

## **A SCHEME FOR WOMEN IN DIFFICULT CIRCUMSTANCES i.e. SWADHAR GRAH**

### **A. Background:**

Recognizing the need to prevent women from exploitation and to support their survival and rehabilitation, the scheme of *Short Stay Home* for women and girls was introduced as a social defense mechanism, by the Department of Women and Child Development, Ministry of Human Resource Development in 1969. The scheme is meant to provide temporary accommodation, maintenance and rehabilitative services to women and girls rendered homeless due to family discord, crime, violence, mental stress, social ostracism or are being forced into prostitution and are in moral danger. Another scheme with the similar objectives namely *Swadhar – A Scheme for Women in Difficult Circumstances* was launched by the Department of Women and Child Development in 2001-02. The scheme through the provisions of shelter, food, clothing, counseling, trainings, clinical and legal aid aims to rehabilitate such women in difficult circumstance.

Centre for Market Research and Social Development, New Delhi conducted an evaluation in 2007 to assess the performance of both the schemes. The evaluation report while citing the effectiveness and positive impact of measures adopted under the schemes for counseling and rehabilitation found that the profile and category of inmates, admission procedure, counseling, quality of service, vocational training, rehabilitation and follow up procedure are almost similar in both the schemes. It therefore recommended merger of these two schemes for better functioning and outcomes with lesser administrative burdens and procedures. It also recommended that the new scheme should focus on establishing one such home in every district with mandatory provision of a women helpline.

The positive findings of the evaluation study has encouraged the Ministry to propose this new scheme that would target the women victims of unfortunate circumstances who are in need of institutional support for rehabilitation so that they could lead their life with dignity.

### **B. Vision:**

The scheme envisions a supportive institutional framework for woman victim of difficult circumstances so that she could lead her life with dignity and conviction. It envisages that shelter, food, clothing, and health as well as economic and social security is assured for such women. It also envisions that the special needs of these women are properly taken care of and under no circumstances they should be left unattended or abandoned which could lead to their exploitation and desolation.

### **C. Objectives:**

One home will be set up in every district with capacity of 50 inmates, which could be expanded up to 100 in case of need with the following objectives:

- To cater to the primary need of shelter, food, clothing, medical treatment and care of the women in distress and who are without any social and economic support.
- To enable them to regain their emotional strength that gets hampered due to their encounter with unfortunate circumstances.
- To provide them with legal aid and guidance to enable them to take steps for their readjustment in family/society.
- To rehabilitate them economically and emotionally.
- To act as a support system that understands and meets various requirements of women in distress.
- To enable them to start their life afresh with dignity and conviction.

**Note:** For metro cities and other district of more than 40 lac populations more than one Home could be established.

### **D. Strategies:**

These objectives would be pursued through the provision of the following:

- Temporary residential accommodation with or without the provision of food, clothing, medical facilities
- Vocational and skill up gradation trainings for economic rehabilitation of such women
- Counseling, awareness generation and behavioral trainings
- Legal aid and Guidance
- Counseling will also be provided through the help of telephone.

### **E. Beneficiaries:**

The target group of the Scheme will be:

- Women who are deserted and are without any family support,
- Widows survivors of natural disaster who have been rendered homeless and are without any social and economic support.
- Women affected by HIV/AIDS.
- Women prisoners released from jail and are without family, social and economic support.
- Women victims of domestic violence, family tension or discord, are made to leave their homes without any means of subsistence and have no special protection from exploitation and/ or facing litigation on account of marital disputes.
- Trafficked women/girls rescued or runaway from brothels or other places where they face exploitation. However such women/ girls should first seek assistance under UJJAWALA scheme in areas where it is in operation.
- Children of such women in Home, girls up to the age of 18 years and boys up to the age of 12 years, would be allowed to stay in the Home with the mother.
- Women affected by domestic violence could stay up to one year. For other categories of women, the period of stay could be up to 3 years. The older women above the 55 years of age may be accommodated for maximum period of 5 years after which they will have to shift to old age home or such other institution.

