

Ration Cards – Divide According to Rule

Kalol taluka in Panchmahals district belongs to one of the less developed parts of vibrant Gujarat. Panchmahals is home to fairly large sized communities of adivasis who have not benefitted from the economic development that has made the Patels and the Shahs well known across American and European business houses. Additionally, several hundred of families belonging to the minority community live below the poverty line (BPL). The public distribution system set up by the government is an indispensable means of securing food grains at subsidised prices for these families. However securing a ration card is a herculean task for them unless they are willing to bribe officials or middlemen or both.

The Deputy Mamlatdar at the taluka level is responsible for issuing ration cards of all kinds in rural areas. Printed application forms are available free of charge which people can use to apply for a new ration card, get a duplicate made, have the names of new family members added or that of the deceased deleted or get a card divided if a joint family wishes to have separate cards for its members. One would expect that any citizen would be able to walk into the Deputy Mamlatdar's office and submit an application any time of the day provided he/she has put together copies of all necessary supporting documents. But the million dollar question that bothers everyone is what documents are compulsory and which ones are optional.

Adivasi families living in the villages of Kalol are larger than nuclear families. Married brothers live with their spouses in the same house occupying distinct spaces sharing common facilities. Often they have only one ration card for the entire family. But the Rules of the Food and Civil Supply (FCS) Department allow division of a ration card if a family applies for the same. The names of the family members seeking division are deleted from the old card and a new card is issued by the Dy. Mamlatdar. But this process was not as easy as it seemed to be. The Dy. Mamlatdar always insisted on proof of residence. This led to a tricky situation. As the families lived in the same house their applications were invariably rejected. They were told that two cards could not be issued against a single address. Invariably this led to harassment and the adivasi applicants were forced to pay bribes if they wanted to get their cards divided.

Aslambhai was familiar with this situation but found himself helpless to help his adivasi friends until he learnt about the Right to Information Act. He drafted an information request seeking copies of all Government Resolutions (GRs) relating to the procedure for issuing new ration cards and dividing existing cards.

The Mamlatdar is the designated Public Information Officer at the taluka level in Gujarat. When Aslambhai visited his office to submit his RTI application in person, the Mamlatdar refused to even read it let alone accept it. He told

Aslambhai that there were no orders for giving information to people at the taluka level. People would get whatever information they wanted from the district level. Aslambhai knew that the Mamlatdar was lying. He also knew that he could send the application by post. He sent his application to the Mamlatdar by Registered Post with Acknowledgement Due (RPAD). Needless to say the application was delivered to the Mamlatdar's office.

Aslambhai received copies of the GRs within the 30-day time limit upon payment of a legitimate sum of money as additional charges. The GR made it clear that proof of residence was not the sole requirement for seeking division of rations cards. If the applicant had a separate electricity meter installed, proof of payment of electricity bills could also serve as proof of residence for his family. Aslambhai passed on this information to his friends. Armed with this data a couple of applicants approached the Dy. Mamlatdar's office seeking division of their cards. When he insisted on residence proof they politely pushed a copy of the GR under his bespectacled nose. The Dy. Mamlatdar had no choice but to concede to their request.

Today Aslambhai swears by the effectiveness of RTI. Applicants are able to get their ration card related work done in less than a week. And what's more they do not have to bribe anybody. Aslambhai says that close to 20 applicants have been able to get their work done without any hassle since this little but significant adventure of Aslambhai and his friends. Aslambhai believes, the RTI Act has finally changed the power equations for the underprivileged people. They have in their hands a tool for making government offices work according to the law. But Aslambhai has learnt that the GRs are required to be disclosed proactively under Sec 4(1)(b)(v) of the RTI Act. This means that he need not put in an application, pay the application fee or wait for 30 days to receive the information. He should be able to get it immediately. Aslambhai now plans to seek copies of GRs under Sec 4(1)(b). If he is denied copies he plans to seek inspection of the GRs as he is entitled to the same under Sec 4(4) read with the Explanation given below that provision in the RTI Act.

{Aslambhai is one of 30 men and women in Panchmahals district, Gujarat trained by the Commonwealth Human Rights Initiative to use the RTI Act in 2005}