

13 Years of Right to Information in India: Good governance and Transparency under cloud



(Image source: <http://blog.onlinerti.com/2016/09/01/what-is-the-right-to-information-act-2005/>)

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13 Years of Right to Information in India: Good governance and Transparency under cloud

Background

According to the Report Card on the Performance of Information Commissions in India for 2016-17, around 1, 99,186 appeals and complaints are pending with 23 commissions . The commissions are currently struggling with reduced staff strength so much so that the average time for filing an appeal could stretch up to 43 years. The ICs imposed penalty in 4,194 cases that amounted to Rs. 4.41 crore only, but some States, did not even provide information on penalties imposed and recovered. Given the fact the RTI is recognized as the most powerful transparent law in India, many States, are yet to publish their annual reports online. Further, a concerning trend is how the ICs are returning a large number of appeals/complaints without passing any orders. This article is therefore, based on the analysis and interpretation of the report for a better understanding as to how the poor functioning the CIC, the public authorities and the SICs affects the public and how this undermines the very objective of the Act; to promote transparency and good governance.

What is Right to Information Act and why is it important?

The Right to Information (RTI) Act of 2005, a landmark legislation in the Indian political and administrative history, was implemented on October 12th 2005 that aims to promote transparency and accountability in the working of every public authority and give its public the power to scrutinise the government officials and legal processes. The Supreme Court declared Right to Information as a part of Fundamental Rights under article 19 of the Indian Constitution and since then for more than 12 years, it has proved to be an effective tool for both the urban poor or the rural households seeking information about their basic entitlements or exposing some of the most infamous scams in the history of India (some of them include, the Adarsh Housing society scam, the Vyapam Scam, the Commonwealth Games scam, the Kerosene scam., irregularities in public distribution system in Assam, the Red Cross Society Scam or even the recent 2017 PF scam).

In a report compiled by the Transparency India International, around 2.44 crore applications under the Right to Information (RTI) Act have been filed with various central and state government departments by citizens during the period of 2005-06 to 2015-16 with certain loopholes such as the misuse of information, delay in procedures, pendency of data, rejection of applications and other technical issues also discussed in the report. Apart from this, laws like the Official Secrets Act 1923 , the Parliament Privileges and the Contempt of Court Act 1971 are a way out for the all the public authorities to avoid disclosing information that simply violates the section 4 of the Act that mandates for pro-active disclosure of basic information. Further in 2017 the NDA had proposed amendments to the Act (which however not been implemented yet) that included increasing the amount of fee for accessing information, introduction of cumbersome procedures for access to information that are not citizen friendly etc that subvert the provisions of the Act that aim to provide aid the citizens seeking information. In fact, almost 67 RTI activists have even lost their lives in this battle with the State governments hardly doing anything about it. In addition to this, the recent revelations made by the SNS and the CES clearly highlight how the Act and its objectives are continuously violated and therefore slowly moving away from its goal due to poor compliance to public disclosure of information, improper maintenance of records, misuse of the Act and the pendency of appeals.

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The RTI act 2005 provides for the establishment of the Central Information Commission (CIC) headed by a Chief Information Commissioner and assisted by Information Commissioners under Section 18 of the Act as a designated authority to receive and inquire into a complaint from any person and has the powers to require the public authority to compensate the complainant for any loss or other damage suffered. The recent study published by the Centre for Equity Studies and the Satark Nagrik Sangathan titled, "Report Card on the Performance of Information Commissions in India's primarily based on an analysis of information accessed under the RTI Act, from 29 Information Commissions for the period between 2016-2017 (which combine the CIC and SICs).

So what is the report all about?

Across India and as per their estimates every year 60-80 lakh RTI applications are been filed in India with a total of 2,76,405 appeals and complaints registered, around 2,14,809 been disposed by the 23 ICs¹. Some of the key findings include:

Vacancies in Information Commissions:

Vacancies in the Information Commissions have been in the news for quite some time now. At the time that the Act was implemented in 2005, 68 posts were created, in 2007 the posts were enhanced to 106 and later to 116 in 2008. The Staff Inspection Unit (SIU) of the Department of Expenditure in 2010 assessed the requirement of posts as 154 and after detailed consultation with the Department of Expenditure, keeping in view the recommendations of the SIU, 160 posts were sanctioned in 2011. Later in 2012, the numbers stood at 133 posts filled against the sanctioned strength of 160 and by 2018, a total of 153 posts of Information Commissioners (including the Chief Information Commissioners) had been created across the country. As per the report, while several ICs were non-functional or were functioning at reduced capacity with a high number of vacancies, the position for the Chief Information Commissioner was vacant during the period.

