

India's Policy Response to COVID-19 and the Gendered Impact on Urban Informal Workers in Delhi NCR

Study by The Quantum Hub and ICRW

Thematic Brief 6 Policy Responses and Impact on Gender-Based Violence



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In India, even prior to the pandemic, NFHS-4 data¹ suggested that around 33% of ever-married women experienced physical, sexual and/or emotional violence in their lives. While this estimate is for 2015-16, COVID-19-induced lockdowns increased incidences of gender-based violence (GBV), precipitating the “shadow pandemic.”² The National Commission for Women (NCW) recorded a 79% increase in complaints of domestic violence, from 2,960 complaints in 2019 to 5,297 in 2020. Even a year after the lockdown, reports suggested that the numbers continued in the same trend.³

According to a key informant, while there was a greater focus in the media on gender-based violence during the initial lockdown phase, their organization's experience suggested that the 2nd wave was worse for women in terms of the nature of reported abuse. They also suggested that the financial burden of the pandemic seemed to have manifested by the time the 2nd wave rolled around, worsening the degree of abuse suffered by women.⁴ News reports quoted prominent women's rights organizations, which cited lack of earning capacity among women informal workers leading to increased vulnerability to domestic abuse. This was further corroborated by the experience of the Sukoon Centre⁵ in Gurugram, which reportedly received a 32% increase in complaints in 2021. The month of April 2021 saw the highest reporting of violence in the Gurugram centre -a threefold increase over the previous year.⁶

Another issue that did not receive the same coverage was that of gendered violence at the workplace, which is a unique dilemma for women engaging in informal work. A 2020 report by Human Rights Watch regarding the implementation of the Prevention of Sexual Harassment at the Workplace Act 2013, points out that while this covers women in the informal sector, it does not take into account their unique circumstances. The report highlights that many informal workers' homes can be their workplaces — and in such cases, domestic violence is workplace sexual harassment. This connection, it argues, has not been brought out in the law. Moreover, during the pandemic there was the added precarity of work for certain groups of women, like domestic workers, construction workers etc. This placed them at greater risk of workplace violence, at a time when the loss of a job was a prospect more daunting than ever before.



1 International Institute for Population Sciences (IIPS) and ICF. (2017). *National Family Health Survey (NFHS-4), 2015-16: India*. Mumbai: IIPS.

2 “Shadow Pandemic”- Since the outbreak of COVID-19, emerging data and reports from those on the front lines, have shown that all types of violence against women and girls, particularly domestic violence, has intensified.- <https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-covid-19-response/violence-against-women-during-covid-19>

3 PTI March, 2021

4 Source: KII with expert

5 These are run by Haryana State Health Systems Resource Centre in 12 districts of Haryana: Panchkula, Hisar, Faridabad*, Gurugram*, Ambala, Yamunanagar, Panipat*, Karnal*, Rewari*, Rohtak*, Jind* and Kaithal *NCR regions

6 Pant, S. (2021). *Gurugram sees 32% increase in domestic violence complaints*, Times of India.

Policy Responses

Addressing a seminar on 9 April, 2020, the MWCD Minister confirmed that One Stop Centres (OSC) were functional despite lockdowns. She highlighted that links to the police, NALSA,⁷ and medical authorities were maintained during this time.⁸ Soon after, the NCW launched a WhatsApp helpline for women to message for help in the face of violence at home.⁹

With the spike in the reporting of domestic violence and in response to a petition filed by NGO All India Council of Human Rights, Liberties and Social Justice (AICHLS) in April 2020, the MWCD submitted that they had issued an office order in March 2020, calling for a rapid response mechanism. They further noted that directions had been issued to District Collectors/District Magistrates to provide essential services for victims of domestic violence.¹⁰ The subsequent report filed by the MWCD and NCW in compliance with the order laid focus on two specific efforts — the integration of multiple services with the OSC scheme and the WhatsApp helpline launched by NCW. An emphasis was also laid on the need for focused advertisements to apprise women of the fact that help was available. The submission also stressed on the workshops held with the functionaries associated with the Women's helpline, OSC, and shelter homes. The Delhi government, in the same order, confirmed that they had issued Standard Operating Procedures to functionaries of the women's helpline, OSC, and Protection Officers under the Protection of Women from Domestic Violence Act (PWDVA) 2005, in this regard.

