

**Annual Report January 2018 to December 2018**

**SATARK NAGRIK SANGATHAN**

**(SOCIETY FOR CITIZENS' VIGILANCE INITIATIVE)**



**सतर्क नागरिक संगठन**  
**SATARK NAGRIK SANGATHAN**

Satark Nagrik Sangathan (SNS) is a citizens' group with a mandate to promote transparency and accountability in government functioning and to encourage active participation of citizens in governance. SNS is an independent non-governmental organization and is not affiliated to, or supported by, any political party. It is registered under the Societies Registration Act, 1860 as Society for Citizens' Vigilance Initiative.

SNS's key strategy has been to assist people exercise their right to information. Under the National Right to Information Act, citizens can access information from all three arms of the government- legislature, executive and judiciary. SNS endeavours to empower individuals to use the RTI Act to participate effectively in policy formulation and utilization of public funds. SNS works closely with people across different income groups and works directly in about 15 slum settlements in South and South-West Delhi. The sangathan trains citizens to use the RTI Act to obtain information on the performance of elected representatives and on the functioning of the Government in areas such as ration, civic works, education and social welfare schemes.

SNS has been working towards ensuring proper implementation of the RTI Act by the government. Drawing on its experience on the ground, SNS engages with the government on various issues related to transparency and accountability at the policy level. Since 2011, SNS in collaboration with other citizens' groups, including the National Campaign for Peoples' Right to Information (NCPRI), has been working intensively on various accountability legislations including the Lokpal Act, the Grievance Redress Bill and the Whistleblower's Protection bill.

The activities carried out by Satark Nagrik Sangathan between January 2018 and December 2018 are given below.

## **Activities undertaken by Satark Nagrik Sangathan**

### **1. Working towards ensuring better implementation of the RTI Act**

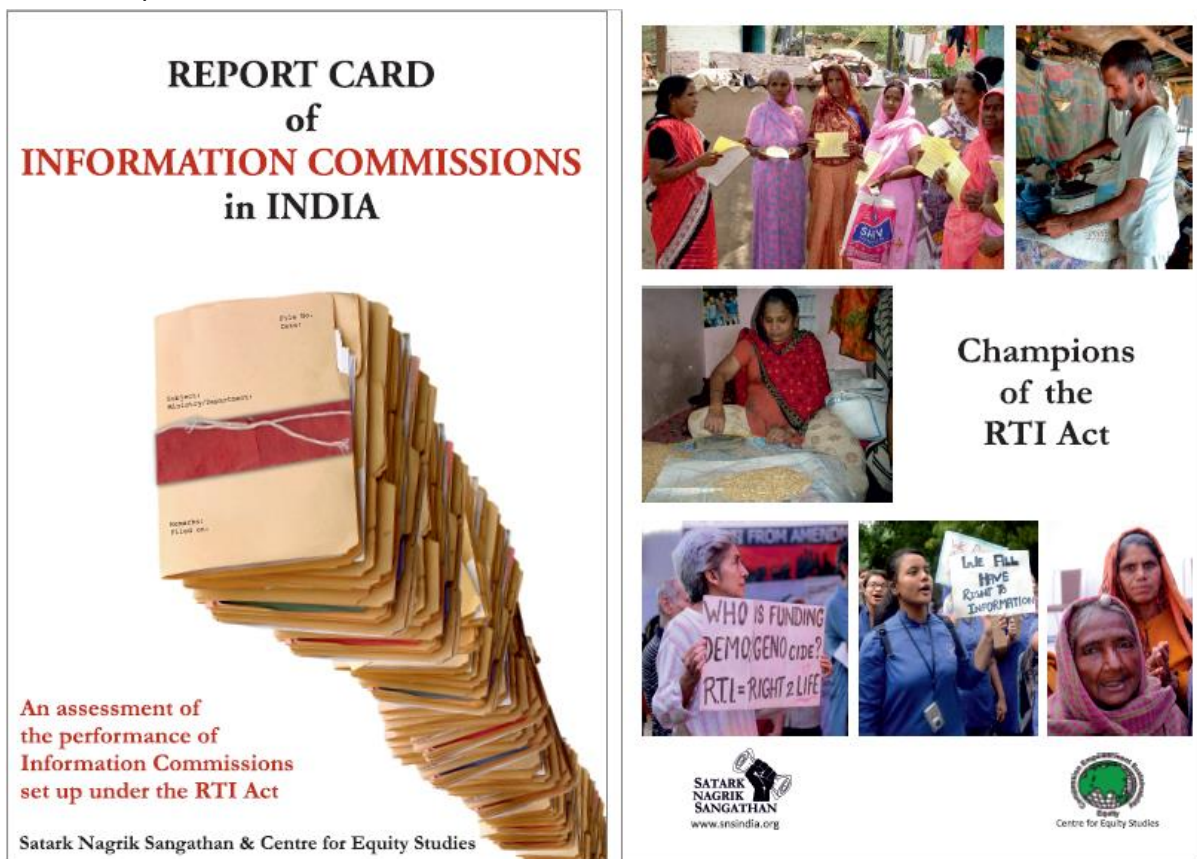
#### **i. Assessing the performance of adjudicators of the RTI Act**

