

CIVIC in Action – ANNUAL REPORT – April 2017 to March 2018

74th CA & Ward committee issue

Hon'ble High Court on the basis of the submissions made by CIVIC that spouses, relatives and party workers were being inducted into ward committees. 500 citizens applied for membership of ward committees based on the High Court's ruling but only five among them were selected by the councillors. Protests were organised at the Town Hall by CIVIC, in collaboration with Lancha Mukta Karnataka Nirmana Vedike and other civil society organisations and memoranda were submitted to the Commissioner and Mayor. A Press Meet at Press Club was organised on June 7th 2017 regarding Creating Ward-Committees in all 198 wards as per High Court Order.

CIVIC questioned: If there are 10 or more SC/STs, 10 women and 10 RWAs eligible in a ward, what are the selection criteria adopted to differentiate between them and select only 2 SC/STs, 3 women and 2 RWAs from among them? This question was asked by the High Court to BBMP. In its response, BBMP filed a report on 8.8.17 which merely cited the provisions of the KMC (Amdt.) Act of 2011 and a circular issued by the BBMP Commissioner which do not prescribe any selection procedure or selection criteria.

Several citizens who applied for ward committee membership also asked these questions to the BBMP under the Right to Information Act. CIVIC had prepared a submission that use of arbitrary powers, as in the case of selecting ward committee members, without framing guidelines for the exercise of the power is violative of Article 14 and the 'Wednesbury principle', which demands that power should be exercised "reasonably and rationally in public interest".

As per the High Court directive on the Ward Committee issue, CIVIC submitted its objections on the manner of selection of ward committee members to the BBMP Commissioner and the Council Secretary, Ms Pallavi, on 11th September. The objections of CIVIC were placed before the BBMP Council at its monthly meeting on 29th October and a two-hour discussion followed on each objection raised by CIVIC. However, the Council unanimously approved the selections made for the ward committee members and this was approved by the High Court on 9th November.

In a historic decision by the Division Bench of Hon'ble High Court of Karnataka on 9th November 2017, consisting of Justice Mr. B.S. Patil and Justice Mrs. B. V. Nagarathna, Bruhat Bengaluru Mahanagara Palike (BBMP) has been directed to ensure that Ward Committees constituted on 31st October 2017 in all the 198 wards of the city should meet by end of November in accordance with Section 13-H of the Karnataka Municipal Corporations Act, 1976. The Court further directed that during this first meeting each and every Ward Committee shall prepare a ward level plan to "ensure proper solid waste management and

sanitation work in the ward and finalise location of new public sanitation units” as per Sec 13 (I) (i) of the Act. These plans will be consolidated into an Action Taken Report (ATR) by BBMP and placed on its website, and a report of progress will be produced in Court prior to the next date of hearing i.e. 8th December 2017.

The Court ordered that ward committee meetings should be held by 30th Nov and CIVIC generated awareness about it among citizens and reminded the Commissioner and Mayor that no meetings had been called by councillors by 30th November as ordered by the Court. As a result a meeting was called in all the wards on 30th Nov.

CIVIC along with Lancha Mukta Karnataka Nirmana Vedike and Rastrottana Sankalp of Hubli-Dharwad has formed a state-level “Ward Committee Forum” to demand the setting up of ward committees in all the 10 municipal corporations of Karnataka. Mr.Narendra Kumar of LMNKKV as Secretary of the Forum has conducted press conferences in five municipal corporations of Karnataka and presented memoranda to the Commissioners and mayors and MLAs of these cities. Extensive media coverage has been given to the issue in all the local pages of those cities. CIVIC is a signatory to those memoranda. 49 MLAs were also given memoranda during the Belgavi session of the Karnataka Assembly in November 17.

Executive Trustee of CIVIC was included as a Ward Committee member of Shanthinagar (Ward 117) in its revised list! She attended the first Ward Committee meeting on 30th Nov at the ward office along with a few citizen observers from the ward. The functions of the ward committee, the roles and responsibilities of the chairman and ward committee secretary were read out. Land has already been identified by the councillor for local garbage processing as required by the High Court. CIVIC looks forward to working constructively and making the functioning of the Shanthinagar ward committee a model one.

CIVIC continued to plead for the formation and effective functioning of ward committees in the PIL 24739/2012 on garbage in which CIVIC is an impleading applicant. Upon submission by CIVIC that ward committee meetings were not being held regularly in all the wards, the Division Bench of Hon’ble High Court of Karnataka, consisting of Justice Mr. B.S. Patil and Justice Mrs. B. V. Nagarathna, had directed that 1/3 members of a ward committee should submit a letter in writing to the Ward Committee Secretary asking him to call for a meeting, as per ward committee Rules. If the meeting was not conducted in spite of the letter, the Court asked that copies of such letters should be given to the Court and it would take action against the Secretaries. Executive Trustee, as a Ward Committee member of Shanthinagar, did give such a letter to the Court but action upon the letter is yet to be taken.

