

CIVIC's Social Accountability Forum for Action & Research (SAFAR) Activities

RTI applications filed

- **RTI to BBMP on ward committee meetings by Nodal Officers:** An RTI application was filed with BBMP asking how many Ward Committee and Ward Disaster Management Cell meetings had been conducted by Nodal Officers appointed in place of Councillors. **Reply has asked us to file 198 RTI applications to all the 198 Nodal officers to get the data.** An Appeal has to be filed.
- **RTI to Construction Workers' Board on GO:** An RTI application was filed with the Construction Workers'/ Welfare Board to give an Action Taken Report on the implementation of the GO issued, based on a memorandum of CIVIC, on various facilities to be provided to construction workers, regarding their registration, housing, creches. **An irrelevant answer pertaining only to the aspect of registration has been given, saying one RTI application can ask about only one issue.** An Appeal has to be filed.
- **RTI on Ward committees and area sabhas to DMA:** An RTI application to the Directorate of Municipal Administration (DMA) on the status of formation of Ward Committees and Area Sabhas in Mangaluru, Davangere, Shivamogga, Mysuru and Tumakuru has resulted in informally provided information that Ward Committees have been set up in Tumakuru and it is under process in the other cities. List of 'Areas' for the formation of Area Sabhas, notified for Mangaluru and Davangere, have been provided.

Updates on Ward Committees and Area Sabhas in other cities

Work on 74th Constitutional Amdt.

In 2018, CIVIC and others had filed a PIL (WP 53244/2018) questioning the non-formation of Ward Committees and Area Sabhas in the Mangaluru Municipal Corporation (MCC), a requirement to give "Power to the People" as per the 74th Constitutional Amendment. The Karnataka High Court had ordered on 08.08.2019 that the Ward Committees and Area Sabhas should be set up immediately after the elections to the Mangaluru Municipal Corporation. As a result of this order, and constant pressure from civic groups guided by CIVIC, Ward Committees were set up in Mangaluru on 2nd November 2021. What is remarkable is that, as a result of this PIL by CIVIC and others, Ward Committees were formed here for the first time, 29 years after the 74th CA or Nagarapalika Act.

Also, the MCC Commissioner has followed all the suggestions made by CIVIC for having a participatory, transparent, democratic and non-political process of nominating the Ward Committee members. A totally open system free of nepotism and favouritism has been adopted, in contrast to earlier practices adopted in Bengaluru where councillors themselves selected ward committee members in a non-transparent and arbitrary manner. Further, with

guidance from CIVIC, activists in Davangere, Mysuru and Belagavi have been advocating with their municipal commissioners to follow the Mangaluru model for constituting ward committees in their cities.

The first ward committee meetings in 29 years were held in Mangaluru municipal corporation in the third week of March 2022. The third week of every month has been fixed by the Commissioner as the week for having ward committee meetings in all the wards. Suggested draft bye-laws, including agenda for holding ward committee meetings, were given by CIVIC to Mangaluru Civic Group which they have presented to Mangaluru municipal commissioner.

Public advertisement issued in Davangere: Guided by CIVIC, Citizens' group 'Nirmana' petitioned Davangere Commissioner to issue public advertisements calling for applications from citizens for forming ward committees and gave him the sample application form developed by CIVIC. Commissioner issued public advertisement and a few applications were mobilised by Nirmana. Since the number of applications received were few, date for application has been extended.

Mysuru citizens win PIL on WCs and ASs: Mysuru citizens filed a PIL in the Karnataka High Court questioning why no ward committees had been set up in Mysuru despite the orders issued by the HC in the case of Mangaluru. CJ Oka has given a repeat judgement in their case also giving the Mysuru Municipal Corporation twelve weeks' time to complete the formation of ward committees. We are asking the citizens to ask their Commissioner to issue public advertisements calling for citizens' applications and also give him the sample formats for inviting applications from citizens.

Work on ward committees in Kalaburgi

Kalaburgi municipal commissioner has also issued public advertisements calling for citizens' applications to become ward committee members. But the response has been meagre from citizens. Hence the date for submission of applications has been extended to May 15th. But unless we go and conduct physical awareness programmes there for citizens/citizens' groups, not many applications will be submitted.