SNS has been involved in several national assessments of the implementation of the RTI Act in collaboration with other groups across India. In October 2014 the '[Peoples' Monitoring of the RTI Regime in India 2011-13](#)', was released. A key finding of the study was that the lackadaisical performance of Information Commission was a major bottleneck in the effective implementation of the RTI Act. Therefore, SNS & RaaG (Research, Assessment & Advocacy Group) along with other groups and activists initiated an assessment on the quality of orders of information commissions in India and other adjudicators including the High Courts & the Supreme Court. The report of the assessment titled '[Tilting the Balance of Power: Adjudicating the RTI Act](#)' was published in January 2017. The assessment analysed all the judgments of the

Supreme Court on the RTI Act, more than 300 High Court orders and a random sample of 2000 orders of Information Commissions of the Central Information Commission and State Information Commission of Assam, Bihar and Rajasthan.

### **Report Card on the Performance of Information Commissions in India, March 2018**

As part of the effort to undertake ongoing monitoring of the functioning of information commissions across the country, Satark Nagrik Sangathan (SNS) & the Centre for Equity Studies (CES), brought out the “[Report Card on the Performance of Information Commissions in India](#)” in 2018. The assessment covers all 29 information commissions in India which have been set up under the RTI Act, 2005.



The focus of the assessment was on the performance of commissions in terms of the number of appeals and complaints registered and disposed by them, number of pending cases, estimated waiting time for the disposal of an appeal/complaint, frequency of violations penalised by commissions and transparency in their working. The report highlighted significant issues related to the functioning of information commissions, including huge delays in the disposal of appeals/complaints and lack of imposition of mandatory penalties in cases of violations of the RTI Act.

The report was primarily based on an analysis of information accessed under the RTI Act, from 29 information commissions across India. A total of 169 RTI applications were filed with state information commissions (SIC) and the Central Information Commission (CIC). The information sought included:

- The number of appeals and complaints registered, disposed, returned by each IC for the period January 2016 till October 2017;
- The quantum of penalties imposed by each IC, and the amount recovered, for the period January 2016 till October 2017;
- The quantum of compensation awarded by each IC, for the period January 2016 till October 2017;
- Number of cases in which disciplinary action was recommended by each IC;
- Number of appeals and complaints pending before each IC on 31<sup>st</sup> December 2016 and 31<sup>st</sup> October 2017;
- Latest year for which the Annual Report of the IC has been published.

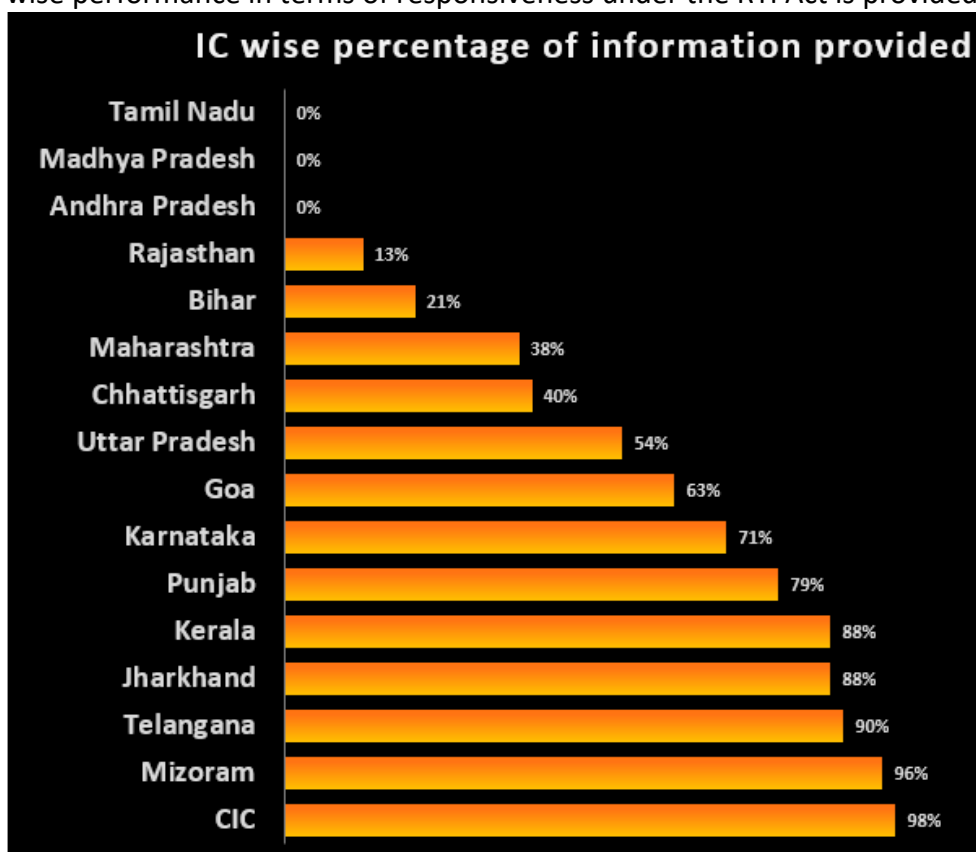
Each of the RTI applications was tracked to assess the manner in which these applications were dealt with by the ICs, as information commissions are also public authorities under the RTI Act. In addition, information was also sourced from the websites and annual report of information commissions.

