36-60 yrs                  | ----- |
| iv. 60 and above                | ----- |
| k. Any other                    |       |
| i. Below 18 yrs                 | ----- |
| ii. 18-35 yrs                   | ----- |
| iii. 36-60 yrs                  | ----- |
| iv. 60 and above                | ----- |
| <b>Total</b>                    | ----- |

## 5. Services provided at centre:

- a. No. of legal aid/counseling support provided -----
- b. No. of medical assistance provided -----
- c. No. of police assistance services provided -----
- d. No. of cases in which Shelter support required -----
- e. No. of Psycho-social support/counseling support provided -----
- f. No. of cases in which survivor linked with the government Scheme -----

## 6. No. of case study/success story of women documented/reported -----

## 7. Monitoring

- i) No. of visits conducted by State officers -----

## **PART C: FINANCIAL**

(*In lakhs*)

1. Funds released during previous financial year by GoI \_\_\_\_\_
2. Expenditure incurred in previous financial year \_\_\_\_\_
3. (a) Unutilized balance of previous financial year (1-2) \_\_\_\_\_  
 OR  
 (b) Excess expenditure incurred in previous financial year (2-1) \_\_\_\_\_
4. Funds released upto previous Quarter in current year by GoI \_\_\_\_\_
5. Funds released during the current Quarter by GoI \_\_\_\_\_  
 (Sanction Order No. \_\_\_\_\_ Date: \_\_\_\_\_)
6. Cumulative release during the year (4+ 5) \_\_\_\_\_
7. Net Central funds available (6 + 3(a) OR  
 6 – (b) as the case may be) \_\_\_\_\_

### **8. Expenditure incurred during the Quarter (*in lakhs*)**

**Cumulative up to In Quarter the Quarter**

**I / II/ III/ IV**

**I/ II/ III/ IV**

#### **a. Recurring Expenditure:**

- a) One Stop Centre Management:-----
- b) Stationary (Cartridge, Paper etc.):-----
- c) Electricity: -----
- d) Telephone/Fax: -----
- e) Catering/Food: -----
- f) Clothing & Medicine & Kit etc.:-----
- 
- g) Training, IEC, Advocacy: -----
- h) Transportation: -----
- i) Any other item out of Contingency fund: -  
 -----

#### **b. -Non-recurring Expenditure:**

- a) Refurbishment of Existing facility: -----  
 -----
- b) Refrigerator: -----
- c) Computer Peripherals (Desktop, Printer, Scanner): -----
- d) Telephone, Fax, Internet, Modem: -----  
 ---
- e) Furnishing for the ward (bed, side table, chair) mattresses: -----
- f) pillows and curtains:-----
- g) Furnishing for other rooms: -----
- h) CCTV Camera: -----

iii. **Construction of the centre, if required**

**9. Grand Total 8 (i)  
+8 (ii) + 8(iii)**

10. Utilization Funds (7-9) :

11. Saving, if any along with reasons:

12. Gender responsiveness in the financial management systems of the OSC: A short summary to make a qualitative assessment of the utilisation and expenditure of funds from the gender responsive perspective as to whether the planning and expenditure of funds in OSC has made provisions to address the needs of the women and help mitigate the challenges due to gender discrimination and violence faced by them.

## ANNEXURE - XIV

### Schemes for women and child wellbeing in Punjab state

1. **Bebe Nanki Laadli Beti Kalyan Scheme** – The scheme was launched in 2011-2012 under the 13th Finance Commission with an objective of taking "measures to improve sex ratio". The scheme aims to prevent sex-selection and sex-determination as per the Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1995 and ensure better education to the girls. The scheme provides financial assistance to the families where a girl child is born to reduce the stigma of raising the child as a burden. The financial aid is given to families in various stages of the child's life up to the age of 18 years. Rs. 20,000 are deposited in L.I.C per girl child/per beneficiary and Rs. 61,000 will further be given out by L.I.C, to the family at different intervals of time.

The beneficiaries eligible for the scheme are girls born after 1<sup>st</sup> January 2011 with family (annual income of <₹ 30,000) that are permanent residents of Punjab. Girls born after 1<sup>st</sup> January 2011, resident of orphanage and children's homes in the Punjab. No aid can be provided to beneficiaries or families, if the girl child has dropped out of school for any reason.