Memorandum on Guidelines to UD

As a result of the above High Court order in PIL (WP 53244/2018), the Urban Development Department (UDD) had been issuing circulars asking all other municipal corporations in the State also to form the Ward Committees in their cities. However, the Act, Rules or Urban Department circulars did not provide any Guidelines on what the nomination procedure should be for selecting the Ward Committee and Area Sabha members, what the selection criteria and *inter se* priority should be when there are several eligible persons for becoming Ward Committee members. Given the lack of Guidelines, each municipal commissioner was following different procedures, which bred 'Inequality before Law'.

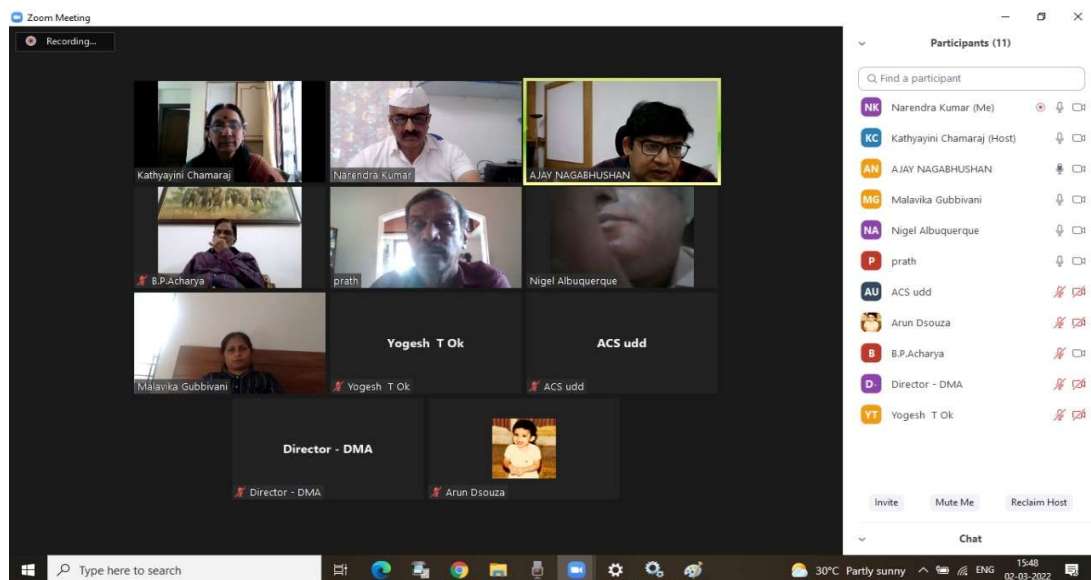
CIVIC hence met and also wrote to the Additional Chief Secretary, Urban Development, Govt. of Karnataka (ACS-UD) on 19th April 2021 and 20th April 2021 suggesting a uniform, transparent and democratic process for selecting Ward Committee members and Area Sabha Representatives in all cities and requesting that Guidelines be issued in this regard. Even

Hubballi-Dharwad and Mysuru Municipal Commissioners wrote to the UD Secretary asking for Guidelines to resolve the confusion regarding the procedure to be adopted for selecting the ward committee members. But no reply was received from UDD by the Commissioners or CIVIC.

PIL on 'Inequality before law' and 'Lack of Guidelines' on Ward Committees

Since there was no response by UDD to CIVIC's memorandum or the letters of the Hubballi-Dharwad and Mysuru Municipal Commissioners by the Urban Development Department, a PIL was filed in the Karnataka High Court (WP 17766/2021) on 24th September 2021 by CIVIC, along with other network members from other cities, seeking: 'Guidelines for the selection of Ward Committee members and Area Sabha Representatives' and also pointing out the 'Inequalities before Law' introduced by the Respondent government by framing different laws for citizens of a metropolis like Bengaluru, citizens of other municipal corporations and citizens of the smaller cities. The Additional Government Advocate has intimated that the government is considering our petition 'favourably' and the State has sought time till from the High Court till 5th March 2022 to take action on our pleadings.