The NCW also launched its own campaign, as did several other states.¹¹ For instance, Uttar Pradesh launched an advertisement with the slogan “Suppress Corona, not your voice,”¹² while Odisha put out a “Phone-Up” program to increase reporting.¹³ The Delhi government issued an internal circular in October 2020, asking for immediate promotion of the state's options for women in distress.¹⁴ These policy responses were aimed at shedding light on the GBV epidemic, however, as a stakeholder suggested, it is important to probe whether these measures reached all kinds of women across the country. Relating their experience, the expert opined that the women who were calling the helplines were just the tip of the iceberg, many others sadly remained outside the ambit of institutional responses.¹⁵

7 The National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities Act, 1987 to provide free Legal Services to the weaker sections of the society and to organize Lok Adalats for amicable settlement of disputes

8 PTI

9 Chandra, J. (2020) *NCW launches domestic violence helpline*. The Hindu.

10 AICHRLSJ v. Union of India & Ors. [W.P.(C) 2973/2020 & CM APPL.10318/2020] order dated 18.04.2020

11 Press Information Bureau (22 September 2020) *Increase in Domestic Violence against Women*

12 Bose, R. (2020) *UP Police Deserves All Praise for Domestic Violence Hotline for Women During COVID-19*, News18

13 Details available at Odisha Police website: https://www.odishapolice.gov.in/sites/default/files/PDF/Phone-Up%20Programme%20to%20break%20the%20cycle%20of%20domestic%20Violence%20during%20COVID-19%20lockdown._0.pdf

14 Office Order No.F.59 (31)/DWCD/RGO/Publicity/20-21/

15 Source: Kill with expert



Analyzing Policy Responses

While many State governments have their own setups (like the aforementioned Sukoon centres) in addition to centrally run initiatives, some of these have been slowly integrated into the central schemes, such as Uttar Pradesh's Asha Jyoti program that has been clubbed with the central One Stop Sakhi centres.¹⁶ To study the overall impact of the policy responses to address issues of GBV, therefore, we have looked at three Central government initiatives – the helpline introduced by the National Commission for Women, and the existing Swadhar Greh and OSC schemes.

Policy Response	Effectiveness	Unintended effects	Equitable access	Cost	Feasibility (institutional capacity)	Acceptance	Informal/ alternative mechanisms
National Commission for Women Helpline	+	0	-	0 (unclear)	+	+	+
One Stop Centre	0	-	0	-	-	-	+
Swadhar Greh	0	-	-	-	0	0	+

(Key: '-': Negative impact or outcome; '0': Neutral impact or outcome; '+': Positive impact or outcome; '0*': impact varied across states)

Effectiveness

As mentioned previously, the NCW saw a marked increase in complaints of domestic violence during the pandemic. It is to be noted, however, that in addition to the existing helpline, there was a supplementary channel by way of the WhatsApp helpline. It is unclear whether this channel facilitated better reporting from a survivor's perspective, but the NCW has seen fit to introduce a new 24x7 helpline to reach more women in need, indicating that perhaps women did feel comfortable reaching out through the NCW channels.

During the pandemic, apart from the Central government assurances that OSC and other services for women impacted by violence were functional, not much data around their working was publicly available. The KII revealed that even though these services were working, strict lockdowns impeded women's access to them, with many women saying that they feared being stopped by vigilante groups. Prior to the pandemic, a 2019 rapid assessment by Initiative for What Works to Advance Women and Girls in the Economy (IWWAGE), commissioned by the MWCD, revealed that caller experience for the 181 helpline¹⁷ was relatively lower in Uttar Pradesh, while Rajasthan was better ranked on this scale.¹⁸

¹⁶ Chandra, J. (2019) *Is 'compromise' the route that one stop centres should choose?* The Hindu

¹⁷ As per the 2017 guidelines of the OSC scheme, the 181 helpline is being integrated with One Stop Centres

¹⁸ IWWAGE (2019) *Rapid Assessment of the Universalization of the 181 Helpline and One Stop Centres*