The key findings of the “Report Card on the Performance of Information Commissions in India” were:

- **Vacancies in information commissions:** The assessment found that several ICs were non-functional or were functioning at reduced capacity as the posts of commissioners, including that of the chief information commissioner, were vacant during the period under review. At the time of the publication of the report, there was no functional SIC in **Andhra Pradesh** (since May 2017) while the **West Bengal** SIC was not functional for nearly 12 months for the period under review (November 2015 to July 2016 and April 2017 to July 2017). The SIC of **Sikkim** defunct for a period of 2 months, from December 2017 to February 2018 as no commissioners were appointed. The SICs of **Gujarat, Nagaland, Maharashtra** were functioning without a Chief. In **Kerala** the SIC was functioning with only 1 commissioner even though 14,000 cases were pending, while **Odisha** SIC was functioning with 3 commissioners while 10,000 cases were pending and in the **CIC** only 7 commissioners were appointed even though 24,000 appeals/complaints were pending.
- **Backlogs of appeals/complaints in Information Commissions:** The number of appeals and complaints pending on December 31, 2016 in the 23 information commissions, from which data was obtained, stood at an alarming figure of 1,81,852. The pendency increased to 1,99,186 at the end of October 2017. As of October 31, 2017, the maximum number of appeals/complaints were pending in Uttar Pradesh (41,561) followed by Maharashtra (41,178) and Karnataka (32,992). The CIC with 23,944 pending appeals and complaints came in at number four. The information commissions of Andhra Pradesh, Bihar, Jharkhand, Madhya Pradesh, Rajasthan and Tamil Nadu did not provide requisite information on the backlog of appeals and complaints under the RTI Act. The information was also not available on their websites.
- **Long waiting time for disposal of an appeal/complaint:** The large backlog of appeals and complaints in ICs results in information seekers having to wait for many months, even years, for their appeals and complaints to be heard. Using data on the backlog of

appeals/complaints in ICs and their monthly rate of disposal of cases, the time it would take for an appeal/complaint filed with an IC on November 1, 2017 to be disposed was computed (assuming appeals and complaints are disposed in a chronological order). The analysis showed that a matter filed on November 1, 2017 would be disposed in the West Bengal SIC after 43 years- in the year 2060! In Kerala it would take 6 years and 6 months, while in Odisha more than 5 years.

- Transparency in the functioning of information commissions:** Transparency in the functioning of ICs was assessed in terms of their responsiveness to the RTI Applications filed and whether they were regularly publishing their annual reports as required by the RTI Act. A total of 169 RTI applications were filed seeking identical information from all the 29 information commissions. The RTI applications were tracked to assess how each information commission performed as a public authority, in terms of maintaining and disclosing information. Only 13 out of 29 ICs provided full information in response to the RTI applications filed as part of this assessment. The commission-wise performance in terms of responsiveness under the RTI Act is provided below:



In terms of annual reports, the assessment found that the Punjab and Kerala SICs have not published their annual reports after 2012 and 2012-13 respectively, while Jharkhand, Odisha, Telangana, Tripura, Uttarakhand and Andhra Pradesh have not published annual reports after 2013-14.

An analysis of the IC websites revealed that many commissions had not posted their annual reports online - 18 out of 29 ICs (62%).