As per the statistics, more than 109 of the 146 posts in the Information Commissions are vacant. Further States such as Andhra Pradesh and Telangana who have a common SIC became defunct in May 2017, Telangana constituted its SIC on September 13, 2017, and two Commissioners assumed charge on September 25, 2017 and Andhra Pradesh on the other hand, issued an order to constitute an SIC in August 2017, but no Commissioner has been appointed so far. West Bengal SIC has currently has two Commissioners, but during the periods (November 2015 to July 2016 and April 2017 to July 2017), it did not take up any appeals or complaints as there was only one Commissioner. In Sikkim, the SIC has been non-functional between December 2017 and February 2018 with States like Maharashtra, where the CIC has retired in April 2017, the Nagaland SIC has been without a Chief since September 2017 and in Gujarat the CIC retired in January 2018; which means, four SICs are currently without a Chief Information Commissioner.

As per Information Commissioner Manjula Prasher who retired in January, the Central Information Commission (CIC) will now function with just 60 per cent of sanctioned strength of information commissioners. Despite the government advertising for the position of information commissioners in September 2016 three information commissioners have retired (MA Khan Yusufi in December 2016, Basant Seth in February 2017 and Sharat Sabharwal in September 2017). Talking about gender diversity, the number

¹ Since Information commissions of States like Andhra Pradesh, Bihar, Madhya Pradesh, Maharashtra, Rajasthan and Tamil Nadu did not provide the information regarding the number of appeals and complaints dealt with, the numbers come down from 29 ICs to 23 ICs.

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of women working ICs is very low; only 8.25% of the serving SCICs and ICs are women and altogether the numbers add up to only 9 women in all the Information Commissions².

According to Madabhushanam Sridhar Information Commissioner, the repercussions of the growing number of vacancies and lack of sufficient staff strength ultimately have reflected in rising numbers of pending appeals. In an interview he said, “We at the CIC have no say in the appointment process. The delay is definitely contributing to the increase in numbers of pending cases. He said, “There is an understanding that every Information Commissioner handles approximately 270 cases a month that is 3,240 cases per year. So, when two ICs are not available, it adds a burden of up to 6,000 cases per year. I'm hearing about 400 cases in a month. I heard 30 cases just today in one day. This is too much and it will definitely affect the quality of the judgment” in an interview with the Hindu. There are presently four vacancies in the Central Information Commission with four of the seven Commissioners retiring in 2018. This means, while the government is clearly aware of the issue of vacancy in the information commissioners and what it means to dealing with the RTI applications, the silence maintained by the government needs to be questioned.

Number of appeals & complaints dealt with by ICs: This section deals with the number of appeals resolved, returned and rejected.

ESTIMATED TIME REQUIRED TO DISPOSE OF MATTER FILED ON NOV 1, 2017			
MOST		LEAST	
West Bengal	43 yrs	Sikkim	0mth
Kerala	6 yrs, 6 mths	Mizoram	0mth
Odisha	5 yrs, 3 mths	Tripura	1 mth
Chhattisgarh	1 yr, 10 mths	Meghalaya	1 mth
Uttar Pradesh	1 yr, 6 mths	Assam	3 mths

AMONG STATES for which data was available; projection based on monthly disposal rate of ICs and numbers of pending appeals/complaints; assuming matters are disposed of in chronological order.

Source: Report Card on the Performance of Information Commissioners in India, SNS and CES, March 2018

Source: <http://indianexpress.com/article/explained/in-replies-to-rti-queries-snapshots-of-information-panels-health-5102525/>