In Uttar Pradesh, however, the integration between OSCs and the helpline was highlighted as aiding their overall infrastructure and the data aggregation. This was further corroborated by a news report where journalists visited the NCR region of Ghaziabad,¹⁹ where this system was working well with high rates of reporting and resolution of cases.²⁰ In this regard, an expert pointed out that the analysis of reported rates of Violence against Women (VAW) to any organization or body needs nuanced understanding of the complete situation. Their NGO's infoline, for instance, received a higher number of calls from tier-1 cities, particularly Delhi, given their area of work. In our interaction, the expert suggested that a higher rate of cases reporting may not always mean that incidences of VAW were greater in these states. Instead, it could mean that either awareness, or help-seeking behaviour, or even digital/mobile phone access is greater among women in certain regions. They further pointed out the lack of access to shelter in such cases, where women from many states reportedly called in saying that they had nowhere to go.²¹

Meant to provide protection to women in "difficult circumstances," the Swadhar Greh Scheme for longer-term shelter homes has come under fire due to reports of sexual abuse as well as living conditions of the centres between 2017-2019.²² Interestingly, the NCW audit of Swadhar Grehs across the country noted a lack of adherence to scheme guidelines reporting lack of access to legal aid and vocational training, unhygienic living conditions and ill treatment of residents.²³ Despite these conditions, police officers and other service providers like legal aid officers redirect women in distress to these Grehs for long term shelter.²⁴



Unintended Effects

Another critical issue for women locked in during the pandemic was that they were not always able to make calls. This would put them at greater risk of violence if their call to report violence was overheard, or their messages read.²⁵ That being said, the NCW's WhatsApp number option did address this to some extent, given that women could potentially reach out and delete chats immediately after an SOS has been sent. However, this would be applicable only to a limited number of women with smart phones, missing out many in need. Lack of access to digital platforms meant that several women continued to remain vulnerable to violence.

The Swadhar Greh Scheme, however, faces its own challenges. Under existing guidelines for the scheme, male children cannot stay in the homes beyond the age of 12. This can potentially create a situation where mothers of young boys will not be able to access these homes for fear of being separated from their children. Moreover, the guidelines suggest that for women impacted by domestic violence, the duration of their stay is limited to one year, but for "all other categories," the time limit is presently three years. This arbitrary distinction does not explain why women survivors of domestic violence would need less transitional shelter than other women "in difficult circumstances" as listed under the scheme.

¹⁹ This district falls under Uttar Pradesh

²⁰ Chandra, J. (2019) *Is 'compromise' the route that one stop centres should choose?* The Hindu

²¹ Source: KII with expert

²² Kapoor, P. (2018). *When shelter homes turn into horror homes*. Times of India.

²³ PII, 27 September, 2021

²⁴ Source: KII with expert

²⁵ Source: KII with expert

Draft proposed guidelines on the MWCD website²⁶ seem to suggest that the second caveat is under reconsideration. It is important to note that given that the Swadhar Greh Scheme provides longer-term transitional shelter to women and is tied to the OSC scheme, its functioning must also be in line with the larger conversation around survivors' needs.

The OSC Scheme, on the other hand, suffers from a problem of implementation rather than of design. Owing to its focus on emergency services, temporary shelter is allowed for up to five days in an OSC, with provisions for women to be "moved to Swadhar Greh or Short Stay Homes."²⁷ With the Swadhar Greh scheme suffering from design flaws, the implementation of OSC also faces challenges.

Equitable Access

While the NCW's helpline has seen a high rate of reporting, access is limited to women with WhatsApp on a smartphone. According to 2020 data from the GSMA, in India, while 63% of adult women own a mobile phone, only 14% have a smartphone.²⁸ Given the difficulty in making calls with abusers at home and the glaring digital divide, an expert suggested that the pandemic's impact on women without access to these mediums was immense. Another factor that influences whether women are subjected to domestic abuse was financial independence and status in the family; the precarity of jobs during Covid-19 lead to their increased vulnerability to domestic abuse which they were unable to report.²⁹

During the pandemic, women impacted by GBV often told NGO workers that the nearest OSC or Swadhar Greh was very far from their home and they could not access it owing to lockdown restrictions.³⁰ In states with large populations like UP, where only 13 Swadhar Greh are functional as per government data, this could have posed a major problem. Meanwhile, in 2021, the Centre has also announced OSCs at Indian Missions across nine countries.³¹ The aim is to help Indian women suffering violence abroad. This move could likely further benefit women who access the NCW's NRI Cell facility and is laudable in that regard. However, the needs of women in existing Swadhar Grehs within the country must also be considered on priority.

