

महाराष्ट्र MAHARASHTRA

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प्रधान मुद्रांक कार्यालय, मुंबई  
प. नं. वि. क्र. ८००००१४  
₹ 27 APR 2016  
सक्षम अधिकारी

श्री. भरत सि. मयेकर,

**MEMORANDUM OF UNDERSTANDING**

Between

United Nations Children's Fund (UNICEF),

United Nations Entity for Gender Equality and the Empowerment of Women  
(UN WOMEN)

and

the Department of Women & Child Development of the  
Government of Maharashtra

*[Handwritten signatures]*

जोड़पत्र - २ Annexure - II

दस्तावेज प्रकार	Agreement
दस्तावेज जारी करणारा संस्था/संस्था ?	YES/NO
मिळवणी दिनांक	16 MAY 2016
मुद्रांकित दिनांक	Seema Dolce Newy (12)
दस्तावेज पुरवठा करणारा संस्था	UNICEF
दस्तावेज प्रकृत्यास संबंधित कायदा	Self
मुद्रांकित शुल्क प्रमाण	100/-
दस्तावेज जारी करणारी संस्था	(Signature)
दस्तावेज प्रकृत्यास संबंधित कायदा	16 MAY 2016
दस्तावेज प्रकृत्यास संबंधित कायदा	प्रमाणित म्हणजे
परवाना क्र. (अ): ०००००१४	मंगलूर
मुद्रांकित दिनांक/पत्ता: मुंबई नगर मंत्रालय, मुंबई	
दि. मंगलूर मंत्रालय अँड अडव्हॉकेट ऑफिस कॉ. ऑफिस	
मंत्रालय - ४०० ०३२.	16 MAY 2016
ज्या कारणासाठी ज्यांनी मुद्रांकित शुल्क देण्यास मान्यता प्राप्त झाली	
मुद्रांकित शुल्क देण्यास मान्यता प्राप्त झालेले नाव/नाम	

**THIS MEMORANDUM OF UNDERSTANDING FOR PROGRAMME COOPERATION IN INDIA** (together with its attachments, this “MoU”), is entered into

**BETWEEN:** THE UNITED NATIONS CHILDREN’S FUND (“UNICEF”), an international inter-governmental organization established by the General Assembly of the United Nations, having its office in having its Headquarters at UNICEF House, Three United Nations Plaza, New York, New York 10017 and represented by the UNICEF India Country Office located at 73, Lodi Estate, New Delhi -110003 India,

The United Nations Entity of Gender Equity and the Empowerment of Women (“UN Women”), an international intergovernmental-organization established by the General Assembly of the United Nations, having its Headquarters at 220 East 42<sup>nd</sup> Street, New York, New York 10017 and represented by the UN Women Office for India, Bhutan, Maldives & Sri Lanka,

**AND:** the Department of Women and Child Development, Government of Maharashtra, having its office address at 3<sup>rd</sup> Floor, New Administrative Building, Opposite Mantralaya, Mumbai (“DWCD”).

UNICEF, UN Women and DWCD are hereinafter referred to individually and jointly as “a Party” or “the Parties”.

**BASIS FOR THIS MoU**


- A. UNICEF, an integral part of the United Nations, works with governments, communities, civil society organisations, the private sector, and other partners worldwide to advance children’s rights, and is guided by the Convention on the Rights of the Child.