Appeals resolved: As per the report, between January 1, 2016, and October 31, 2017, a total number of 2, 76,405 appeals were filed out of which 2, 14,809 resolved at the 23 SICs. In fact, for the first time since 2005, the Central Information Commission (CIC) reported a 6% dip in the number of RTI applications received by the Central Government. While the largest number of appeals were registered with Uttar Pradesh (83,054), States like Andhra Pradesh, Bihar, Madhya Pradesh, Maharashtra, Rajasthan and Tamil Nadu did not have any information regarding appeals filed and disposed of and nor was the relevant information available on the Commissions' websites. Interestingly, as per the 2015-16 annual report of the CIC, while 9.76 lakh RTI applications were received by the registered public authorities (PAs) which was around 22.67% more than reported during 2014-15, in 2014-15 almost a quarter of the registered PAs in fact failed to submit their RTI data (only 75.27% of the PAs reported their RTI data to the CIC). Further during 2011-12 while there were 6, 55,572 fresh applications received, around 53,419 requests for information were rejected by various

² <http://www.humanrightsinitiative.org/publication/rti-cases-pile-up-as-vacancies-in-information-commissions-rise-across-india>

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authorities, 33922 appeals and complaints that were registered in CIC for disposal and 23112 appeals/complaints were disposed. As per the recent report, there is an improvement in terms of disposal, with the CIC disposing the highest number of appeals and complaints (54,219). However the percentage of rejection for the year 2015-16 (6.62%) stands much higher than number of rejections as compared to 2010-2011 at 5.10%. **This means while the number of RTI applications have been increasing over the years, the decrease in number of rejected cases or the downward trend post 2015-16 appears to be a positive development.**

Complaints returned/rejected: As per the report, the CIC returned 27,558 complaints between January 2016 and October 2017 with again, the Gujarat SIC returning 9,854 complaints during the same period. Interestingly, the trend of rejecting RTI applications has been noticed since NDA came to power according to the statistics provided in the annual report of the Central Information Commission (CIC) for 2014-15. According to Venkatesh Nayak, of the Commonwealth Human Rights Initiative's, while 755,247 RTI applications were reported and received by the public authorities in 2014-15 (which was 79,000 fewer than those received in 2013-14), nearly 8.4% of these were rejected (up from 7.2% in the previous year) with PMO accounting for almost all (99%) of rejections under the "other" category.³ However as per recent news, the Finance Ministry has rejected the highest number of RTI applications.

Increase in the number of pending cases:

The reports finds out that even though, a total 1, 81,852 appeals were pending before 23 SICs (as of December 2016, this number increased drastically to 1, 99,186 at the end of October 2017)⁴. At present, 24,638 appeals are pending in CIC and the waiting time is between six months and one year.⁵ The study also reported a discrepancy between information available on the CIC website and what was provided it directly; while the CIC holds that as of December 31, 2016, a total 28,502 appeals were pending before it, according to the CIC website, however, only 364 cases were pending as of January 1, 2017. Till October 2017, Uttar Pradesh stood at the top position with highest number of pending cases (41,561) with CIC in the fourth position with 23,944 pending appeals. In fact, Kerala with only one Commissioner faced a pendency of 14,000 appeals/complaints. **However when compared to the previous annual reports such as 2015-16, the CIC had disposed of 28,188 appeals and complaints cases in 2015-16 while 25,960 cases were registered during the same period; which means that while numbers in pendency cases have hardly changed and in fact in the last few years, the difference in the number of cases presented by the CIC and the report is alarming.**

³ Of the 12,674 applications received by the PMO, 22.10% were rejected, 1% of which was under the exempt category. The other categories are defined as per section 8 (personal information), section 9 (personal copyright), section 11 (third party), and sections 24 and 25 (exempt organisations) of the RTI Act.

⁴ Over two lakh appeals and complaints were pending till November 2017.

⁵ <https://economictimes.indiatimes.com/news/politics-and-nation/at-7-commissioners-cic-to-hit-lowest-strength-in-3-years/articleshow/62449767.cms>

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NUMBER OF REJECTIONS HAS BEEN RISING OVER THE YEARS...

YEAR	APPLICATIONS FILED	APPLICATIONS REJECTED	REJECTION RATE (%)
2007/08	263,261	18,966	7.20
2008/09	329,728	23,954	7.26
2009/10	529,274	34,057	6.43
2010/11	416,461	21,621	5.19
2011/12	629,960	52,313	8.30
2012/13	811,350	62,231	7.67
2013/14	834,183	60,127	7.21
2014/15	755,247	63,420	8.40

Source: CIC

Source: <https://www.businesstoday.in/magazine/features/government-attitude-is-throttling-the-rti-act/story/230752.html>

Lack of Transparency in updating statistics:

The report finds out that 18 out of 29 ICs did not publish their annual report for 2016 on their website. In fact, as per the data compiled by Commonwealth Human Rights Initiative (CHRI) published in 2016, only Meghalaya and Sikkim had published their annual reports for 2015, the Karnataka Information Commission was the only commission that has been publishing all its annual reports online since October 2005. Similarly in 2017, as per the analysis done by the Transparency India International for the time period 2005-2006 & 2015-2016, States like Uttar Pradesh, Madhya Pradesh, Jharkhand and Sikkim were not preparing the mandatory annual report regularly which means that the data of these states cannot be claimed as accurate. **Therefore, the objective of transparency has been repeatedly violated by some of the States by not uploading their data for the public.**

Decrease in the amount fixed for penalties:

As per Section 20(1) of the RTI Act, the CIC or the SIC, has the power to impose a penalty on the PIO and as per the guidelines, the ICs can impose a penalty up to Rs 25,000 on (PIOs) for violation of the RTI Act. The report highlights that between January 1, 2016 and October 31 2017, while the ICs have imposed fines that amount to Rs 4.41 crore in 4,194 cases, out of which penalties recovered summed up to only Rs 49.73 lakh by 22 ICs. In, fact where States like Karnataka who imposed penalties up to Rs 1.69 crore, SICs in West Bengal and Mizoram did not impose any penalty and there is no evidence/information on the penalties received published by SICs of Andhra Pradesh, Bihar, Madhya Pradesh, Maharashtra, Rajasthan, Tamil Nadu & Uttar Pradesh. Another interesting fact is that the issue of reduced amount of penalties has been repeatedly highlighted in previous annual reports and studies. For instance in the 2014-15 annual report of CIC, reduction in the penalties imposed on PIOs for not furnishing relevant information increased indicating towards an effort to restrict the flow of information in response to applications. Later, the amount imposed as penalties by CIC was Rs. 10.52 lakh out of which Rs. 9.41 lakh was paid up by the PIOs as per the 2015-16 annual report. Further the amount of fees collected by various public authorities reportedly also came down from Rs. 1.14 crore in 2014-15 to Rs. 1.07 crore in 2016-17.

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Way Forward

“Criticism exists only to recognize the truth, not to act as a judge”-Carl Von Clausewitz

The effective implementation of the RTI Act is only possible in a society where the government, the public authorities as well as the judiciary are held accountable for their actions by the public and they realize it is their duty to allow its people to exercise their power. Incidents such as death of RTI activists, vacancy in key positions of authority, amending the rules and regulations that make procedures unreceptive, constricting penalties and restricting information etc are some of the criticisms that simply submerge the idea behind introducing such a powerful legislation that is responsible for the change it brought about country's administration and society, a change that empowered its 60-80 lakh ordinary citizens who apply RTI application in a year to participate in governance. From the key findings of the report it is clear that the ineffective implementations of the Act coupled with the lack of political will are some of the main reasons why the Act has not performed as it should have been especially in some States such as Gujarat, Uttar Pradesh, Haryana etc. Therefore it is essential that India realizes that only by empowering its citizen's can any nation progress and a strong RTI Act is a powerful ally in this quest.

References

- i. <http://docs.manupatra.in/newslines/articles/Upload/1F665E9D-25FF-4198-A59A-79969C29AADB.pdf>
- ii. <http://www.thehindu.com/news/cities/Delhi/10-years-after-rti-transparency-under-cloud/article7213480.ece>
- iii. <https://www.hindustantimes.com/india-news/how-rti-is-dying-a-slow-death-in-india/story-sTpdC63K7s42vxgV1bxwTI.html>
- iv. <https://thewire.in/government/amid-vacancies-pending-cases-mount-in-information-commissions>
- v. <https://economictimes.indiatimes.com/news/politics-and-nation/at-7-commissioners-cic-to-hit-lowest-strength-in-3-years/articleshow/62449767.cms>
- vi. <https://thewire.in/government/transparency-information-commission-report>
- vii. <http://humanrightsinitiative.org/publications/rti/ICs-RapidStudy-finalreport-NDelhi-ATITeam-Jun15.pdf>
- viii. <http://www.livelaw.in/performance-information-commissions-india-1-811-pendency-mere-rs-4-41cr-penalty-imposed-one-year-annual-reports-not-websites-read-report/>