The findings of the report were widely covered by the media, links to some of which are given here- [NDTV](#), [Aai Tak](#), [Indian Express](#), [TheWire](#), [Times of India](#), [Economic Times](#)

## **Preliminary findings of assessment of orders of the Central Information Commission, 2018**

In 2018, SNS in collaboration with CES undertook an analysis of the quality of orders of the CIC. The preliminary findings of the assessment were released in October 2018 to coincide with the 13<sup>th</sup> anniversary of the RTI Act. The report is based on an analysis of a sample of orders of the CIC. The report assesses the orders on the basis of-

- Completeness and compliance with the provisions of the law
- Whether violations of the law were acted against as per the provisions of the RTI Act
- Time taken by the CIC to dispose appeals/complaints filed before it

In addition, findings related to the type of information being sought by appellants and complainants in terms of whether such information should have been proactively disclosed and a gender break-up of information seekers is also presented in the report. Read the report.- <http://snsindia.org/wp-content/uploads/2018/10/CIC2018.pdf>

The key findings of the report are given below:

- **Quality of orders-** The assessment found that 7% of the orders analysed contained deficiencies in terms of not recording critical facts like information sought by the appellant/complainant. This is a significant improvement - a prior assessment of orders of the CIC from 2013 to 2016 had found that 63% of orders did not describe the information sought.
- **Penalty imposition-** The RTI Act empowers the ICs to impose penalties of upto Rs. 25,000 on erring PIOs for violations of the RTI Act. The penalty clause is one of the key provisions in terms of giving the law its teeth and acting as a deterrent for PIOs against violating the law. Despite Section 20 of the RTI Act clearly defining the violations of the law for which PIOs must be penalised, the study found that ICs imposed penalty in only an extremely small fraction of the cases in which penalty was imposable. Across the sample, an average of 56% orders recorded one or more violations listed in Section 20 of the RTI Act, based on which the IC should have triggered the process of penalty imposition. Of these 56% cases, only in 28% cases ICs issued notices to the PIOs asking them to show cause why penalty should not be levied. After show cause notices were issued, the subsequent order recording the final directions of the IC in terms of whether or not penalty was imposed, could only be found for 72% of the cases in which show cause notices were issued. Finally, penalty was imposed in only 4% of the cases in which it was potentially imposable.
- **IC orders in violation of the RTI Act-** The assessment found that there is a growing tendency among adjudicators to exempt information from disclosure citing grounds which are not provided for in the RTI Act. From among the appeals where part or full information was denied, more than 60% denials were in violation of the RTI Act, i.e. the IC denied information on grounds which are not provided for in the RTI Act.

The assessment found that in several cases information is denied without citing any specific exemption under the RTI Act. In some cases, ICs were found to uphold denial of information on the premise that information related to a third party or that the third party had not consented to the disclosure of information. This, despite the fact that Section 11 does not allow for 'veto' power to the third party and clarifies that the decision regarding disclosure is to be finally made by the PIO while keeping in view the

submission of the third party. In fact, the provision is worded in such a manner that the third party rights would be invoked only if the PIO had decided to disclose the information, i.e. reached a conclusion that the information was not exempt under the RTI Act. In order to prevent disclosure, the third party would have to make a case for how the information was indeed exempt under Section 8 or 9. And even if it succeeded in proving the same, the PIO would still be obligated to consider if public interest in the disclosure of information would outweigh any possible harm or injury to the interests of such third party.

- **Who is using the RTI Act & for what?-** As part of the assessment, the gender ratio of appellants/complainants was analysed . The assessment found that 91% of the appeals/complaints were filed by men and 9% by women. This broadly reflects the gender divide in terms of filing RTI applications. A previous assessment , on the basis of analysis of a random sample of RTI applications, had found that 92% of RTI applicants were male and only 8% female.

All orders in the assessment were analysed to see whether information sought in the RTI application was such that it should have been proactively disclosed.

Alarming, the assessment of the sample orders found that 44% of RTI applications sought information where, atleast a part of the information if not all, was such that it should have been made public proactively, without anyone applying for it. This included information that should have been made proactively available under Section 4 of the RTI Act and information which even without the existence of the RTI Act should have been proactively provided (for instance, action taken on a complaint). Despite the large scale violation of provisions of proactive disclosures, the ICs in most such orders did not give directions requiring compliance with provisions mandating proactive disclosures.