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- B. The Basic Cooperation Agreement (BCA) between UNICEF and the Government of India dated 5 April 1978 forms a platform for UNICEF's work in India. The Government of India and UNICEF have developed a programme of cooperation for the period of 2013-2017 to improve the lives of children and women in the country, which has been approved by the UNICEF Executive Board, and UNICEF is accountable to the Government of India and to the UNICEF Executive Board for the results achieved in implementing the India Country Programme. The implementation of the India Country Programme is detailed in the Country Programme Action Plan (CPAP) dated 1 January 2013 and in the work plans for the India Country Programme. The CPAP establishes the framework within which UNICEF enters into partnerships with, among others, civil society to implement the India Country Programme. In agreement with the Government of India, UNICEF plans to implement the India Country Programme by working in partnership with beneficiary communities and civil society, the public sector, communities, the private sector, and others.
- C. UN Women is the UN organisation devoted to promoting gender equality and the empowerment of women. It is also responsible for mobilising efforts by the United Nations to promote gender equality, increase opportunities and combat discrimination throughout the world.
- D. DWCD is the nodal department of the Government which governs the implementation of schemes for welfare of women and children with specific focus on their growth, development and protection.
- E. The Parties share values, principles and a commitment to the principles set out in the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of Persons with Disabilities. They are committed to the principles of Government ownership of the development agenda reflected in the Paris Declaration of Aid Effectiveness and the Accra Commitments and Plan of Action. The Parties share a commitment to fostering an active local civil society in India and to supporting capacity-building efforts for local civil society organisations. The Parties are mindful of local custom and culture.
- F. The Parties are committed to participatory and sustainable development and to providing assistance impartially. They acknowledge their accountabilities to those whom they assist and those who provide support to their work. They are committed to ensuring that they do not expose intended beneficiaries, including children, to any form of discrimination, abuse or exploitation.
- G. The Parties work in India to assist in the realisation of the India's development agenda and the Sustainable Development Goals with a special focus on advancement of women, good governance and rule of law.

2018 6-1



H. The Parties wish to work together within the framework of their respective programmes in India, as set out in this MoU, in order to realise the goals of their respective programmes of cooperation in India.

NOW THEREFORE, acting in a spirit of partnership and collaboration, the Parties agree as follows:

## **PURPOSE AND OPERATION OF THE PARTNERSHIP**

1. The Parties will collaborate, in a non-exclusive relationship, on the implementation of the activities set out in a jointly prepared programme document attached as Attachment 1 to this MoU (the "Programme Document") and will do so in accordance with the timetable set out in Attachment 1 to this MoU (the "Partnership").
2. The Program Document will address specific details of the Partnership, including the expected results of the Partnership and the recommended arrangements for management, coordination and monitoring and evaluation relating to the Partnership. The Parties will jointly develop work plans in connection with the Partnership (each, a "Work Plan"), containing a detailed description of relevant and agreed-upon considerations.
3. As needed, in order to implement the specific activities reflected in a Work Plan, the Parties will conclude supplementary agreements, addressing specific details of the particular collaboration and incorporating by reference the provisions of this MoU or amending them.
4. Each of the Parties will designate representatives to develop Work Plans for review and approval by the respective decision-making processes of each Party. As soon as the first Work Plan is agreed on, each of the Parties will designate a Partnership Coordinator, who will co-ordinate that Party's work, as agreed in the Work Plan, and who will serve as principal liaison between that Party and the other.
5. The Parties will meet as often as necessary to review the progress of the implementation of the Partnership and the status of the Work Plans.
6. This MoU does not involve any transfer of financial or material resources among the Parties and does not prescribe financial or material inputs into areas of common interest. Each Party will bear its own costs in connection with any matter arising out of or related to this MoU, including, but not limited to, its respective costs of implementing the Partnership. Should the Parties wish to establish arrangements involving the transfer of funding or other assets between them, they will enter into separate agreements governing such arrangements.
7. In addition to the matters referred to above, the Parties will explore further ways to collaborate and support each other's activities pursuant to this MoU.

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## PUBLICITY

8. No Party will use the name, emblem or logo of another Party, or any abbreviation thereof, in connection with its business or otherwise without the express prior written approval of the other Party in each case. The Parties acknowledge that they are familiar with each other's mission, ideals and objectives and recognise that the other's name, emblem and logo may not be associated with any political or sectarian cause or otherwise used in a manner inconsistent with the status, reputation, neutrality and ethical values of the other Parties.

9. No Party will, in India or elsewhere, issue any press release or make any public announcement about another Party's participation in or support for the Partnership, or any announcement in connection with the Partnership mentioning the name of another Party or containing any emblem or logo of another Party, without express prior written approval of that Party.

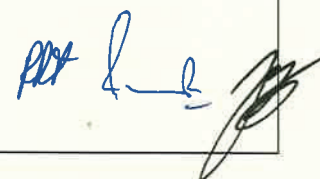
10. Subject to Paragraph 8 above, each Party will give recognition (mention in agreed-upon press releases, on internet sites, in speeches and in other appropriate ways) to the other Parties within projects implemented pursuant to this MoU and in conjunction with this MoU, as appropriate.