On the kind intervention of Mr. Lukose Vallatharai, our Trustee, who spoke to Mr. Rakesh Singh, ACS-UD, two on-line discussions were organised by the ACS-UD and Secretary, Urban Development, Mr. Ajay Nagabhushan, along with BBMP officials and our co-petitioners on 24.01.22 and 02.03.22.



Screen shot of web discussion with ACS-UD and UD Secretary

Expert committee to be set up: Mr. Ajay Nagabhushan agreed to set up an Expert Committee to bring equality between the three laws, BBMP Act 2020, KMC (Amdt.) Act 2011 and the KM (Amdt.) Act on the manner of constituting Ward Committees and Area Sabhas. Mr. Raghunandan's and Mr. Lukose Vallatharai's names have been suggested by us for inclusion in the Expert Committee. Most of our suggestions on issuing Guidelines in the interim were accepted. Mr. Nagabhushan asked us to provide further inputs on weightages to be given for

various criteria for selecting WC members, which we did. But no further discussion has been held by him regarding this and government's response to the High Court has not been readied. However, the HC hearing on the matter which was fixed for 8th March 2022 was not held and no new date was fixed. Our effort to call for an urgent hearing of the matter has not been heeded. Now the HC is on summer vacation.

Single Integrated Grievance Redressal Platform by DPAR

A single Integrated On-line Grievance Redressal Platform related to all departments is still being worked on by Karnataka DPAR (e-governance) department. Mr. Rajeev Chawla, Principal Secretary of the department asked SAFAR to organise a citizens' consultation on this to get more inputs on the kind of grievances faced by citizens. CIVIC mobilised activists working in various fields to participate in this discussion and several suggestions have been given, including by CIVIC.

The Social Accountability Bill prepared by a team of CSOs facilitated by CIVIC in 2018 is also being considered by DPAR. Mr. Raghunandan, our Trustee, was one of the key authors of it. The IPGRS or 'Janaspandana' was launched by the CM on 1st November 2021, Karnataka Rajyotsava Day.

Mahiti Kanaja

An integrated, single-window information portal of all departments called 'Mahiti Kanaja' (based on the Jan Soochana Portal of the Rajasthan Government) was sought to be set up by the Karnataka government. The Dept. of Personnel & Administrative Reforms, Centre for E-Governance (DPAR-CeG), GoK, sought the assistance of SAFAR in initiating a 'Digital Dialogue' with civil society organisations (CSOs) to get inputs for improving Mahiti Kanaja. Several awareness programmes were conducted by SAFAR-CIVIC for CSOs working in various sectors on the purpose of Mahiti Kanaja. Inputs were sought from them for improving 'Mahiti Kanaja', by facilitating 'Digital Dialogues' between the CSOs and individual departments. 'Digital Dialogue' is a monthly on-going programme and four monthly dialogues have been held so far by DPAR-CeG with CSOs since July 2021. This is a first of its kind dialogue with the government and CSOs for improving information disclosure under RTI Section 4(2). Awareness programmes for various CSOs working in different sectors are also being conducted at CIVIC office sector-wise and their inputs being taken for improving Mahiti Kanaja.

CIVIC Sent two documents on Generic Demands on Mahiti Kanaja to ACS-EGov, Mr. Rajeev Chawla, on 12.02.22; one related to Section 41b of RTI Act and a second one on disclosures on Budgets & Expenditures. Inputs for the second one were given by our Trustee, Mr. Raghunandan. Mr. Rajeev Chawla invited CIVIC for a special discussion on these on 19.02.22

and appreciated the inputs by Mr. Raghunandan very much. One of the inputs on which he promised to initiate immediate action was to write to the Treasury asking them to give unique IDs for every GP and Ward and add a column to each Treasury bill showing in which GP/Ward the expenditure was made. This would enable citizens to get an idea of all the money that was being spent in a GP/Ward and conduct social audits of the expenditure. CIVIC has asked that a website should be created for every Ward/GP so that detailed information about the ward/GP can be obtained by citizens at one place.