The Court had further directed that during the first meeting, each and every Ward Committee should prepare a ward level plan to “ensure proper solid waste management and sanitation work in the ward and finalise location of new public sanitation units” as per

Sec 13 (l) (i) of the Act. These plans were to be consolidated into an Action Taken Report (ATR) by BBMP and placed on its website, and a report of progress produced in Court prior to the next date of hearing i.e., 8th December 2017. But hardly four ward committees have identified land and called for tenders to take up local processing of wet waste. 12 have identified land but not started tendering. The rest have failed to even identify land and no action plan is there on BBMP's website.

Collaboration with Ramakrishna Hegde Chair at ISEC on Decentralisation & Development

CIVIC along with the Ramakrishna Hegde Chair on Decentralisation & Development at the Institute for Social & Economic Change, organised a workshop on "Building Synergy between Civil Society Organisations & BBMP" on 26th Sep 2017 at ISEC. Dr. A. Ravindra, Chairman of ISEC, gave the keynote address. Implementation of the 74th CA, Grants from the 14th Finance Commission, Status of Core Basic Services, Urban Ecology & Governance, Finances, Status of Pourakarmikas, etc. in BBMP were the issues discussed.

A proposal has been sent to the Ramakrishna Hegde Chair to collaborate with CIVIC in working for effective ward committees in all the municipal corporations of Karnataka as a follow-up to the conference.

74th CA at national level

CIVIC co-organised a National Consultation on Strengthening Local Government in India in New Delhi organised by the Human Rights Advocacy & Research Foundation (HRF) on 22nd and 23rd Nov 2017. Executive Trustee made a presentation on the Amendments needed to the 74th Constitutional Amendment (Nagarapalika Act) to make it genuinely participatory. This paper was printed in the journal brought out on the occasion. Mr. George Mathew of the Institute of Social Sciences gave the key-note address. It was decided to form State-level committees to push for amendments to the State conformity legislations on the 73rd and 74th CA in addition to pushing for Constitutional amendments at the Centre. CIVIC is part of the national resource team on the 74th CA along with COVA of Hyderabad.



CIVIC joins consortium of CSOs to Draft “SAKALA PLUS –Draft Accountability Bill”

A few months back, the Siddaramaiah government held an international conference on Ambedkar. What emerged from the conference was the 'Bangalore Declaration'. One of the important action points, contained in the declaration was that the government would come out with a comprehensive law on strengthening public accountability. CIVIC was invited by Nikhil Dey of NCPRI to call civil society organisations in to convene a meeting to discuss what would go into a public accountability bill. A consortium of civil society organisations, led by NCPRI, NLSIU, CIVIC and NBF was formed to prepare the draft bill. Mr. T.R. Raghunandan attended the meeting and was then asked to chair the Committee that put together a draft bill.

Nikhil Dey, from the MKSS gave us the Rajasthan Public Grievances Redressal Act and the Public Grievances Redressal bill that was introduced in Parliament, as draft templates we could use. CIVIC took the initiative to organise the meetings and consultations over the past month or so.

There was valuable assistance provided by Prof. Yashomati, a professor in the National Law School and Smita Mutt, a student of the Public Policy course. A lot of changes were done in order to suit the system to Karnataka, where we have a strong Panchayat system with its own grievance redressal architecture.

On Sunday, 5th Nov 2017, we had a public consultation on the law inaugurated by Prof. Japhet, VC of Bangalore Central University. More suggestions came in, which are being incorporated. CIVIC met the Principal Secretary to the Chief Minister, Mr. L. K. Atheeque, along with a delegation to apprise him of the developments, and received a most positive response.

So, what does the draft envisage? The public accountability bill envisages the mandatory preparation and disclosure of citizens charters and job charts for every public servant. Every office shall have a public grievance redressal officer. Every taluk will have a taluk facilitation centre that will help people to secure information as also help them to file complaints. The government will set up a Janata Information System for streamlining public disclosure of public information.

At the Taluk level, a collegiate structure comprising local government elected representatives and officers shall hold weekly hearings for grievance redressal and solve problems as they arise. The escalation mechanism is through the Lokayukta, which will be strengthened to run the appellate system from the district to the State level.