Cost

The total assigned financial assistance to the NCW under the 2021-2022 Budget stands at INR 27 crore,³² higher from the previous year's revised estimate of INR 21.88 crore. Even for the previous financial year, however, the detailed breakdown on the NCW website does not reflect the specific amount assigned to the helpline.³³

26 Draft guidelines available at: <https://wcd.nic.in/sites/default/files/DRAFT%20GUIDELINES%20OF%20SWADHAR%20GREH%20SCHEME.pdf>

27 The latter is no longer functional under the WCD, since the Swadhar Greh Scheme subsumed the SSH scheme

28 GSMA (2020) *The Mobile Gender Gap Report 2020*, GSM Association.

29 KII with expert

30 Source: KII with expert

31 Dasgupta, S. (2021) *To help women facing violence abroad, govt will set up aid centres at missions in 9 countries*. The Print

32 This entire amount is reflected in the Gender Budget as well, indicating that the entire outlay is meant for activities related to women

33 NCW Budget allocation available at: <http://ncw.nic.in/sites/default/files/Detail%20of%20Budget%20allocation%20for%20the%20year%202020.pdf>





A 2021 Oxfam report examines the budgetary allocations for services around VAW, highlighting that while budgetary allocations for OSCs have increased between 2018-2021, the allocations for Swadhar Greh have steadily declined in the same period.³⁴ Moreover, the report highlights that while the OSC scheme sees a utilization above 66%, the Swadhar Greh Scheme has a dismal 26% utilization rate. Further, according to Oxfam's estimates, around 1015 additional OSCs would be required,³⁵ if the standards from the National Health Policy of 2017 were to be adapted. Similarly, according to Swadhar Greh Scheme's own guidelines, there needs to be "one Swadhar Greh of 30 beds for 40 lakh population." As per Oxfam's calculations in accordance with these guidelines, there need to be around 796 Swadhar Grehs in the country. At present, there exist only 361, which is less than half of the requirement.³⁶

In terms of budgetary outlay for 2021, OSCs and Swadhar Greh have been clubbed together under the 'Sambal' component of Mission Shakti, at a total outlay of INR 587 crore.³⁷ A parliamentary reply on OSCs also revealed that no funds had been released to Delhi between 2017-2019 under the scheme.³⁸

Institutional Capacity

This includes an analysis of institutions from both formal actors such as MWCD, NCW, state government-run shelters (eg. Haryana Sukoon), police, judiciary (including Mahila Adalats), legal services authorities, Protection Officers under PWDVA, 2005, hospitals as well as informal actors including CSOs, non-state shelter homes.

The NCW, in addition to the WhatsApp number advertised in 2020, recently instituted a 24x7 helpline to provide support for "complaints and counselling." It aims to help women connect with essential services such as police, hospitals etc.³⁹ This expansion of the program in line with the growing need of survivors is a welcome step.

In terms of numbers, a parliamentary reply from March 2021 confirms that there are 700 operational OSCs across the country. Of these, Delhi has 11, Haryana has 22, Rajasthan has 33, while UP has 75. According to Oxfam's estimates (2021), however, around 1015 additional OSCs would be required, if the standards from the National Health Policy of 2017 were to be adopted. The previously mentioned IWWAGE assessment revealed that in Uttar Pradesh, the 181-helpline infrastructure met its mandate in terms of employees and was integrated with the OSC setup. This integration has been lauded by the Parliamentary Committee on Home Affairs.

34 Oxfam India (2021) *Towards Violence-Free Lives for Women: Tracking of Union Budgets (2018-21) for Violence Services*

35 148 in urban areas and 867 in rural areas.