Submission of Memorandum and discussion with Mr. Rajeev Chawla, ACS-E-Gov, 19.2.22



Digital Dialogue with Agriculture department

Meanwhile, Digital Dialogue was held on 11.02.22 and 19.02.22 and meetings with individual departments to follow-up on the inputs given by CSOs on Mahiti Kanaja is continuing.

National Seminar on Digital Technology & RTI: CIVIC and other CSOs working on Mahiti Kanaja were invited by Mr. Rajeev Chawla for a National Seminar on Digital Technology and Right to Information, conducted in collaboration with SAFAR on 15th Feb 2022 at Hotel Atria in Bengaluru just before his retirement at the end of February. Justice A.P. Shah gave the keynote address



Left to Right: SAFAR's Rakshita Swamy, Sri Shreevyas of CeG, Justice A.P. Shah & Sri Rajeev Chawla – 15.2.2022



Nikhil Dey on extreme right and members of CSOs -15.2.2022 at National Seminar on 'Digital Technology and RTI'

Submissions to the 2nd Karnataka Administrative Reforms Commission

The 2nd ARC of Karnataka headed by former Chief Secretary, Mr. Vijay Bhaskar, had called for public inputs to the ARC. CIVIC sent him the article on 'Data-bases for Enabling Development'. He responded that there were very positive suggestions in the article and asked his advisor to put up the suggestions for inclusion in the next report of the ARC to the government. The "Generic demands on RTI Section 4 information" and the note on 'Budgets & Expenditures' prepared by Mr. Raghunandan have also been submitted to the ARC.

PIL on Out-of-school children

In the on-going PIL on out-of-school children, in which ET is impleaded as a Party-in-Person, the HC directed the government in March 2021 to hold the Inter-Departmental Coordination Committee (IDCC) meeting under the chairpersonship of the Chief Secretary (which had not been held since a year) and come up with responses to the several directions given by the HC in March 2020.

One of the directions was to re-consider the government's decision to reject the suggestion made by the Executive Trustee to institute a Bond Scheme for 'all vulnerable children' on the lines of the Bhagyalakshmi Scheme which would give the child Rs.one lakh when the child completed eight years of compulsory education or reached 18 years. This direction had been rejected by the government again in their Compliance Report of July 2020.

The IDCC meeting was called on 16th April 2021. ET used the occasion to request the new Chief Secretary, Mr. Ravi Kumar, to re-consider the government's decision. He then requested ET to submit a Draft of the Scheme for his consideration, which has been done. Mr. Lukose Vallatharai and Dr. Padmini also gave their inputs on the Draft which have been incorporated. The next Court hearing is on 19th July.

Then Labour Secretary, Mr. Manivannan, had said that the Building & Other Construction Workers' Welfare Board (BOCWW Board) has enough funds to finance such a scheme for children of construction workers. CIVIC is happy to share that at the last hearing before the Court, the government submitted that the BOCWW Board has enhanced the scholarships for children of construction workers in such a manner that they would have received a total of Rs. One lakh as scholarship at the end of eight years of compulsory education. However, this would be given not as a one-time lump sum amount but would be spread over a period of eight years in the form of annual scholarships.

As per a directive of the High Court to the government to hold the meeting of the Inter-Departmental Coordination Committee, a meeting was called on 05.03.22 at Vidhana Soudha

under the chairpersonship of the Chief Secretary, Mr. Ravi Kumar. CIVIC raised several issues that have not been addressed by the government despite Court orders and decisions taken at the previous IDCC meeting held on 16.4.2021.

“Policy on Education of Migrant Children”: As a result of decision taken at Chief Secretary’s meeting, a meeting was called by the State Project Director, SSA, Ms Deepa, on 28.03.22 to discuss the steps taken by various departments to implement the “Policy on Education of Migrant Children”. RDPR, DMA, Labour Dept and W&CD officials came totally unprepared for the meeting. SSA also did not present what they were supposed to do. It was a totally futile meeting. CIVIC suggested that a second meeting be held to meet the aim of the meeting.