Another big step forward is the formal introduction of social audits for all public services, and not merely of Panchayats and NREGA programmes. Mandatory social audits, it is hoped will make a big impact on the transparency of urban services.

In a heartening development, it was reported in 'The Hindu' that the 'SAKALA Plus - Karnataka Draft Accountability Bill' is being presented by the Karnataka government before the Karnataka Assembly during its next session. This Bill is part of the commitment made by the Karnataka Government in its Bengaluru Declaration. Thanks to the wonderful leadership of Nikhil Dey of NCPRI, and the excellent support we received from Prof. Yashomati Ghosh, Ms Smita Mutt and Prof. Babu Mathew of NLSIU, and Mr. T. R. Raghunandan, it looks like the Bill is going to become a reality. The government has also shown excellent political will. Looks like all the provisions that were there in our draft have been accepted and included except the one on pre-legislative consultation.

Five Years of Right to Education Act (RTE)

CIVIC had a discussion with Mr. Ajay Seth, Addnl. Chief Secretary, Primary & Secondary Education, on 5th April 2017, on the findings of our state-wide survey on RTE and out-of-school children. We stressed the need to call the meeting of the High-Powered Inter-Departmental Coordination Committee set up by the Karnataka High Court in the suo motu PIL on out-of-school children, which has not been held for more than a year.

CIVIC along with the RTE task Force and KCRO organised a State-level public consultation on "5 years of RTE Act" on 18th May 2017 at Jain University Auditorium, Bangalore. Veteran freedom-fighter Sri H. S. Doreswamy, who presided, was felicitated on reaching his 100th year. Senior thinker and writer Dr. G. Ramakrishna was the chief speaker. Mr. Ajay Seth, Additional Chief Secretary, Primary & Secondary Education, GOK, spoke at the valedictory session and received our memorandum.

Solid Waste Management

In a clear success of CIVIC's sustained advocacy despite strong resistance and opposition, hygienic and aesthetic dust-bins are to make a come-back in the city as per a report in 'The Hindu' of 7th May 2017.

Bangalore-in-Charge Minister, K.J. George, along with the BBMP Mayor, Commissioner and Joint Commissioner (Solid Waste Management) held a discussion at Vidhana Soudha with members of civil society on issues related to Pourakarmikas, contractors and garbage management on 27th Sep 2017. CIVIC was able to provide inputs on the measures needed to

not only keep the city clean but to also make it an inclusive one by avoiding manual handling of garbage and preserving the human dignity of the Pourakarmikas.

Allpuzha and Indore have made history by becoming the cleanest cities. It was exciting to listen to how they did it at a media briefing organised by the Centre for Science & Environment (CSE) at New Delhi on 12th December to which CIVIC was invited. 19 cities presented the initiatives they have taken to make segregation at source the main plank for better solid waste management. It was shocking that, though deputed, no officials from Bengaluru were present to present Bengaluru's initiatives and share data about the city, though Bengaluru was one of the chosen cities. For all the hype about Bengaluru's initiatives, it was clear that it has a lot to learn from the other cities. Mr. Naveen Kumar, Additional Director at the Swatch Bharat Mission inaugurated the briefing. A 'Forum of Cities that Segregate' was inaugurated by CSE director, Ms Sunita Narain.

Representing CIVIC at conferences/meetings, etc.

- Executive Trustee participated as State Coordinator at the 13th Annual Conference of the Association for Democratic Reforms held in Punjab University, Chandigarh, from 28th to 30th April. It was interesting to listen to Chief Election Commissioner, Mr. Nasim Zaidi, who inaugurated the Conference, and other dignitaries.



- CIVIC took an awareness session on Ward Committee Act and Rules on 7th June 2017 for the Malleshwaram Swabhimana Initiative (MSI) members, one of the oldest Residents' Welfare Associations of Bengaluru.

- Executive Trustee was a panellist on 25th June 2017 at the Round Table discussion on BMRDA's Structure Plan 2031 organised by the Bangalore Graduates Forum. Mr. PSS Thomas, Anjali Mohan and Mr. Sai Prasad Rao were the other speakers.
- 15.08.2017 – Consultation on SC/ST Sub Plan Act organised by Dalit Bahujan Chaluvali at Legislators' Home