## **ii. Public hearing on performance of information commissions**

The findings of the report were widely discussed in meetings in Delhi, Andhra Pradesh and in other states. A public hearing was held on April 27, 2018 in Delhi on the functioning of information commissions across the country. It was RTI users and activists from 14 states participated in the public hearing including- Gujarat, Andhra Pradesh, Manipur, West Bengal, Himachal Pradesh, Karnataka, Jharkhand, Rajasthan, Delhi, Jammu & Kashmir, Madhya Pradesh, Maharashtra, Kerala and Bihar. The findings of the Report Card of Information Commissions in India were also discussed. Mr. R.K. Mathur, the Chief Information commissioner of the CIC and Mr. Samir Mathur and Mr. Gaur, information commissioners of the Haryana SIC attended the public hearing.



Read the full press release of the public hearing-

<https://drive.google.com/file/d/13H7aJJ3sXuESK1sbMCtGPD7Mk14DrGL/view?usp=sharing>  
and [case studies](#) from the public hearing.

A meeting was held in Andhra Pradesh in November 2018 to discuss the status of the information commission. The key findings of the Report Card of Information Commissions was also discussed there. The press release of the public hearing can be accessed at-  
<https://drive.google.com/file/d/1C5Oj8FIA6n7A131mLgyfBNY2yLVHBaS1/view?usp=sharing>





### **iii. PIL in the Supreme Court regarding vacancies in information commissions**

In April 2018, a petition was filed in the Supreme Court regarding vacancies in information commissions set up under the RTI Act. The petition drew on the findings of the SNS- CES assessment of information commissions published in 2018- "[Report Card on the Performance of Information Commissions in India](#)". The petitioners were two members of SNS (in their individual capacity) along with another transparency activist.

The petition highlighted that in the Central Information Commission and in some state information commissions, several posts of information commissioners were lying vacant leading to large backlogs of cases and long delays in disposing appeals and complaints. The petition highlighted the situation in the CIC, and the states of Andhra Pradesh, Maharashtra, Odisha, Telangana, Karnataka, Gujarat, Kerala, West Bengal. The petition drew attention to how the RTI Act was being stifled through the vacancies and also underlined the need for transparency in the appointment of information commissioners.

During the course of the petition and upon the directions of the court, several appointments have been made, including in the CIC. However, the matter is ongoing as several vacancies persist and hamper the implementation of the RTI Act.

The latest update on the case is available at- <https://mailchi.mp/a98ece369ae9/press-release-december-13-update-on-supreme-court-hearing-on-vacancies-in-information-commissions-set-up-under-the-rti-act?e=3cc8183672>

### **iv. Campaign against proposed regressive amendments to the RTI Act**

In April 2018, the media reported ([NDTV](#) and later [TOI](#)) that the government was proposing amendments to the RTI Act. The proposed amendments were drafted in complete secrecy by the government, in violation of the pre-legislative consultation policy which requires the government to place in the public domain all draft legislations for a period of at least 30 days. The secrecy around the amendments prevented any meaningful debate or public engagement with the proposed changes.

'The Right to Information (Amendment) Bill, 2018' was listed in the Legislative Business of Parliament during the 2018 Monsoon session of Parliament for introduction. The text of the RTI Amendment Bill, was finally available, only when it was circulated to Rajya Sabha MPs.

The proposed amendments to the RTI Act sought to completely destroy the autonomy of Information Commissions set up under the RTI Act to adjudicate on appeals and complaints of people who have been denied their rights under the RTI Act. The amendments sought to empower the Central government to decide the tenure and salary and allowances of Information Commissioners of the Central Information Commission and also of State Information Commissions through rules.

This would fundamentally weaken the institution of the information commissions as it will adversely impact their ability to function in an independent manner. The information

commissions are the final authorities to adjudicate on claims of access to information which is a deemed fundamental right under the Constitution. The status conferred on commissioners under the RTI Act is to empower them to carry out their functions autonomously and require even the highest offices to comply with the provisions of the law. Further the Central government usurping for itself the power to decide even the tenure, salaries and allowances of information commissioners of the State Information Commissions, raises key issues of federalism.

To oppose the proposed amendments, SNS in collaboration with various peoples' movements and groups in Delhi launched a campaign and yatra to create awareness about the amendments and to undertake a signature campaign against the amendments. The #SaveRTI yatra started in July 2018 and has till date been organised on 35 days in all the districts of Delhi. It has travelled to bastis, market places, public parks and colleges. Nearly 10,000 signatures have been collected. Other than opposing amendments to the RTI Act, the issue of non-operationalisation of anti-corruption laws- Lokpal, Whistleblower Protection and the Grievance Redress Bill have also been highlighted.



In addition to the yatra, SNS co-organised and participated in four public meetings (Jan Manch) to oppose any dilution of the RTI Act and also on the occasion of the 13<sup>th</sup> anniversary of the RTI Act.