Trainings to departments on changes brought about by PIL: No trainings have been conducted for members of Child Welfare Committees under the W&CD, GPs and municipalities on their roles and responsibilities in implementing the changes in the RTE Rules brought about by the PIL. Hence as per request of CIVIC, Ms Deepa agreed to ask DSERT to prepare Training Modules for the purpose. A Draft of the Training Module was sent to CIVIC for our suggestions. It was saddening that the Draft Module had hardly any understanding of the changes that have been brought about as a result of the PIL bringing in a ‘preventive protocol’ for ensuring that children are retained in schools and is repeating the out-dated ‘curative’ remedial bridge course approach. CIVIC has suggested overhauling the Training Module and submitted its suggestions for the same. The suggestions have been accepted and CIVIC is being invited to the first training for DIET officials from all the districts on the Training Module. They will then train others down to the grassroots level.

Advocacy on National Child Labour Action Plan

On 11th June 2021, a day before the International Day Against Child Labour, the Ministry of Labour & Employment in collaboration with the Nobel Laureate Kailash Satyarthi’s Foundation organised a National Consultation on a proposed Action Plan on Child Labour. It was found that all plans were curative and rehabilitative in nature of tackling the demand side of child labour by conducting raids on units employing child labour and conducting bridging courses for children in an effort to mainstream them after they have become confirmed drop-outs. It was surprising that the Education Department was not invited to be part of the consultation.

CIVIC later shared with the Union Labour Minister, Mr. Santosh Gangwar, and Mr. Kailash Satyarthi the experiences of Karnataka in initiating a ‘preventive’ approach of tackling the supply side of child labour through the PIL in the Karnataka HC which focuses on ‘Retention of children in schools’ through assistance programmes for parents and enforcement of State responsibility in ensuring the Fundamental Right to Education of each child as the alternative and more meaningful approach to eliminating child labour. Mr. Gangwar and Mr. Satyarthi

acknowledged receipt of the memorandum. Mr. Gangwar forwarded it to the Women & Child section in the MoLE for considering the alternatives proposed in the National Action Plan.

Social audit of GO issued on B&OCWW Board

It may be recalled that a GO was issued by Mr. Manivannan, then Labour Secretary, on 21.01.2019, addressed to the Building & Other Construction Workers' Welfare (B&OCWW) Board incorporating most of the suggestions made by CIVIC in a Memorandum for improving the facilities for Building & Other Construction Workers. Since there is a requirement under SAFAR to conduct a social audit of the B&OCWW Board, CIVIC asked FEDINA to conduct an on-line survey of construction workers to find out how many of the benefits listed in the GO have reached them. The results of the survey are being analysed.

Recently, Bangalore Institute of Technology (BIT) approached CIVIC asking if there is any field survey that its students can undertake as part of their community outreach activities.

CIVIC has asked students of BIT to do a survey of construction workers along with the Centre for Advocacy & Research (CFAR) to find out how many of the benefits listed in the GO have reached them, which is under progress. The students are being coordinated by our volunteer, A. Krishna Prasanth.

Ward Planning Tool-kit

A Ward Planning Tool-kit has been prepared by CIVIC with the help of volunteers for localising the achievement of SDGs in cities. The tool-kit is being circulated among interested persons for further inputs for its improvement. So far, no responses have been received from anyone on CIVIC's Ward Planning Tool-kit. Consultations have been held with 'Flourishing Bengaluru Collective' for carrying out a pilot project on ward planning in three selected wards of Bengaluru using the Ward Planning Tool-kit developed by CIVIC.

Preparations for BBMP elections

Since there are indications that elections to Bengaluru Municipal Corporation (BBMP) are likely to be held in March 2022, plans are being made with 'Civil Society Forum', a group of more than 40 CSOs, facilitated by CIVIC, to initiate preparation of a Citizens' Manifesto for BBMP elections to be submitted to all heads of political parties. 'Civil Society Forum', has held two on-line discussions to prepare the 'Citizens' Manifesto for BBMP elections'. Fresh inputs received are being added to the Manifesto. Plans have also been initiated with 'Flourishing Bengaluru Collective' to involve citizens of three selected wards to come up with ward-level manifestoes to be submitted to all candidates standing for elections in those wards.