- Executive Trustee was a panellist at a Round-Table organised by Aam Aadmi Party on August 26th at Gandhi Bhavan on 'Government by the People'. Sri H.S. Doreswamy and Sri Manish Sisodia, Dy CM of Delhi, were the Chief Guests. Sri T.R. Raghunandan and Sri Ashwin Mahesh moderated the discussion.
- Executive Trustee participated in a national seminar organised by the Social Security Association of India -Karnataka Chapter (SSAI-K) on Unemployment Insurance, a less-explored issue under Social Security, on 4th September 2017 in Bengaluru. Dr. Lakshmidhar Mishra, former union Labour Secretary, Mr. B.N. Som, Secy-General of SSAI, participated.
- Executive Trustee participated in the Southern Regional Conference on the Juvenile Justice Act and the POCSO Act organised by the National Human Rights Commission (NHRC) in Chennai on 5th and 6th September 2017. Was able to provide an update on the suo motu PIL on out-of-school children in Karnataka which has resulted in all out-of-school children being brought before the Child Welfare Committees as "children in need of care and protection" under the JJ Act and ensured their Fundamental Right to

Education by the State taking on the responsibility of guardianship of a minor on the principle of 'parens patriae'.

- CIVIC took a session on 'Urban and Rural Problems with reference to the 73rd and 74th Constitutional Amendments' at the Civic Leadership programme organised by UGC Centre on HRD and RASTR at Karnatak University Dharwad on 12.9.17.
- CIVIC participated in a Legislators' Southern Regional Conference to share best practices of the different States on Child Rights and learn from one another, at Vikasa Soudha on 14th Sep 17. CIVIC gave a memorandum to UNICEF Southern Regional head on our initiatives on out-of-school children.
- Executive Trustee participated as Working Committee member representing Karnataka at the 5th National Convention of the National Campaign for People's Right to Information (NCPRI) at Bhubaneshwar from Oct. 14th to 16th. She had very good discussions on the tensions between the Right to Information and the Right to Privacy. Many Public Information Officers are refusing to give information even on such things as official transfers, saying it is an invasion of privacy! Shri Hamid Ansari gave the inaugural address and Sri RK Mathur, Central Chief Information Commissioner gave the valedictory address. The theme of the Convention was "From Transparency to Accountability".

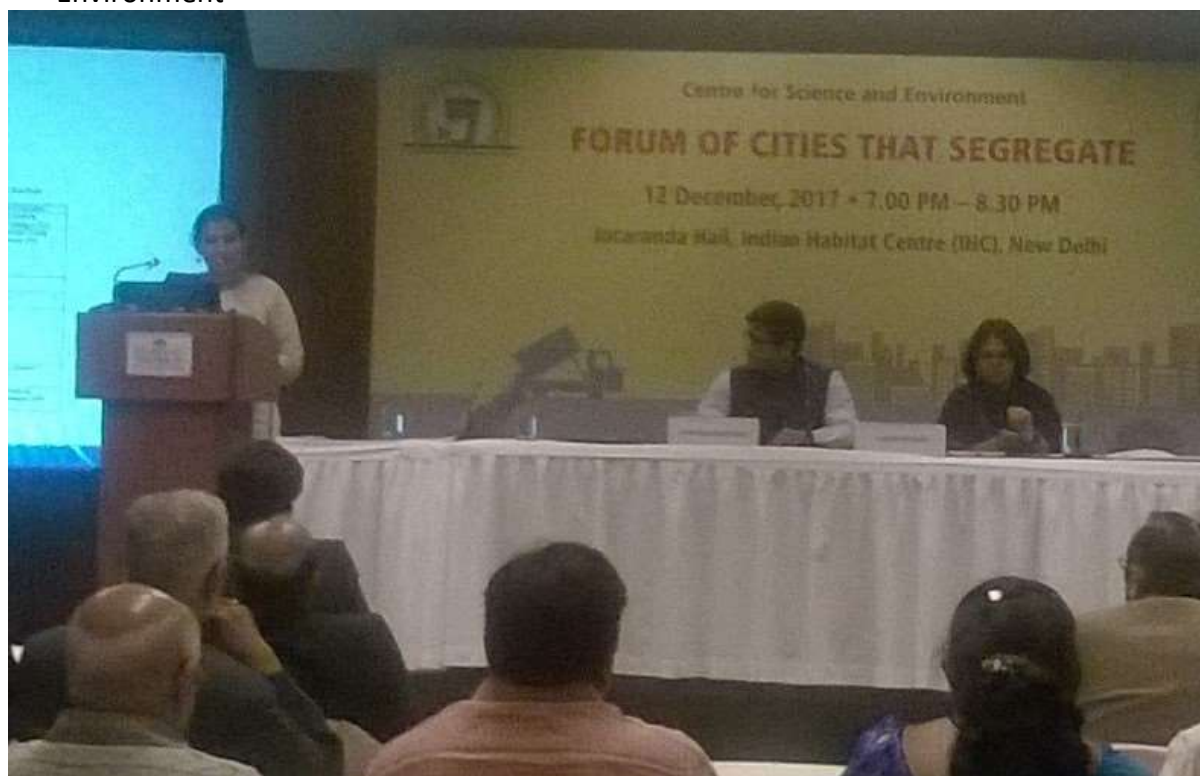


- CIVIC took a session on 25th Nov 17 on the Nagarapalika Act, Ward Committees and Area Sabhas for the prospective candidates for elections being trained under the B.Clip programme of B.Pac. Also for the Citizens' Welfare Association of Richmond Town,