2. **Mai Bhago Vidya Scheme** – The scheme was launched in 2011-2012 by the state. The aim of the scheme is to increase the enrolment of female students in government schools. It also aims to reduce the dropout rate for female students. The scheme provides free bicycles to female students enrolled in class 9 to class 12 in government schools.
3. **Home for Widows and Destitute Women, Jalandhar** – The Home for Widows and Destitute Women with no economic and social support was created in 1968. It provides Rs. 2,000 to the home residents for their daily needs apart from shelter, water, electricity and medical facilities. The home has a capacity of 250 women.
4. **State Protective Home, Jalandhar** – The protective home was established under The Immoral Traffic (Prevention) Act, 1956. Its aim to prevent sexual exploitation to girls and women. The home gives admission to women above 18 years of age, in need of care or protection or by the order of court. The residents are provided with ₹ 2,000 for basic needs as well as vocational training and education.
5. **Balri Rakshak Yojna** – The scheme was launched in 2007. The scheme provide a monthly financial aid to families (outside taxable income) with up to 2 girl children and no male child. It gives Rs 500/month for one girl child and ₹ 700 for two, after which the family adopts terminal method of sterilization. The aim of the scheme is to balance the sex-ratio in the state and encourage the adoption of contraceptive methods including sterilization among families. Though this scheme has its benefits, the impact of two-child norm can lead towards exclusion of many families.

6. **Kanya Jagriti Jyoti Scheme** – The scheme was launched under the National Policy on Education (1986). The aim of the scheme is to reduce the school dropout rate of female students in the state. The scheme provide Rs 5000 at the time of birth of a girl child in families (below poverty line), who adopt two child norm and an annual scholarship fund of Rs1200 and Rs 2400 will be provided to them until the girl child turns 18 of years of age. Apart from its benefits, the scheme can be exclusionary to families with below poverty line income and more than 2 girl children.
7. **Swasth Kanya Yojna** – The scheme was launched in 2016-2017 by the State. The aim of the scheme is to improve the health and educational status of girls. The female students studying in government schools will be provided with free school bags and stationery items and a ‘Benefit Eligibility Card’. They will also be provided with a ‘Kanya Health Care Kit’, on a monthly basis.

### **Schemes for women and child wellbeing in the state of Tamil Nadu**

#### **Marriage Assistance Schemes**

1. **Moovalur Ramamirtham Ammaiyar Ninaivu Marriage Assistance Scheme transformed as Moovalur Ramamirtham Ammaiyar Higher Education Assurance Scheme during 2022-23:** Cash incentive of Rs. 1000/- will be sanctioned till the completion of first higher education on monthly basis to eligible girl students who have studied from 6<sup>th</sup> to 12<sup>th</sup> Std in Government Schools
2. **Dr. Muthulakshmi Reddy Ninaivu Inter -caste Marriage Assistance Scheme:**  
**Type I:** Either spouse should be from Scheduled Caste or Scheduled Tribe while the other spouse may be from any other community.  
**Type II:** Either of the spouse should be from forward or other community and the other spouse from BC/ MBC
3. **Cash Assistance of Rs. 25,000/-** is given for Non-Graduates. Rs 15,000 is deposited in the bank and Rs. 10000/- is given in the form of National Saving Certificate along with 8 grams gold coin for making Thirumangalyam. After 5 year they can receive the amount of Rs 10,000/- with interest
4. **Cash Assistance of Rs. 50,000/-** is given for Graduates / Diploma holders. Rs 30,000 is deposited in the bank and Rs. 20,000/- is given in the form of National Saving Certificate along with 8 grams gold coin for making Thirumangalyam. After 5 year they can receive the amount of Rs 20,000/- with interest.
5. **E.V.R. Maniammaiya Ninaivu Marriage Assistance Scheme for Daughters of Poor Widows:** Under this scheme the annual income of the family should not exceed Rs. 72,000/- and Rs 50,000/- is given as marriage assistance. Similarly for those who have completed 10<sup>th</sup> and 12<sup>th</sup> standard and for diploma holders Rs.25,000/- and 8grams gold coin is given.
6. **Annai Theresa Ninaivu Marriage Assistance Scheme for Orphan Girls:** There is no income ceiling for availing the benefits under this scheme. Rs.50, 000/- along with 8 gram gold coin is given as marriage assistance. Similarly for those who have completed 12<sup>th</sup> standard and for diploma holders Rs.25, 000/- and 8 grams gold coin is given.
7. **Dr. Dharmambal Ammaiyar Ninaivu Marriage Assistance Widow Remarriage Scheme:** Cash Assistance of Rs. 25,000/- is given for Non-Graduates. Rs 15,000 is deposited in the bank and Rs. 10000/- is given in the form of National Saving Certificate along with 8 grams gold coin for making Thirumangalyam. Cash Assistance of Rs. 50,000/- is given for Graduates / Diploma holders. Rs 30,000 is deposited in the bank and Rs. 20,000/- is given in the form of National Saving Certificate along with 8 grams gold coin for making Thirumangalyam.