## OTHER MATTERS

11. Each Party will retain the ownership of and all rights (including copyrights, trademarks, and other intellectual property rights) in, the material it produces in order to implement the Partnership and to undertake the work contemplated in this MoU. Any use of another Party's intellectual property is on a nonexclusive basis and is subject to that Party's prior written approval and usage guidelines.

12. This MoU will become effective once it is signed by all the Parties and will continue in force till December 2017 at which time the Work Plans are to be fully implemented (the "Completion Date"), unless any one of the Parties terminates this MoU early by giving the other Parties thirty (30) days' written notice; or (b) the Parties agree in writing to extend the Completion Date to a specific later date, in which case this MoU will continue until that new date. Upon expiration or termination of this MoU, the Parties will take the necessary steps to ensure that the activities carried out under this MoU, any Work Plans and supplementary agreements are brought to a prompt and orderly conclusion.

13. Each of the Parties will maintain the confidentiality of any information it receives from the other Parties that has been designated as confidential.










14. If there is a dispute, controversy or claim between the Parties, they will try to reach agreement amicably by direct negotiations. If no agreement can be reached within thirty (30) calendar days, the dispute, controversy or claim will be decided between the authorized representatives of UNICEF and UN Women and the chief executive of DWCD meeting together, in person or otherwise, to consider the matter.

15. Nothing in or relating to this MoU shall be deemed a waiver, express, or implied, of any of the privileges and immunities of the United Nations, including its subsidiary organs.

16. This MoU can only be modified by written agreement of the Parties.

17. Nothing in or relating to this MoU will (a) be construed as creating a joint venture or legal partnership between the Parties, nor shall any Party be deemed an agent of any other Party as a result of this MoU, or (b) cause DWCD's staff to be construed as being an official or a staff member of UNICEF, UN Women or of the United Nations. The Parties are each responsible for their own acts or omissions, and those of their employees, contractors or any other personnel engaged by them, in the execution of the Partnership contemplated by this MoU.

SIGNED this \_\_\_ day of \_\_\_\_\_, 201[ ]

<p><b>United Nations Children's Fund (UNICEF)</b>  <b>India Country Office</b>  <b>New Delhi</b></p>	  <hr/> <p>Louis-Georges Arsenault  Representative, India Country Office</p>
<p><b>Department of Women &amp; Child Development</b>  <b>Government of Maharashtra</b>  <b>Mumbai</b></p>	 <p><b>Principal Secretary</b>  <b>Women and Child Development</b>  <b>Department</b>  <b>Government of Maharashtra</b>  <b>Mantralaya, Mumbai - 400 052.</b></p> <hr/> <p>Sanjay Kumar, IAS  Principal Secretary, DWCD</p>
<p><b>UN-Women Office for India, Bhutan, Maldives &amp; Sri Lanka</b>  <b>New Delhi</b></p>	  <hr/> <p>Dr. Rebecca Reichmann Tavares  Representative,  UN-Women Office for India, Bhutan,  Maldives &amp; Sri Lanka</p>

# Programme Document

## Background

Gender Responsive Budgeting (GRB) has been endorsed by the Government of India as a pragmatic tool for advancing women's rights. Formally adopted in 2008-09 with the roadmap suggested by the expert group that submitted its report in July 2008, broadly prescribing the norms under which the ministries/departments would report their allocations benefitting women and girls, GRB has been institutionalized at various levels since then. The Ministry of Women and Child Development (MWCD) adopted "Budgeting for Gender Equity" as a mission statement in 2008-09. A Strategic Framework of Activities to implement this mission was also framed and disseminated to all departments and ministries of the Government of India (GOI). That same year, the Ministry of Finance initiated the process of creating an institutional mechanism for mainstreaming gender by mandating the setting up of gender budgeting cells (GBCs) in all ministries/departments. These GBCs were envisaged as focal points for mainstreaming gender through GRB. The year 2004-05 was a landmark one for GRB in India, with the introduction of the gender budget statement (GBS) in the union budget, to reflect the quantum of budgetary allocations for programmes/schemes that substantially benefit women.

Akin to the Union Government, GRB has been adopted as a strategy towards achieving gender mainstreaming across several states. As per the latest count, around 99 states have institutionalized GRB in some form and are at different stages with respect to their engagement with GRB.