36 Oxfam India (2021) *Towards Violence-Free Lives for Women: Tracking of Union Budgets (2018-21) for Violence Services*

37 MWCD Reply to Unstarred Question No. 4040. Available at: <http://164.100.24.220/loksabhaquestions/annex/175/AU4040.pdf>

38 MWCD Reply to Unstarred Question No. 4035. Available at: <http://164.100.24.220/loksabhaquestions/annex/175/AU4035.pdf>

39 Press Information Bureau (27 July 2021) *Union WCD Minister, Smt Smriti Irani Launches 24/7 Helpline for Women Affected by Violence*

Swadhar Grehs in the country have dropped from 551 in 2016-17 to 361 in 2021-2022, as per a Lok Sabha reply from July 2021.⁴⁰ The number of homes in Delhi is merely 2, while in Uttar Pradesh the total is 13, and 9 in Rajasthan. Haryana, meanwhile, has no Swadhar Greh.⁴¹ The lack of homes in Haryana could perhaps be attributed to the presence of the Sukoon Centres mentioned previously. In Uttar Pradesh, the number of beneficiaries under the scheme dropped from 2741 in 2017-18 to 299 in 2020-2021, after the number of homes under the scheme decreased.⁴² The Uttar Pradesh government also reportedly wrote to the Centre in 2019, asking for clarity in the rules of admission to these homes.⁴³ The scheme has been riddled with implementation issues since it was subsumed in the WCD's Short Stay Home scheme in 2015. A parliamentary reply clarifies the future vision for the Swadhar Greh scheme, suggesting that the Ministry has clubbed this and a few other schemes under 'Mission Shakti' with a new component of integrated protection and rehabilitation homes called 'Shakti Sadans' with new and improved features.⁴⁴ Given the current status of the scheme, it is unclear at this point whether this merger will result in better performance.

Acceptability

There has been a high level of reporting to the NCW under its helpline, and as mentioned previously, the Commission has started a 24x7 helpline as well. According to an expert stakeholder, whose NGO provides free legal aid in Delhi, the NCW helpline has not eliminated the need for robust allied structures like shelter homes or first responders like police and emergency medical services for survivors of GBV. It has, however, provided another reporting avenue that helps give voice to the magnitude of an issue that often goes unreported and unrecognised.

Delhi's data also mentions that the number of cases from 1.04.2015 to 30.06.2020, were among the lowest at 588. However, NCRB data on reported crimes against women over a three-year period between 2017, 2018 and 2019 were in the range of 13,076-13,395. The discrepancy between the reported data seems to suggest that OSCs may not be the first choice for women in Delhi. There are similar discrepancies in

40 MWCD Reply to Un-Starred Question No. 3046 in Lok Sabha. Available at: <http://loksabhaph.nic.in/Questions/QResult15.aspx?qref=27500&lsno=17>

41 MWCD Reply to Un-Starred Question No. 714 in Lok Sabha. Available at: <http://164.100.24.220/loksabhaquestions/annex/176/AU714.pdf>

42 Press Information Bureau (11 February 2021) *Allocation of Funds to Swadhar Greh*

43 Hindustan Times (2019) UP wants clarity in admission rules in women's shelter homes

44 MWCD Reply to Un-Starred Question No. 714 in Lok Sabha. Available at: <http://164.100.24.220/loksabhaquestions/annex/176/AU714.pdf>