On July 18, 2018, a public rally and Jan Manch to oppose proposed amendments to the RTI Act and to demand immediate operationalization of anti-corruption laws was held. Hundreds of people took out a Yatra to create awareness on how the government was weakening institutions of transparency & accountability. People from more than 10 states participated in the protest. Families of several whistleblowers who have been killed for exposing corruption also participated in the rally and Jan Manch.



Another Jan Manch was held on August 17, 2018 to discuss and plan the way forward for the ongoing protests in Delhi to oppose proposed amendments to the RTI Act and demand operationalisation of anti-corruption laws- Lokpal Act, Whistleblowers Protection Act and the Grievance Redress Bill. Hundreds of people from all over Delhi participated in the Jan Manch. People shared their experience of how the RTI Act has empowered them and their local communities to hold the government to account for delivery of basic rights and entitlements. Representatives of groups who have led the yatra in different areas shared their experience of the yatra and also put forth their suggestions on the way forward. Members of Mahila Pragati Manch, Aman Biradri, National Federation of Indian Women, CFAR, CES, JOSH, National Alliance of People's Movements, Jagori, National Right to Food Campaign, Baliga Trust, Nazdeek, Action India, Delhi Rozi Roti Adhikaar Abhiyaan and Satark Nagrik Sangathan spoke at the Jan Manch.



To celebrate 13 years of the use of the RTI Act that has empowered millions of people across the country, and to protest against on-going attempts to dilute the law, a protest march and a public meeting were organised on **the 11<sup>th</sup> of October, 2018**. The press release of the event

is available at- <https://us19.campaign-archive.com/?u=8de179c61862db71810797613&id=f413402d5d>

During the winter session, a Jan Manch was held. Read the press release: <https://mailchi.mp/18c5fd4feef1/press-release-december-12-2018opposition-parties-pledge-support-to-defeat-rti-amendments-at-jan-manch?e=22bfa0ac98>

While the RTI amendment Bill has not yet been introduced in Parliament, the government has not withdrawn the proposal to amend it.

## **2. Creating awareness about the RTI Act**

In addition to creating awareness among people, especially the poor and marginalized, members of SNS were invited to various fora to share SNS's experience with the use of the RTI Act and to create awareness about the Act.

SNS resource persons were also invited to conduct RTI trainings for various groups and organisations including Jagori, JIMMC, CES, Jagori Grameen. In addition SANAGAT- a south Asia based feminist group invited members of SNS to Nepal to discuss and train on issues of transparency and accountability.

At the grassroots, SNS conducted more than 300 workshops, camps and meetings to spread legal awareness among slum dwellers, especially about the RTI. People were trained on how to use the RTI Act to monitor the delivery of essential services such as- social security schemes, pensions, education, healthcare services etc. by the Government. People were also empowered with knowledge about various rules, regulations and procedures in different government departments. More than 260 applications under the RTI Act to obtain information of relevance to them. Several people were able to successfully access their legal rights and entitlements under various social security programs and schemes by seeking information under the RTI Act and using that information to follow-up with the government.

## **3. Transparency about roles & responsibilities of elected representatives**

One of the core initiatives of SNS has been to empower people to meaningfully engage with and demand accountability of their elected representatives. Using the RTI Act, SNS accesses information on the roles and responsibilities of elected representatives and disseminates this in the form of pamphlets to enable people to engage with their elected representatives- MLAs, MPs, and councilors, in an informed manner. SNS also develops Report Cards on the performance of elected representatives prior to elections and disseminates them in partnership with the media.

The following activities were undertaken in 2018:

Using the RTI Act, SNS accessed information on the roles of Councilors and MLAs of Delhi; the quantum of local area development funds at their disposal; and how these funds can be spent

(including the geographical jurisdiction). Easy to understand pamphlets, in the local language were developed using this information which were then disseminated through door-to-door campaigns, more than 70 basti level meetings and information camps in the constituencies where SNS works directly. A short [documentary](#) on SNS's work of using the Right to Information Act to access information on the performance of elected representatives to hold them accountable was also screened in the meetings.

In several slums, communities were assisted in engaging with their area MLA to address the most pressing needs of the area. In meetings, the available budget, the development needs of the area were discussed and people were assisted in drafting petitions addressed to the area MLAs to address the key issues. In several places, as a result of the informed and sustained engagement with the area elected representative, action was taken by the government and the MLAs to address the development needs.