Maharashtra is the second largest state in India in terms of population and third largest state in terms of geographical area, spread over 3.0 lakh sq. km. The State has a population of 992.8 million which is roughly nine per cent of the total population of India (Census 2011). The Scheduled Tribes and Scheduled Castes constitute 9.8 per cent and 99.2 per cent of the total population of the State respectively. The sex ratio of the State is 924 females per thousand males. The state is highly urbanized with 84.2 per cent of its population residing in the urban areas as compared to 24 per cent at national level. The state is one of the wealthiest, contributing to 24 per cent of the country's industrial output (18.8 per cent of Gross Domestic Product) in the year 2013-14. It accounts for 29 per cent of total exports from India and holds highest FDI approvals in the country. The per capita income is 80 per cent higher than the all-India average. The Government of Maharashtra has made significant advancements in human development indicators in general and

gender development indicators in particular. The Human Development Report (2012) notes a number of positive developments with respect to health, education and income. However, gender disparities across several important areas persist, especially among certain social groups and regions in the state (NFHS-4, 2014)<sup>1</sup>.

Government of Maharashtra has been extremely responsive to recognizing and taking appropriate measures to address the issue of gender inequality. Adopting the principle, -Empowerment of women means development of the country- in its Women's Policy in 1998, the government published the second edition of the policy in 2009 and subsequently the third edition in 2018.

**Box 9: State Policy for Women 2018: Section on Gender Budgeting**

**PLANNING AND IMPLEMENTATION**

- The process shall be guided by establishing -Gender Cell- in each government department.
- While preparing annual budget, each department shall present its analytical report to the Legislative Committee on Women and Child Rights by giving details of provisions made and its likely impact on women. The Committee shall evaluate the report and present it to Legislative Assembly. The same process shall be applied to District Planning and PRIs.
- Fund utilization shall be done for the same purpose for which it is allocated and HoDs of the concerned department shall be accountable to Legislative Assembly in this regard.
- Each government department shall outline clear rules and regulations under each scheme being implemented by them meant for women and girls.
- All orders and guidelines issued under various government schemes

Recognizing the gender disparities that exist, the state government identified GRB as a key strategy in the state policy for women (2018)<sup>2</sup>. The separate section on gender budgeting in the state policy clearly outlines the processes that need to be institutionalized in the planning, implementation and audit continuum to make the sectoral policies and programmes more gender responsive (Refer Box 9). In fact, Maharashtra was among the few states that mandated GRB at the local level. Post the issuance of a government resolution in

2006, the government mandated that after meeting the expenditure committed to by the municipal corporation, 4 per cent of the balance be kept reserved for the work done by women and child welfare committees.

Although, unlike other states, this is a huge step forward, the pace and scope of implementation of GRB initiatives have been limited. Evidence across states indicates that for GRB to be successful, it is critical to ensure the following:

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<sup>1</sup> NFHS-4. (2014-16). *State fact Sheet: Maharashtra*. Retrieved from <http://rchiips.org/nfhs/pdf/NFHS4/Maharashtra.pdf>

<sup>2</sup> YASHADA (2018). *Maharashtra Human Development Report 2012: towards inclusive development*. Retrieved from <http://www.undp.org/content/dam/india/docs/human-development/MHDR%20English-2012.pdf>



- Political commitment for GRB at the highest level.
- Constitution of appropriate institutional mechanisms at the state level.
- A concrete roadmap for GRB.

It is to achieve the afore-mentioned that UN Women and UNICEF are entering into a long term partnership with the Department of Women and Child Development, Government of Maharashtra. The outcome of this partnership is to ensure that *state plans and budgets full reflect accountability for gender equality commitments*.