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- ix. <https://thewire.in/government/centres-attempt-to-drive-a-wedge-between-cec-and-cic-irks-rti-activists>
- x. <https://www.moneylife.in/article/75-percentage-information-commissions-fail-to-disclose-basic-information-online-under-rti-report/53881.html>
- xi. <http://www.livelaw.in/a-decade-of-right-to-information-act-in-india-reflections-and-perspectives-for-good-governance/>
- xii. <https://thewire.in/law/when-it-comes-to-rti-do-courts-practice-what-they-preach>
- xiii. <http://www.livelaw.in/revelations-rti-act-expose-government-misled-parliament-weaken-anti-corruption-legislations/>
- xiv. <https://blog.ipleaders.in/rti-statistics/>
- xv. <https://thewire.in/rights/transparency-suffers-as-vacancies-pending-cases-in-information-panels-at-all-time-high>
- xvi. <https://thewire.in/politics/data-indicates-regional-disparity-in-the-number-of-rti-applications-filed>
- xvii. <https://www.financialexpress.com/india-news/about-2-44-crore-rti-applications-filed-during-2005-2016-report/892096/>
- xviii. <http://www.rtifoundationofindia.com/how-many-rti-applications-are-received-citizens-al#.WvMl-qSFPIU>
- xix. <http://www.livelaw.in/8-years-of-right-to-information-act-in-india-an-appraisal/>
- xx. <http://indianexpress.com/article/explained/in-replies-to-rti-queries-snapshots-of-information-panels-health-5102525/>
- xxi. https://thewire.in/25260/data-reveals-decline-in-access-to-information-since-bjp-came-to-power/?utm_source=alsoread
- xxii. <https://thewire.in/rights/as-number-of-murdered-rti-activists-rises-to-67-it-is-modi-government-that-needs-to-act-rightly>
- xxiii. <http://journals.sagepub.com/doi/pdf/10.1177/0019556117699737>
- xxiv. http://www.accountabilityindia.in/sites/default/files/rti_brief_no._5-_who_is_a_public_authority_0.pdf
- xxv. <http://www.livelaw.in/cics-annual-report-reveals-significant-trends-read-report/>
- xxvi. <http://www.livelaw.in/performance-information-commissions-india-1-811-pendency-mere-rs-4-41cr-penalty-imposed-one-year-annual-reports-not-websites-read-report/>

Headline

Premium delayed, farmer denied

(Ashok Gulati & Siraj Hussain, *The Indian Express*, May 14, 2018)

The authors argue that the Pradhan Mantri Fasal Bima Yojana (PMFBY) will be unable to cover 50 per cent of gross cropped area (GCA) by 2018-19, the primary reason being administrative inefficiency and red-tape, which leads to delay in measures such as finalisation of bids, payment of premium subsidies, etc. In such a situation, the farmers are forced to wait for several months to be compensated for their losses, thus losing confidence in the scheme altogether. Discussing measures to fix these loopholes, the authors note that the scheme can be strengthened through getting it monitored through insurance experts at the central level; ensuring that the states and Centre give the premium subsidy in time and tenders are finalised for three years to get lower premium rates; and finally, using technology, like satellites, drones, smartphones, etc., for a faster and more accurate assessment of losses.

Read More: <http://indianexpress.com/article/opinion/columns/narendra-modi-govt-crop-insurance-scheme-indian-farmers-distress-protests-rural-economy-5175487/>

Date Accessed: 14.05.2018

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GOVERNMENT

Centre Submits Draft Cauvery Management Scheme in Supreme Court

(The Wire, May 14, 2018)

The Centre has finally submitted the Draft Cauvery Management Scheme in pursuance with the Supreme Court judgment on the same in February this year. While taking the submission on record, the bench stated that it will not be deliberating on the correctness of the scheme but will limit itself to ensuring that it is in consonance with Supreme Court directive. The Cauvery Water Disputes Tribunal award of 2007 was modified by this award on February which stated that it will not be extending the time period for formulating a compliance scheme.

Read more: <https://thewire.in/law/centre-submits-draft-cauvery-management-scheme-in-supreme-court>

Date Accessed: 14.05.2018

Govt planning unique codes to check menace of fake medicines

(Teena Thacker, *Livemint*, May 14, 2018)

The Drug Technical Advisory Board, India's highest advisory body on drugs, is set to discuss a mechanism through which consumers will be able to check whether the medicines that they have purchased are genuine by texting a unique code to be printed on the medicine's package to a number. The purpose of the mechanism is to end the menace of fake medicines, which lead to drug resistance in humans and cause a significant number of deaths, according to public health experts. A government survey conducted between 2014 and 2016 to check the proportion of substandard drugs in India had found 3.16% of the samples it tested to be substandard, while 0.02% were spurious.