In December 2018, the Central Information Commission took up for hearing a complaint filed by members of SNS and various people across the city regarding the non-compliance of the directions of the CIC regarding pro-active disclosure of MLA Local Area Development Funds. In 2011, as a result of public hearings organised by SNS and petitions filed, the Central Information Commission (CIC) ordered the Delhi government to ensure that a board displaying details of all works sanctioned through the MLALAD scheme be installed in every constituency of Delhi. Further, this information was also required to be put up on government websites. In 2016, on the basis of physical audits and verification of government websites, it was found that the government was not complying with the orders of the CIC. Under the Delhi M.L.A. Local Area Development Scheme (MLALADS), each of the 70 MLAs in Delhi is allocated Rs. 4 crore per year to carry out developmental works in his/her constituency. The annual expenditure on the scheme is Rs. 280 crores and over the 5 year term of MLAs, Rs. 1,400 crore of public money would be utilized for this scheme. Despite this, there is very little information amongst citizens about how these funds are utilized. The result is that often these funds are not used for the most important development needs of constituents. Corruption in the allocation of these funds is also an acknowledged fact and is amply borne out by government records. Therefore, a complaint was filed to the CIC regarding the non-compliance with its orders by the Delhi government. The complaint can be accessed at-

<https://drive.google.com/file/d/0B3oQ77E3KGKbdtZzR2VoaEVIX0k/view?usp=sharing>

The matter was heard by the CIC on December 20, 2018. In its decision dated December 27, 2018, the CIC took strict note of the flagrant violation of the directions of the previous CIC order. The CIC issued a show-cause notice for violations and also ordered that the government must within 4 weeks comply with the directions on transparency. A copy of the order can be accessed

at-

<https://drive.google.com/file/d/13BpdfhiYkbFUyYq85AsQj8IevkU9RXD/view?usp=sharing>

#### **4. Monitoring the functioning of the Public Distribution System**

Since its inception in 2003, SNS has been working with residents of low income slum settlements in Delhi to ensure that they get their rightful entitlements under the Public Distribution System (PDS) – a scheme wherein the government provided essential commodities like food grain and kerosene oil at subsidized rates to the poor. The PDS is now an entitlement guaranteed under the Nation Food Security Act. Under the NFSA, up to 50% of the urban population and up to 75% rural population are entitled to 5 kgs of subsidized grains per person per month. Families under the Antodaya category are to receive 35 kgs per family per month. Under the Act, rice and wheat are to be provided at Rs. 3 and Rs. 2 per kg respectively.

As per guidelines issued by the Delhi government, households who already have AAY, BPL, Jhuggi Ration Card (JRC), Resettlement Colony Ration Card (RCRC) are eligible for food grains under TPDS. In addition, households with an annual income of less than Rs. 1 lakh and fulfilling other defined criteria are eligible for accessing entitlements under the NFSA.

Under the NFSA and as per the Delhi government orders, the Additional District Magistrate (ADM) has been designated as the Grievance Redress Officer and is required to redress all complaints within 30 days. The ADM has to hold a hearing and give a speaking order. An appeal against the order can be preferred to the Public Grievance Commission which has been designated as the State Food Commission.

Satark Nagrik Sangathan organised more than 100 basti meetings, awareness and grievance redress camps in the 12 slums, where we work directly, to create awareness among people about their rights and entitlements under the PDS and assist them in filing complaints wherever they were unable to access their rightful entitlements. In addition door to door campaigns were held in the slums wherein pamphlets on the rights and entitlements under the NFSA were distributed and discussed. Many people were also helped in using the RTI Act to access information on the functioning of the PDS in their area and on the status of applications/complaints that they had made to the department. Wherever required, people were assisted in following up on their RTI application by filing appeals and complaints to the Central Information Commission.

In 2017, a ‘Peoples’ Assessment of the Implementation of Transparency, Grievance Redress and Accountability Measures of the National Food Security Act in Delhi’ undertaken by Satark Nagrik Sangathan & the Delhi Roti Adhikar Abhiyan found flagrant violations in the function of ration shops and the failure of the government to put in place the requisite grievance redress and accountability measures in place as per the NFSA, despite the passage of more than 3 years since the Act was implemented in Delhi. The report which was released in March 2017 can be accessed [here](#).