Langford Town and Shanthinagar on 19th Dec 17, and for the Karnataka Bahujan Chaluvali on 17th December 17.

- CIVIC co-organised the release of the #BekuBedaSanthe Citizens Manifesto for Bengaluru along with 'Citizens for Bengaluru' for public record, to political parties & the media on Tuesday, 12th December at 3 PM at St Joseph's College on Langford Road.
- Executive Trustee was a panellist at the one-day consultation-cum-validation programme on the implementation of Karnataka Sakala Services Act and the Karnataka State Litigation Policy organised by the National Law School on 10th December. Justice N. Kumar gave the key-note address. Nikhil Dey of NCPRI, Mr. T. R. Raghunandan were prominent speakers and Mr. K. Mathai, AO, Sakala Services, represented the government.

12.12.2017 – Forum of Cities that Segregate organised by Centre for Science & Environment



- Rural Literacy & Health Programme (Rlhp Mysore) had organised a State-level convention of its members from five districts at Raichur on 16th December 2017 on Community Participation in the Health and Education sectors and MGNREGA. Executive Trustee addressed them on MGNREGA and how they could participate in planning the projects, monitor its implementation and social audit the works

- Akhila Bharata Janvadi Mahila Sanghatane (AIDWA) had organised a panel discussion on "Women's Rights are Human Rights" on 23rd Dec 2017. Executive Trustee was privileged to address them on the Right to Food.

Representing CIVIC at conferences/meetings/trainings, etc.

22 January 2018 – Chaired a session and participated in the initial meeting on 'Women & Land Rights' organised by Ekta Parishad & Makaam at Gandhi Bhavan.

23rd January 2018 – Presented a paper on "Right to Education as a Fundamental Right" at a National Seminar organised by the Department of Economics, Jyoti Nivas College, in collaboration with the Karnataka Regional Branch of the Indian Institute of Public Administration (IIPA) on the topic **"Emerging trends in Public Policy and implications for development"** The session was chaired by Sri S.V. Ranganath, Former Chief Secretary, GoK.

11th February 2018 – Shared strategies and success stories of CIVIC's interventions at Fireflies Annual Dialogue 2018 on "Negotiation and reconciliation for sustainable futures".



12th February 2018 – Participated in a panel discussion on "Urban Marginalised Children and their Travails" at the Bangalore International Centre.

16th February 2018 – Participated in the Governing Council meeting of INHAF at Vidyadeep College, Bengaluru.

17th February 2018 – CIVIC gave its suggestions on BBMP's Budget for 2018 to the BBMP Commissioner.

20th February 2018 – Executive Trustee was invited to participate in a ‘Workshop on Reforming and Codifying the Policy and Laws Concerning Urban Planning and Development in Karnataka’, by NLSIU along with the Directorate of Municipal Administration, GoK. CIVIC submitted several suggestions on modifying urban governance.

28th February 2018 - Executive Trustee represented CIVIC at release of ESG’s "[Report on State of Landfills, Waste Processing Sites and Dumping Grounds in Bangalore](#)".

9th March 2018 – Representing CIVIC as one of the State coordinators of National Election Watch, Executive Trustee took part in the Strategy Workshop – Partners’ Meeting, at IIM-B.

10th and 11th March 2018 – Executive Trustee, as one of the State Coordinators, took part in, and helped in organising the 14th Annual National Conference on ‘Electoral & Political Reforms’, organized by Karnataka Election Watch (KEW) & Association for Democratic Reforms (ADR). Mr. Rawat, CEC, was the Chief Guest.

17th March 2018 – Participated in and helped in organising a symposium on "Electoral Reforms & Constitutional Ideals" organised by the Forum for Democracy & Communal Amity (FDCA) and St. Josephs College. Mr. S.Y. Quraishi, Former CEC was the keynote speaker.

20th March 2018 – Executive Trustee moderated a session at a workshop on “Issues of Inter-state migrant workers in Karnataka and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, organised by the Labour & Migration Unit of the Indian Social Institute (ISI), Bangalore.