### Scope of the project

The scope of efforts that will be undertaken by UN Women, UNICEF and DWCD is defined as follows:

- **Establishing political commitment at the highest level for GRB:** The first key step is to ensure that there is political commitment at the highest level for GRB. For this purpose, meeting will be held with the Chief Secretary, Government of Maharashtra as well as senior officials of other departments, particularly Finance and Planning since it is these two departments that have to play a nodal role along with DWCD.
- **Development of a concrete roadmap:** A consultation will be held with participation of key departments to develop a concrete roadmap for GRB in the State. This is critical in laying out the mechanisms through which GRB will be operationalized, key strategies that will be adopted and the actors who will be play the nodal role as well as their roles and responsibilities. Prior to this consultation, a scoping study will be conducted which will entail reviewing the initiatives taken by the state government thus far on GRB as well as initiatives taken by other states. This will help identify potential entry points for strengthening GRB in the state.
- **Capacity building:** One of the main reasons for limited application for GRB has been inadequate awareness among officials on the basic concept as well as -how to apply- GRB. Hence, through this partnership, the three agencies will work along with the State Training Institute (YASHADA) and develop a capacity development plan for the officials.
- **Focus on select sectors:** Working with sectoral departments is critical since it is at the level of sectors that policies, programmes and budgets are implemented. To begin with, focused

work will be initiated with 3 sectoral departments with the objective of enhancing the gender responsiveness of their planning, budgeting and accountability mechanisms.

- **Research:** Under this partnership, research studies will be conducted to generate the requisite evidence with respect to gaps in design, budgets and implementation of policies and programmes from a gender perspective.
- **Development of communications material:** Based on the evidence generated as well as to build capacities of officials, relevant communications material will be prepared. Further, in consultation with DWCD, a web portal will be created to capture the work being done on GRB in the state. Media articles/press releases/web articles will also be prepared.
- **Monitoring GRB initiatives:** A committee will be formed in due course that will have the mandate of monitoring the GRB initiatives in the State.

### Key deliverables

- Establishment of appropriate institutional mechanisms for GRB in the state.
- Scoping study to identify potential entry points for strengthening GRB in the state.
- Development of a roadmap of GRB and approval from the relevant officials for the roadmap.
- Capacity development plan with YASHADA.
- GRB analysis of one of three sectors.
- Communications material on GRB including web articles, press releases, workshop reports etc.
- Capacity building workshops

### Assumptions

The success of this partnership will be contingent on the willingness of the government to strengthen GRB in the state. The political climate must be conducive to sustain the gains made. Coordination between DWCD, Planning and Finance Departments is key to the success of this initiative.

## Timelines

Tasks	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April
Finalise the MOU between DWCD, UN Women and UNICEF	■											
Meeting with the Chief Secretary and other senior officials		■										
Consultation with DWCD, Finance & Planning Departments		■										
Scoping study		■	■	■								
Wider consultation to create ownership and development of a roadmap for GRB				■								
Rolling out of the strategies identified in the roadmap				■	■	■	■	■	■	■	■	■
Capacity building of officials						■	■	■	■	■	■	■
GRB analysis of select sectors								■	■	■	■	■
Developing communications material			■	■	■	■	■	■	■	■	■	■

## Roles of UN Women, UNICEF and DWCD, Government of Maharashtra

**DWCD, Government of Maharashtra:** DWCD will take the lead on GRB initiatives in the state. It will be the nodal agency in the government that will spearhead the work on GRB in the state. DWCD will play the role of convening other departments and monitoring GRB efforts alongwith UNICEF and UN Women.

**UN Women:** UN Women is committed to provide technical assistance to the Government of Maharashtra on GRB. A Terms of Reference is enclosed providing the details of the roles and responsibilities of the consultant who will be placed at the DWCD by UN Women. UN Women will provide technical support to the DWCD as well as other departments on GRB.



**UNICEF:** UNICEF will be responsible for being the lead agency in the state for communication with the DWCD as well as for coordinating meetings/consultations with senior officials of other departments.

## TERMS OF REFERENCE FOR THE CONSULTANT - GRB

### GOVERNMENT OF MAHARASHTRA

#### I. CONTEXT ANALYSIS

In India, Gender Responsive Budgeting (GRB) has been recognized as an effective tool for achieving gender equality and women's empowerment. The Ministry of Women and Child Development (MWCD) adopted the mission statement of "Budgeting for Gender Equity" in 2008-09 for universalizing GRB both at the Centre and the States and developed a strategic framework of activities to implement this mission.

Since 2004-05, the Union Government has taken a slew of measures to institutionalise GRB in the country. Production of Gender Budget Statement and constitution of Gender Budget Cells have been key institutional mechanisms for operationalizing GRB at the level of ministries/departments. Akin to the union government, several states have also adopted GRB.