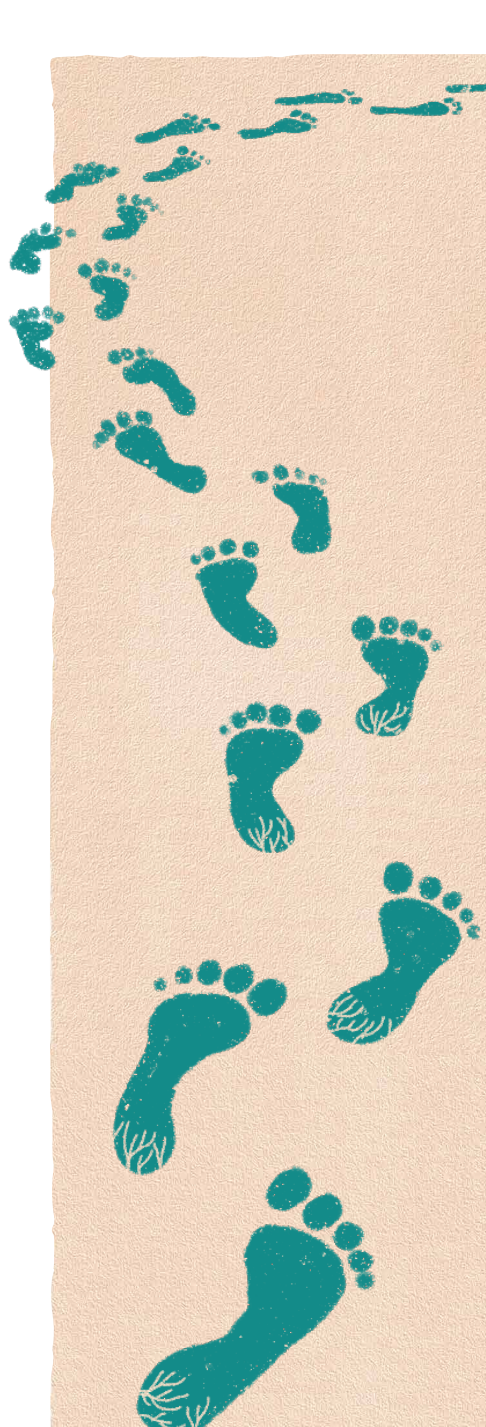
the OSC and NCRB data for Rajasthan, while relatively, Haryana and UP have a narrower gap for the same periods. Despite these variations between states, what does emerge is that while there is institutional capacity for this scheme, it does not seem to be accessed by women in need. While this could indicate a range of issues from lack of awareness to lack of trust, it is unclear from the available evidence which of these is applicable.

According to the Swadhar Greh Scheme's own guidelines, there needs to be "one Swadhar Greh of 30 beds for 40 Lakh Population." As per Oxfam's calculations, there need to be around 796 Swadhar Grehs in the country. At present, there are only 361, or less than half. Similarly, an analysis from the Centre for Budget and Governance Accountability (CBGA) has pointed out the need for improved capacity and coverage norms, particularly given the pandemic and increased reports of VAW (Rajagopalan & Acharya, 2021). There has therefore been an acknowledgement and acceptance of the fact that both these emergency and transitional services are needed for survivors of GBV, but with improved implementation to ensure that more women have access to these institutions.

Informal/Alternative Mechanisms

There have been several NGOs running shelter homes and helplines, providing legal aid and mental health counselling to survivors of violence even prior to the pandemic, whose work did not stop during this time. As per the Delhi government order on promoting options for women in distress, there are 12 NGO-run shelter homes in the city, in addition to 3 government ones. Another interesting, potentially replicable model that came up during this time was that of Tamil Nadu, where Anganwadis worked in tandem with the police and OSCs to assist women with domestic violence complaints.⁴⁵

45 Press Information Bureau (22 May 2020) *Anganwadi Workers To Receive Complaints Against Domestic Violence*



For women impacted by GBV, the issues were more complex than service delivery of various helplines and schemes. There was an increased reporting through multiple channels like the NCW's helpline but the actual addressing of women's needs through on-ground measures remains unclear. Lockdown restrictions at multiple points hampered women's ability to access institutional structures such as Swadhar shelter homes and emergency services such as OSCs. There is, therefore, a need to rethink women's ability to access 'safety' during a health crisis from a policy implementation perspective.

Recommendations

- a.** Revising and implementing subsequent Swadhar Greh scheme guidelines to ensure that seamless coordination with OSCs is maintained.

Providing clear SOPs to community- level interventions like Anganwadis to assist local police departments in following up with survivors of domestic violence.
- b.** Creating facilities to record data anonymously about women's experiences in reporting violence to improve services and mechanisms for redressal.
- c.** Improving implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in the informal sector through awareness drives and robust data collection through Local Committees mandated under the law at the district level.