#### **F. Implementing Agencies and Eligibility Criteria**

Any of the following agencies/organizations can seek assistance under the scheme:

- State Government agencies including Women Development Corporations set up by the State Government
- Urban Municipal Bodies including Cantonment Boards
- Panchayati Raj Institutions

- Ministry of Women and Child Development in the State Governments which may construct home, and lease them to organization(s) having requisite experience for such period(s) as deemed fit, for managing the operations under this scheme.
- Self Help Groups, Civil Society Organizations having proven track record of working in the fields of women's welfare/social welfare/ women's education subject to the condition that such organization is registered under the Indian Societies Registration Act, 1860 or any relevant State Act; Public Trusts registered under any law for the time being in force, and Co-operative institutions meeting the following criteria:
  - It should be either recognized by the State/UT administration under any existing scheme/law or should be well known with the experience of working in the field for at least 3 years, and its work should be reported to be satisfactory by the State Government/Union Territory Administration concerned,
  - It should ordinarily have been engaged in the field of women's welfare/social welfare/women's education for a minimum period of two years prior to the request for grant-in-aid under the scheme,
  - It should have facilities, resources, personnel and experience to undertake the management of such a project,
  - Its financial position should be sound to take care of expenditure for a few months in case the grant is delayed.
  - It should run the home on a no - profit basis.
  - **The organization should have facilities like computers, internet connections etc. at the home.**
  - **NGO will be given sanctions for Swadhar Home for a period of 5 years to begin with. After the expiry of period, it will be renewed for a further period of 5 years each time.**

**G. Components of the Scheme:**

- Construction grant to State Government only, land to be provided by the State Government free of cost.

- Rent for home, if run in a rented building.
- Assistance for recurring and non recurring expenditure for management of home
- Provision for food, shelter, clothing, medical care, pocket expense for inmates and children
- Provision of counseling, legal aid, vocational training and guidance.
- Provision of helpline.

#### **H. Pattern of Assistance:**

The implementing agencies may seek assistance for all the components as mentioned above under the Scheme. However, assistance can be sought for a few components provided that the other facilities are available to assist the women in difficult circumstances.

- i. Assistance for Construction:** Government shall grant assistance for construction of rooms/cottages/ huts for the shelter of the inmates and common facilities like kitchen, bathroom, training hall, recreation room, dining hall office room etc and infrastructure facilities like water, electricity, approach road, boundary wall etc. The cost of construction would be shared by Central Government and the State Government in the proportion of 75% and 25% respectively. The central Government's share shall be subject to a ceiling of Rs.1,00,000/- per inmate with a provision of 10% increase in the Construction Cost after every three years from the date of notification of the scheme.
- ii. Assistance for Rent:** The amount of rent of the building would be shared between Centre and the implementing organization in proportion of 90% and 10% respectively subject to a maximum of Rs.25,000/- per month for a home intended for 50 inmates. It would however, be ensured that the building is not located in high rent areas. Reasonableness of the rent should be certified by the District Collector/State PWD. An increase upto 10% in the rent would be considered after every three years subject to the actuals. Implementing agencies that have their own buildings would be entitled for maintenance cum upkeep grant of 50% of the amount of rent of a home of equivalent capacity.
- iii. Administration and Management:** The indicative provision of staff for a 50 inmate home with women's helpline would be as under which would also include a provision of annual increment in the salary @ 2.5% per annum:

(Amount in Rupees)

S. No	Name of the Post	No. of Posts	Remuneration (Monthly)	Remuneration (Yearly)
1	Resident Superintendent Cum Counsellor	1	15000	180000
2.	Assistant Superintendent cum Counsellor	1	12500	150000
3	Office Assistant cum DEO	1	8000	96000
4	Multipurpose workers	2	5000	120000
5	Guard/Watchman	2	5000	120000
Total				<b>6,66,000</b>

- The legal assistance requirements of the beneficiaries shall be met through the District Legal Services Authority.

iv. **Other Recurring Expenditure:** The following recurring expenditure for the home of 50 inmates shall be sanctioned:

(Amount in Rupees)

S. No	Particulars	Unit	Expenditure (Monthly)	Expenditure (Yearly)
1	Expenditure towards food #	Per inmate	1500/-	900000
2	Expenditure towards clothing #	Per inmate	-----	50000
3	Expenditure towards medicines, personal hygiene products etc. #	Per inmate	200/-	120000
4.	Pocket Money #	Per inmate	100/-	60000
4	Food for Children #	Per child	1000/-	\$
5	Clothing for Children #	Per child	500/-	\$
6	Expense for Recreational activities	Consolidated		12000
7	Reimbursement of fees for vocational training under NCVT approved plan and certificate to be issued	Reimbursement of training and examination fees at the rate fixed by the Labour Dept./ NCVT		As per actual
8	For Helpline		3000/- or actual whichever is less	36000
9	Contingency	Per home		50000
Total				<b>12,28,000</b>

\$ on the basis of actual number of children.