The Government of Maharashtra is committed to address gender inequality. The State Government fares better vis-à-vis several states on several gender development indicators. However, there are some issues that persist. GRB was introduced in Maharashtra after issuance of a government resolution in 2005. The resolution mandated that after meeting the expenditure committed to by the municipal corporation, 4 per cent of the balance be kept reserved for the work done by women and child welfare committees. Maharashtra is among the few states that has mandated GRB at the local level. Further, the State Policy for Women 2008 also mentions GRB as a key mechanism to achieve gender equality and women's empowerment. It is in this context that UNICEF and UN Women are presently working in partnership with the Department of Women and Child Development (DWCD), Government of Maharashtra to put in place appropriate institutional mechanisms and policy guidelines at the state level since these are an important pre requisite for successful implementation of GRB initiatives.

Moreover, it is critical that analysis of schemes/programmes is conducted and appropriate communication material is produced for creating a pool of trainers on GRB at the state level.

UN Women and UNICEF would like to place a technical expert in the Department of Women and Child Development, Government of Maharashtra to assist the government in this critical process.

## II. SCOPE OF WORK AND SPECIFIC TASKS

The Technical Consultant will be placed at the DWCD, Government of Maharashtra to support the government in strengthening GRB. The consultant engaged at a senior level is envisaged to identify people at different level and contribute to the gender budgeting support to the government. Specifically the consultant will be engaged in the following tasks:

- **Establishing political commitment at the highest level for GRB:** The consultant will be required to establish political commitment at the highest level for GRB by way of ensuring a clear policy statement/guidelines. S/he will be required to organize meetings with senior officials of relevant departments to achieve this objective.
- **Development of a concrete roadmap:** The consultant will assist in finalizing the roadmap for GRB in the state in consultation with the state government, UNICEF and UN Women. The roadmap will lay out the mechanisms through which GRB will be operationalized, key strategies that will be adopted and the actors who will be play the nodal role as well as their roles and responsibilities. This task will entail reviewing the GRB initiatives at union and state level and examining potential entry points for strengthening GRB in the state. The consultant will also be required to ensure that the roadmap is developed in a consultative process.
- **Capacity building:** The consultant will work with the nodal agency for developing a strong capacity development plan for training various stakeholders on GRB in the state. The consultant will also coordinate the logistic of the workshops as well as prepare the workshop reports.



- **Influencing sectoral policies and programmes:** The consultant will work with sectoral departments (at least 2-3 sectoral departments as decided by the DWCD) with the objective of enhancing the gender responsiveness of their planning, budgeting and accountability mechanisms. This will entail conducting research focusing on select schemes of the departments.
- **Monitoring & Evaluation:** The consultant will be required to collect data from departments to monitor progress on gender related issues. S/he will also study and prepare a format for collecting sex disaggregated data for relevant programmes/schemes. The consultant will also play a key role with the DWCD, UNICEF and UN Women in setting up and working of a committee to monitor and review the GRB initiatives in due course.
- **Development of communications material:** Based on the evidence generated as well as to build capacities of officials, the consultant will be required to develop relevant communications material such as a web portal on GRB, media articles/press releases/web articles etc.
- **Coordination:** The consultant will be responsible for coordinating GRB work with various stakeholders and across various departments. S/he will prepare minutes of all meetings, workshops etc. that are held by the government on GRB and provide logistic support for all the meetings/trainings etc. In addition the consultant will coordinate the activities of the dedicated Cell that will review and monitor the implementation of gender budgeting. The Cell will be set up once the MOU is signed.
- Any other task assigned by the PS-DWCD in the area of GRB.

### III. Qualifications and Experience

- Post Graduate in gender studies, social sciences or relevant field.
- At least 4 years of experience of working on gender issues.
- Prior experience of working with governments is desirable.
- Excellent communication and writing skills.

- Knowledge of Marathi (both written and spoken) is mandatory.

#### IV. EXPECTED DELIVERABLES

१. Individual work plan
२. Study report identifying potential entry points to strengthen GRB in Maharashtra.
३. Policy statement/guideline issued by the government at the highest level on GRB.
४. Approved roadmap on GRB
५. Capacity development plan for the officials.
६. Document comprising the analysis of schemes/programmes of departments (as decided in consultation with DWCD) from a gender lens.
७. Minutes of the meetings.
८. Communications materials