- **Girl Child Protection Scheme:**

1. Scheme I: For Single Girl Child an amount of Rs 50000/- is deposited initially
2. Scheme II: For 2 Girl Children an amount of Rs. 25000/- for each girl child is deposited initially.

**Salient Features of the Scheme are as follows:**

- Family should have only one/two female children and no male child. In future, no male child should be adopted.
- Either of the parents should have undergone sterilization within 40 years of age
- The parents should be a domicile of Tamil Nadu for a period of 10 years at the time of submitting the application.
- Annual family income should be less than Rs.72,000/-
- The application should be submitted before the child completes 3 years of age for Scheme 1 and before the second child completes 3 years of age for Scheme II.
- In case of birth of more than one girl child in first or second delivery, they will be benefited under Scheme II.
- **Government Working Women Hostel:** In order to help working women from poor background and middle class families, working women hostels are run by the government. They have to pay Rs. 200 as monthly rent and share the food expenses, electricity and other charges.
- **Old Age Homes:** Tamil Nadu is one of the pioneer states which is effectively implementing the Schemes benefiting elder persons through old age homes. The Government of Tamil Nadu is supporting NGOs to run Old Age Homes by providing maintenance grants

There are **3 types of Old Age Homes** functioning with State and Central Government Grants.

- (a) Old Age Homes with State grants
- (b) Integrated Complexes of special homes for senior citizens and destitute children with State grants
- (c) Integrated Programme for Senior Citizens with Central Govt. Grants

- **Sathyavanimuthu Ammaiyar Ninaivu Free Supply of Sewing Machine Scheme** was implemented for women below 40 years. . Under this scheme the annual income of the family should not exceed Rs. 72,000/-
- **Third Gender Welfare Scheme:** Tamil Nadu was the first state in the country to constitute the Third Gender Welfare Board. Identity Cards are provided to Third Genders. Rs. 1,000 is provided as pension to Third Genders above 40 years of age. Government provides support to individual Third genders and Self Help Groups to start economic activities. Government also provides Skill Training and supports them to pursue higher education
- **Awareness on Child Marriage:** The Social Welfare Department is launching awareness programmes in response to the alarming high number of child marriages that have been recorded in the state. The department intends to collaborate with the Rural and the State department of education as school reporting can stop majority of child marriages.

### **Schemes for women and child wellbeing in U.P. state**

- **Uttar Pradesh Rani Laxmi Bai Mahila Evam Bal Samman Kosh (2015)**- Under this scheme, funds will be provided for the victims of heinous violence, for immediate medical, economic and maintenance relief, and also for maintenance and education of minor children of the state if required. There are also provisions for financial compensation and other reliefs.
- **Mahila Shakti Kendra Scheme** – To address issues related to women such as domestic violence, dowry, education, health rights, gender, sexual violence, etc. and linking rural women and adolescent girls with government schemes.
- **Ujjwala Yojana** - A Scheme for Prevention of trafficking and Rescue, Rehabilitation and Re-integration of Victims of Trafficking and Commercial Sexual Exploitation. Fees, food, clothing, bedding, vocational training, medical facilities and legal aid are provided. It is being operated in 02 districts of the state.
- **Scheme for Promoting Widow Remarriage (Under age of 35 Yrs)**
- **Grant aid to the Marriage of Widows Daughters**
- **Financial assistance scheme to Women Victims of Dowry**
- **Legal Aid Scheme to Women Victims of Dowry**

#### **Shelter provisions:-**

- **Government Women Shelter / Protection Home** - Provision of free health, education, clothing, bed maintenance, skill development training etc. to the women (affected by domestic violence) residing in shelters/protection homes. At present it is operating in 12 districts of the state viz. Agra, Gorakhpur, Mathura, Etawah, Varanasi, Ayodhya, Moradabad, Meerut, Lucknow, Prayagraj, Bareilly and Kanpur city. Inmate capacity of 725 residents.
  - **Swadhar Yojana** – Provision for free food, clothes, bedding, vocational training, medical facilities and legal aid. 14 functional Swadhars are there in 11 districts of the state. 1000 beds Krishna Kutir Ashray Sadan for destitute women
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