**# for the women in the age group of 25 to 35 and their children will get all the benefit only for a period of 3 month and after that they will get the facilities of accommodation only and they will arrange all their expenses from their own resources.**

- Vocational Training: Arrangement would be made by the organization for providing vocational training to the women through the Vocational Training Institute recognized by Directorate General of Employment and Training under the Ministry of Labour and Employment. Training and examination fee would be reimbursed on submission of the certificate issued by the vocational training institute on successful completion of training.
- In addition, the following provisions would also be provided:
  - Annual Increment in the recurring expenditure @ 5% per annum.
  - Every woman would be provided with a Photo ID card till such time as the proposed UID are operationalised.

**v. Non Recurring Expenditure:**

- One time non recurring grant of Rs.7500/- per women inmate for purchase of necessary items including furniture, beds, bedding utensils etc.

**vi. Other Provisions**

- Health Check up and medical facilities will be tied up with local civil hospital/CHC/PHC.
- **Norms for Residential Space:** The home should provide such residential facilities that would ensure a respectable and dignified standard of living for inmates. Accordingly every home should provide a residential space upto 80 sq. ft per inmate excluding common space and utilities. Besides, every home should be properly ventilated with adequate facilities of bathrooms, toilets, and dining hall.

## **I. Guidelines/Instructions for Admission Policy, Services to provided and Maintenance of Records of the Homes**

- When women come to such homes either on their own or are referred by others, the first step will be to know their social background, the cause of their distress and the problem of adjustment. A specialized interview and case file would be developed by the counselor (until a standard protocol is developed by MWCD and circulated), to assist her overcome her initial trauma as well as to identify the suitability of services available at home as per needs of the victim.
- The first series of interviews by the counselor/ superintendent and the primary stage of diagnosis of the problem are the most vital in deciding the rehabilitation programs for the women. If on diagnosis, it is found that facilities provided at the home are suited to meet the needs of the victim, the applicant may be admitted and provided services for rehabilitation. If it is found that the services offered at the home would not meet the problem of the applicant, she should be referred to other suitable institutions in the community, e.g., women victims of trafficking should avail the benefits under UJJAWALA scheme.
- On arrival, she should be registered in the admission register with details such as name, address, age, details of children (if any), description of the problem and source of reference.
- Each case should have a separate file with complete case record, addresses of relatives, referral letters and other letter pertaining to the court case, police etc. A record of assistance provided should also be maintained like meetings held in connection of the case with various authorities, medical checkups conducted etc. These case files should be updated and open for inspection to any officer of the Government any time.
- The case file should also contain a plan of action for the rehabilitation of each resident and her children (if accompanied) and the steps taken for their rehabilitation.
- The information of each and every victim admitted in the home should be sent to the nearest police station within 48 hours and an acknowledgement/copy of FIR be kept on record.
- A separate case register is to be maintained for the children of beneficiaries, which will reflect the services provided to them including the expenditure incurred on the activities.

- If the women brings any valuables with her (gold, silver, jewelry etc) the details should be entered in a register meant for the purpose and counter signed by the Resident Superintendent and the resident. The valuables should be kept in safe custody and handed over to her when she leaves the institution.
- Every woman would be provided with a Photo ID Card till such time as the proposed UID Cards are operationalised.
- A medical check- up of every woman would be undertaken within 3 days of her admission. The arrangement of medical check-up should made by the organization in the nearest government run hospital/dispensary. Cases requiring urgent medical attention should be referred to nearest government run hospitals.
- In case the resident is known to have contracted HIV/AIDS or is HIV+, she should be referred to the VCTC centre of the nearest government run hospital for counseling and advice.
- Adequate medical facilities including medical kit should be maintained at each home. The medical kit should include basic items like antibiotics, burn creams, tape, bandages, strips for wound closure and management, scissors etc.
- There should be facilities for recreation and group activities. Facilities for indoor and outdoor games should be provided. They should be taken out for cultural shows, outings, movies, picnics, and exhibitions etc at least once a month. The home should also celebrate different religious festivals, Republic Day, Independence Day and the birthdays of the children with active involvement of inmates. Each home should have a provision of television for inmates.
- The implementing agency would be responsible for the provision of vocational training of the inmates through Skill Development Initiative (SDI) scheme of Ministry of Labour and Employment. The Ministry would reimburse the amount of fees as per the actual expenditure incurred in the training course.