Read More: <https://www.livemint.com/Industry/LbXFNE7RQDStVQ23mlmK6L/Govt-planning-unique-codes-to-check-menace-of-fake-medicines.html>

Date Accessed: 14.05.2018

Maharashtra will give spinning mills subsidies to set up solar power plants

(The Indian Express, May 14, 2018)

A committee consisting of officers from Maharashtra's textile department has been set up by the state government to help cooperative spinning mills and textile units set up solar power plants. The committee will look into issues such as subsidies for the initiative, eligibility criteria and implementation plan. The power subsidy according to the new Textile Policy 2018-23, approved in February was set at Rs 3 per unit to cooperative spinning mills for three years within which the mills are expected to set up non-conventional power projects. Since higher power tariff in Maharashtra is considered to be one of the major reasons for the mills incurring losses, this policy is aimed to increase the profits by switching to solar power.

Read more: <http://indianexpress.com/article/india/maharashtra-will-give-spinning-mills-subsidies-to-set-up-solar-power-plants-5175737/>

Date Accessed: 14.05.2018

HEALTH

Diarrhoea took more lives than any other water-borne disease in India

(Bhaskar Tripathi, *Indiaspend*, May 1, 2018)

During 2013- 2017, over 10,000 people lost their lives to water-borne diseases such as cholera, diarrhoea, typhoid and viral hepatitis. However, around 60% of these deaths were due to diarrhoea, according to the minister for health and family welfare's reply to a question in the Lok Sabha on April 6, 2018. Uttar Pradesh, largest state in terms of population, recorded the highest diarrhoeal deaths—22.21% of deaths nationwide—over five years to 2017 followed by West Bengal (14.33%), Assam (12.03%), Odisha (10.63%) and Madhya Pradesh (7.24%). According to an analysis by *Indiaspend*, in a decade to 2015, India's efforts to

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tackle diarrhoea—a disease easily preventable through sanitation, safe drinking water and hygiene—have reduced the deaths of children below the age of four by 52%.

Read More: <http://www.indiaspend.com/cover-story/diarrhoea-took-more-lives-than-any-other-water-borne-disease-in-india-58143>

Date Accessed: 12.05.2018

To contain suicides, BSF plans annual mental health tests

(Deeptiman Tiwary, *The Indian Express*, May 14, 2018)

To curb the growing number of suicides in its cadres, the BSF has made it mandatory for all its personnel to undergo an annual test to determine their mental health along with the annual physical fitness test. The soldiers will be assigned duties on the basis of their test results and corrective measures, if required, will be recommended. It also plans to introduce a broad set of guidelines which will ensure recreational time for soldiers as well as provide for an informal grievance redressal mechanism. After a year long research on the pattern and reasons behind the suicides of its soldiers, two hundred BSF medics were trained in London to specialise in clinical psychology and adequately respond to the needs of the cadres. Some common factors which were identified as directly factors leading to suicide included poor motivation, alcohol dependency, sleep disorders, problems at home, unfavourable working conditions, financial issues, anger and helplessness.

Read more: <http://indianexpress.com/article/india/to-contain-suicides-bsf-plans-annual-mental-health-tests-5175675/>

Date Accessed: 14.05.2018

LAW AND JUSTICE

Supreme Court upholds ruling, Domestic Violence Act applies after divorce too

(*The Indian Express*, May 14, 2018)

While dismissing the petition challenging the application of Domestic Violence Act even after divorce, the Supreme Court ruled that the Act is intended to safeguard women from violence and will apply even after she is no longer married to the respondent. Since the Act is applicable not only in marital relations but in any 'domestic relationship', it is wide enough to include relationship in the nature of marriage, adoption or as family members living together as a joint family. The intended beneficiary of the protection as provided for under the Act also extends to a woman who was in the past, in a domestic relationship with the respondent.

Read more: <http://indianexpress.com/article/india/supreme-court-upholds-ruling-domestic-violence-act-applies-after-divorce-too/>

Date Accessed: 14.05.2018

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