Public hearing by Domestic Workers' Union on PDS

On 7th October 2021, a public hearing was organised by the Domestic Workers' Rights Union on the failure of the government to provide ration cards to widowed, elderly, single domestic workers. Mrs. Chamaraj was invited to be the main resource person and speaker for the event. Ms Sowmya, Asst. Food Commissioner, attended on behalf of the Food Department. CIVIC gave her a Memorandum to be handed over to the Food Commissioner, Ms Shamla Iqbal, on improving the PDS and making it universal. CIVIC has also written to the Food Minister seeking an appointment for the DWRU to present their grievances.

Mukti Alliance to end Human Trafficking & Bonded Labour

CIVIC as a partner of Mukti Alliance observed Bonded Labour Day on 9th February 2022, which is the day the Bonded Labour System (Abolition) Act was passed in 1976



Bonded Labour Day – Mukti Alliance takes pledge with Mr. Eshwarappa, RDPR Minister, Mr. L. K. Atheeq, ACS-RDPR, & Commissioner RDPR – 9.2.22



Mukti Alliance's memorandum being submitted to Mr. L. K. Atheeq, ACS-RDPR on Bonded Labour Day, 9.2.22

Solid Waste Management

In the on-going PIL 24739/2012 on garbage in the High Court, the CJ's Bench asked the petitioner NGOs, including Leo Saldanha, to tabulate all the orders given by the Court, point

out if they have been implemented by BBMP and suggest an Action Plan. Leo held a webinar to get everyone's inputs. CIVIC gave all the inputs and Action Plan that had been given to DMA a few years back as a member of the State-Level Advisory Committee, of which Leo was also a member. The same inputs and Action Plan were also sent by email to the Registrar-Judicial with a request that it be brought to the notice of the CJ. But the Court does not seem to have taken up my email like they did the last time when CJ Oka was there.

Universal Periodic Review of Child Rights by UN Committee

With the UPR of India's compliance with UNCRC coming up in the UN Human Rights Committee in November 2022, this year, NGOs were asked to submit their independent submissions by 31st March 22. CIVIC submitted a paper on the lacunae in the Central RTE Act in ensuring that all children are compulsorily in school because of which more than 40 million children are out of school still in India. CIVIC submitted our initiative through the PIL WP 15768/2013 in bringing a 'Preventive Protocol' into the RTE Rules in Karnataka to ensure state responsibility to bring all children to school and asked the UNHR Committee to direct the Indian government to implement this at national level. If CIVIC applies for consultative status with the UN ECOSOC Committee and are given that status, we can attend the UNHR deliberations on India's UPR at Geneva in November 2022.

Participation as a speaker in Webinars / meetings from April 2021 to March 2022

10.04.21 – On the 'New BBMP Act' to Bengaluru Navanirmana Party members
29.04.21 – On SDG Action Plan of Karnataka at ISEC-IIPA webinar
28.05.21 – Dialogue with BAF and [Initiative for Climate Action](#) on Ward DETER Committees
05.06.21 - On Ward Committees and Area Sabhas for Karnataka Rashtra Samiti Party (KRS)
10.06.21 – Cerrise Jain University
02.11.21 – Panellist at consultation on BMLTA Bill
09.12.21 – Panellist at consultation on BMLTA Bill organised by Bengaluru Bus Prayanikara Vedike
15.01.22 – Spoke at a Webinar on the "Bengaluru Metropolitan Land Transport Authority Bill (BMLTA Bill)" organised by Bengaluru Navanirmana Party (BNP).
06.03.22 – Spoke on 'Citizen Participation through ward committees' to youth organised by Action Aid.
21.03.22 – Spoke on CIVIC's role and Karnataka's experience on "Reshaping Urban Governance through Citizens' Participation" at webinar organised by Centre for Promoting Democracy (CPD) and TISS. To take ahead the process in Maharashtra and to shape ways in the context of Maharashtra's cities and towns.