**O Sanction of the proposal:**

- (I) First time applications in the prescribed form complete in all respect and duly approved by State Govt. should be submitted to the Ministry of Women and Child Development, Government of India, Shastri Bhavan, New Delhi through the relevant State level Empowered Committee. In case of subsequent applications or request for continuation of grant, the application should be submitted to the MWCD with the recommendation of the state govt.
- (II) Each application will be scrutinized as per the norms of the scheme and such proposal which fulfill the norms will be placed before the Project sanctioning Committee which will be constituted under the Chairmanship of Secretary(WCD) with the following as members:-

- a) Financial Adviser , Ministry of Women and Child Development
  - b) Secretary in charge of Women and Child Development Department of the concerned State Governments.
  - c) Joint Secretary of the concerned bureau in the Ministry (Convener).
- (III) PSC shall be the final authority for accepting, reviewing, and sanctioning of proposals for assistance under the scheme
- (IV) **For Construction of Home**, State Govt./UT Administration should submit the application including the followings documents :
- i. Detailed financial estimates of the construction of building, as approved by the PWD/any other competent authority/certified by a registered architect, and giving items wise details of expenditure.
  - A copy of site-plan and building plan of the proposed home in accordance with the norms prescribed under this scheme, as certified by a registered architect. The building plan approved by the Ministry for the construction of the building should include with a certificate from the local Municipal Authorities that its building plan has been approved construction has been permitted.
  - Documentary proof of the plot on which the home is proposed to be constructed being a public land. Documents of transfer of title/lease deed as signed by the District Collector or any other officer of the Government entitled to do so, shall be submitted along with the application.

**Other Conditions to be followed by the State Govt.:**

- The building would be constructed in accordance with the plan approved by the Government of India. No change in the plan can be made without the prior approval of MWCD, Govt. of India.
- However, if any change in the building plans is considered necessary by the implementing agency, subject to the satisfaction of the Ministry, it may be

authorized to proceed with the change, intimating full particulars thereof to the Government of India. This is subject to the implementing agency obtaining the approval of the local authority, as required under the relevant building bye-laws and the District Administration. The implementing agency must further ensure that there is no reduction in the living area, built up area or capacity of the home.

- No additional financial liability will devolve on the Government of India as a result of the change in building plans, and no cost escalation on this account shall be eligible for further financial assistance under the scheme.
- The rates of construction to be adopted in the detailed structural/financial estimates shall not be in excess of the Schedule of Rates of the PWD of the State concerned and a certificate to that effect shall be furnished by the Executive Engineer of State PWD. The Scrutiny Charges/Centage Fee levied by State PWD/CPWD would qualify for grant -in-aid under the scheme subject to overall ceiling.
- The building shall be completed as soon as possible and in any case not later than 18 months from the date of release of first installment of the grant.
- Any unspent portion of the grant shall be refunded to the Government of India at once.
- The State Govt./UT Administration shall maintain record of all assets acquired wholly or substantially out of Government Grant. Such assets shall not be disposed of encumbered or utilized for purposes other than those for which grant was given without prior sanction of the Government of India.
- **For Home on rent**, the implementing agencies would submit the application with the followings documents:-
  - i. Prospectus of the agency/ voluntary organization/institution or a brief description of its objects and activities;
  - ii. Constitution of the agency/ organization/institution;
  - iii. Constitution of its Board of Management, giving names of members and their PAN Card details;
  - iv. Annual Reports for the last three years
  - v. Copy of the rent agreement as certified by the competent authority;
  - vi. A blue print of the site plan giving details of the home in terms of no. of rooms, their size etc.
  - vii. A statement of full receipts and expenditure of the agency/ organization/institution for the last three years and a copy of the balance sheet for

the previous year certified by authorized auditors/chartered accountant for assessing financial viability of the applicant and sustainability of the home.

- viii. A certificate of suitability of the proposed premises for use as a home from the concerned municipal authority.

**P. Procedure for Sanction of Grant:**

**For Construction of Homes:**

The grant for construction cost for new home shall be released in 3 installments, in the ratio of 50:40:10. The one-time grants proposed to be introduced for purchase of furniture and common area facilities may be released with the final installment of 10% of the construction cost.