Despite repeated Supreme Court orders to the contrary, Aadhaar has been made mandatory by the Delhi government for getting entitlements under the NFSA. This has resulted in a very large number of poor across Delhi being denied their subsidised food grains and other benefits. In 2017, a case was filed in the Delhi High Court by the Delhi Roti Adhikar

Abhiyan against Aadhaar being made mandatory in National Food Security Act (NFSA). As part of the case, affidavits of families from across Delhi who were being excluded from the NFSA due to want of Aadhaar were filed. SNS identified about 400 families in the slum settlements where SNS holds community meetings and their details were also included in the case. As a result, for several of these families, the High Court ordered relief and they are now receiving their full entitlement of food grains under the NFSA. Members of SNS also visited ration shops to document various problems faced by people in accessing their ration entitlements after the introduction of Aadhaar-based biometric authentication. The [videos](#) documenting these problems were also placed before the HC. Further, in the ongoing case, the findings of the assessment of transparency and accountability provisions of the NFSA have also been highlighted. The Court has directed the Delhi government to evolve mechanisms to ensure the proper functioning of ration shops and to also operationalise the grievance redress and accountability provisions through promulgating rules. The case is ongoing in the Delhi HC. Some media reports are accessible at- [Times of India](#), [The Wire](#), [Asian Age](#), [India Today](#), [First Post](#), [The Hindu](#), [NDTV](#), [NewsClick](#), [Governance Now](#)

**In February 2018**, Satark Nagrik Sangathan co-organised with Delhi Rozi Roti Adhikar Abhiyan and various other organisations, a public hearing on the exclusions caused due to Aadhaar being made mandatory to access rations under the National Food Security Act (NFSA) in Delhi. Hundreds of people from different districts and marginalised communities in Delhi participated in the public hearing and testified about their inability to access their legal entitlements of rations since the introduction of Aadhaar. The following key issues were highlighted at the public hearing:

- Exclusions due to Aadhaar based biometric authentication being mandatory
- Aadhaar enabled pilferage of grains
- Exclusions due to Aadhaar being made mandatory for applying for a ration card/ getting names listed on ration card
- Introduction of Aadhaar based biometric authentication has led to increase in transaction time and exacerbated problems in accessing rations
- Delhi government has not promulgated rules to operationalize transparency, grievance redress and accountability provisions of the National Food Security Act
- 'Smart' ration cards have no record of transactions
- Making Aadhaar linking mandatory for pensions is leading to hardships for the poorest



The report of the public hearing can be accessed at

<https://drive.google.com/file/d/1FA4Rpy97uSa1Vdhz3cmjxytar78tzMLq/view?usp=sharing>

Some media reports on the public hearing are accessible at- [Indian Express](#), [The Wire](#).

On July 24, 2018, three minor girls Mansi (8), Shikha (4) and Parul (2) died on July 24, 2018 in Mandawali, East Delhi and the post mortem reports listed starvation as the cause of the deaths. Members of SNS, CES along with the Delhi Rozi Roti Adhikar Abhiyan carried out a fact finding into the starvation deaths. The deaths highlighted the implementation failures of the NFSA which meant that the family was not receiving their legal entitlements to food. The family did not possess a ration card, there was no functional Anganwadi in the area where the family lived (Saket Block, Mandawali) and requisite accountability mechanisms like social audit had not been operationalised which could have addressed these gaps. The full fact finding report can be accessed here- [https://drive.google.com/file/d/1aS8ONOTW8wPG0SNxEHCsmKTY28GhxF\\_d/view?usp=sharing](https://drive.google.com/file/d/1aS8ONOTW8wPG0SNxEHCsmKTY28GhxF_d/view?usp=sharing)

In August 2018, SNS in collaboration with Delhi Rozi Roti Adhikar Abhiyan carried out a survey on the state of hunger in Mandawali. The survey showed that chronic hunger is the harsh reality suffered by most families. 56 families living in and around the building on Pandit Chowk, Mandawali where the 3 girls spent their last few days and families living in Saket Block, Mandawali, where the girls' family stayed for several years, were covered in the survey. 41% families reported that they are often unable to afford adequate food for the family. 93% did not have a ration card. 23% families reported that in the last seven days, on at least one day, they had been unable to afford 2 meals for the family. The key findings of the survey are available at <https://drive.google.com/file/d/1Tmnm6ay9eWmi5GhJew7EjCTeQaL2FLpG/view?usp=sharing>.

On August 24, 2018, SNS participated in a protest organised by the Delhi Rozi Roti Adhikar Abhiyan outside Delhi Secretariat to demand immediate action from the Delhi government. The list of demands presented to the Delhi government can be accessed here- <https://drive.google.com/file/d/10-xsHktwg0XTd6nZlA6zp3Kk6DjrKAqB/view?usp=sharing> while photographs of the protest can be accessed here- [https://drive.google.com/open?id=1NpYuw7wRxdqnlIRUge\\_de\\_iK\\_jP4yxTJ](https://drive.google.com/open?id=1NpYuw7wRxdqnlIRUge_de_iK_jP4yxTJ)