- (a) **First installment** will be released along with the sanctioning of the Project. After the proposal is approved, the implementing agency shall submit the building plan approved by the local authority along with the building permission for release of the grant.
- (b) **The second installment** will be released after the implementing agency has spent the previous installment along with its own proportionate share of cost in the construction of the building. The Request for release of next installment will be accompanied by:
- i) Utilization Certificate of the previous installment and an up to date consolidated statement of the actual expenditure incurred on execution of the approved plans and estimates, duly certified by a Chartered Accountant/ Government Auditor. The expenditure reflected therein should not be below 50 % of the approved estimates (in case of request for release of the second installment), and 90% of the approved estimates (in case of release of third installment).
  - ii) A statement indicating up to date physical progress of the construction work. The implementing agency should furnish to this Department regularly at the end of each quarter the prescribed quarterly progress report on the construction work till the building is completed (in the format enclosed as Annexure).
- (c) The 3<sup>rd</sup> and final 10% along with the one-time grants mentioned above will be released on the completion of the construction, provided the following documents are produced:
- i) Completion certificate from State PWD/CPWD/Housing Board to the effect that the building has been completed in accordance with the approved plans and estimates; and

- ii) Consolidated Utilization Certificate (which would also include Utilization Certificates of first and second installments clearly and separately indicated) and Statement of Expenditure incurred on the construction of building duly audited by the authorized auditors/Govt. auditors/Chartered Accountant.
- iii) Dated photographs of at least the four corners, front elevation, side elevation and one close up showing the name board mentioning that the home has been constructed with the financial assistance from the Ministry of Women and Child Development.

### **Homes in Rented Premises**

Where assistance is sought towards homes on rent, release shall be made in two equal installments every year. The one-time grant for non-recurring items shall be released with the first installment.

- (a) First installment will ordinarily be released along with the sanctioning of the Project. The implementing agency will furnish two colour photographs of the home with the name board, mentioning that the building is being run with financial assistance of the Ministry of Women and Child Development.
- (b) The final installment will be released after the implementing agency furnishes proof that it has spent the previous installment for the purpose for which it was granted. Release of the final installment shall be accompanied by the following documents:
  - i. Utilization Certificate of the previous installment and an up to date consolidated statement of the actual expenditure incurred
  - ii. Inspection Report by the District administration giving the details of general condition of the home and facilities provided in the home along with the details of present occupancy against the approved occupancy of the inmates.

### **R. Monitoring of Scheme:**

All the Homes established under the scheme whether newly constructed or running in rented premises, would be monitored continuously by the District Administration in order to ensure their smooth functioning, identifying groups and suggesting steps that would lead to their better functioning.

### **S. Evaluation of the Scheme:**

The scheme would be evaluated every 5 years by an independent agency identified for this purpose. The evaluation would be done to monitor the impact of scheme on the intended beneficiaries as well as identifying the gaps, if any, in the implementation of the scheme and suggest remedies thereof.

#### **T. In case of default**

- (a) In the event of any violation or breach of any provision of the scheme or the implementing agency/home ceasing to exist at any time, all assets created out of Government grant shall revert to the Government of India or the amount involved would be recovered as arrears of land revenue from the implementing agency in case of homes constructed on public land or under the relevant Rent Control Act in case of other homes, or under the Indian Penal Code, as may be applicable.
- (b) In addition to this, in the case of any misappropriation of funds by civil society groups/public trusts/cooperatives/corporate bodies, the State Government would initiate criminal proceedings by lodging an FIR against the defaulting implementing agency, and taking strict legal action in order to recover the grant with a penal rate of interest as agreed in the bond to be furnished before the release of grant.
- (c) The Government of India through the Ministry or State Departments may be entitled to take over the home building and/or assets created by the grant provided under the Scheme, if the implementing agency mis-utilizes the financial assistance or wrongly use the home building for any other purpose.
- (d) In case of any minor default (like keeping less inmates and reporting higher number, treating badly with the inmates, making wrong entry in the book of records and keeping such women who does not cover under the scheme) by the implementing agencies, the PSC of the Ministry on its own or on recommendation of the State Govt. shall be empowered to deduct up to 10% of the sanctioned amount as penalty. For a major default (like siphoning of fund for some other purpose and submission of forged documents), besides the action proposed in the preceding paras, the Home will be de-recognized and its name listed as a de-recognized home in the Ministry's website. A de-recognized organization shall not be eligible to receive any further assistance/grant under any scheme of the Ministry. Grants/assistance of the Ministry shall also be refused to an organization in which the person, who is in the Board of Management of the de-recognized organization, is also a trustee/member of the Board of Management.

#### **V. Transitional Provisions:**

On notification of the scheme, the State Government/UT Administration within a period of three months of the notification of the scheme would undertake a comprehensive review of the existing Homes in the State/UT through District Administration

The criteria for review by the District Administration would include but not be limited to:

- Location of the Home and need assessment
- Condition of the building where it is situated and the size of the Home
- The number of residents existing and possible to be accommodated within the home
- Strength of the staff and the manner in which the Home is being managed
- Facilities available to the residents of the Home
- Success of the rehabilitation of the women.

Detailed instructions for this purpose will be issued after finalization of the Scheme.