**ANNUAL REPORT FOR THE YEAR 2012-2013**

The Society during the year under report carried forward the legacy of its Founder-Director, Shri H.D. Shourie, and strove to secure the resolution of the common problems of the people. It received the full cooperation and support of like-minded civil society organizations and activists in its various initiatives.

**I. Advocacy initiatives**

**a. Police reforms agenda:** Common Cause persevered to push its police reforms agenda during the period under review. Along with Commonwealth Human Rights Initiative (CHRI), Foundation for Restoration of National Values (FRNV) and Manushi Sangathan, it made a joint submission to the Justice J S Verma Committee, that was mandated to look into possible amendments to the criminal law so as to provide for quicker trial and enhanced punishment for criminals accused of committing sexual assault of extreme nature against women. The submission underlined the urgency of a comprehensive revamp of the criminal justice system, including policing.

A social media campaign is being launched by Common Cause, FRNV and CHRI in concert with other like-minded entities to create a strong constituency for police reforms. A moderated brainstorming session was held in September 2013 to settle the organizational structure of the campaign, delineate its objectives, message, strategy and action plan with greater clarity, and to secure firm commitments from the partner organizations for meeting the resource requirements.

**b. Campaign against money circulation schemes**

After a series of representations by the Society against money circulation schemes masquerading as Direct Selling/Multi Level Marketing schemes, the authorities concerned finally woke up to the issue. Interdepartmental working groups were constituted by the Ministry of Consumer Affairs and the Department of Financial Services to study the problem in all its aspects. The Ministry of Corporate Affairs, with the approval of the Ministry of Finance, circulated model rules, which provide a blueprint for operationalising the intent and purpose of the Banning Act of 1978. Their adoption by state governments should go a long way in strengthening the capacity of state agencies to fight the menace of fraudulent money circulation schemes.

In another line of action, Common Cause filed a slew of RTI applications to seek information on the operations of MLM Companies in India which had come to adverse notice of the enforcement agencies. Hopefully, it should be possible to extract crucial information from a secretive Reserve Bank of India.

**c. Exploitation of children in organised beggary:** It would be recalled that Common Cause had drawn the attention of the agencies concerned with child welfare and protection of child rights to the rampant exploitation of infants by professional beggars and begging mafia in the National Capital and elsewhere in the country. In this context, the Delhi Commission for Protection of Child Rights has sought help from Delhi Police to investigate a child kidnapping racket.The issue raised by us was also featured in the Times of India on May 5, 2013.

The Society undertook to support Centre for Environment and Food security, Delhi, for a period of one year to enable it to pursue its PIL on systemic reforms in the implementation of the Mahatma Gandhi National Rural Employment Guarantee Act. The field surveys conducted by CEFS to document the gross irregularities in the implementation of the Act in UP, MP, Odisha and Bihar have made a significant impact and prompted the Supreme Court to order in-depth investigations by the CBI and pass consequential orders on various operational issues.

**II.Public interest litigation**

Significant developments in the writ petitions and applications filed by the Society are recapitulated below.

**Supreme Court Cases**

1. **WP(C) 26/1995: Appointment of Lokpal and Lokayuktas**- The petition seeks the enactment of the *Lok Pal* Act and appointment of Lokayuktas and Up Lokayuktas under the Legal Services Authorities Act. The case has been put on the back-burner after being slated for final disposal in August 2009. It was last listed on July 10, 2012. Meanwhile, in the aftermath of a mass movement led by Anna Hazare, the government introduced a highly contested Lokpal & Lokayuktas Bill, 2011 in Parliament. The Select Committee of the Rajya Sabha tabled its report on the Bill in November 2012. The Cabinet has accepted some of the amendments suggested by the Committee. The Bill, which has been passed by Lok Sabha, is pending with Rajya Sabha.
2. **WP(C) 387/2000: Crime and Violence on TV-** The petition highlights the preponderance of crime, violence and sex in the TV programmes The Union of India has yet to comply with the Court’s direction given on April 18, 2006 to file a status report on the Broadcasting Regulatory Authority Bill. On the last hearing on April 5, 2013, the Court gave two weeks time to the Secretary, Information & Broadcasting, to report compliance of its various directions through a personal affidavit.
3. **WP(C) 330/2001: Slaughter House Pollution-** The petition prays for remedial measures against the rampant malpractices in slaughter houses, notably improper waste disposal, slaughter of diseased animals and employment of children in the trade. The Court had directed the Central and State Pollution Control Boards and the Animal Welfare Board to confirm compliance with the laws for prevention of cruelty to animals and environment protection. The Ministry of Environment & Forest filed a compliance report on August 27, 2013 along with guidelines to be followed by the State Committees for ensuring effective supervision of slaughter houses. On the last taken hearing on October 1, 2013, the Court pulled up the respondents for their tardiness. The matter is listed for November 28, 2013.
4. **WP(C) 13/2003: Large Scale Advertisements-** Common Cause has urged the Supreme Court to curb the practice of issuing self-congratulatory advertisements in the print media to bolster the image of political parties/politicians at public expense. The petition has been tagged with a writ filed by Centre for Public Interest Litigation.

The Society filed an IA in November 2012 to showcase a few instances of government profligacy. Common Cause was informed under the Right to Information Act that the Government of Tamil Nadu had incurred an expenditure of Rs.15.70 crore on advertisements issued on May 16, 2012 to mark the first anniversary of the Jayalalithaa government. The expenditure on follow-up advertisements issued on May 18 was not disclosed. The IA was taken on record on April 11, 2013.

1. **WP(C) 61/2003:** **HIV-AIDS-** The petition prays for effective steps for monitoring the performance of NGOs participating in the HIV-AIDS Control Programme, weeding out suspect NGOs, setting up counselling and specialized treatment centres and ensuring that no HIV positive patient is denied due care. In compliance, the Union of India has formulated a scheme for Universal Access to Second Line Treatment. During the hearing on December 11, 2012, the petitioners offered to resolve the outstanding issues through mutual discussion. The affidavit filed by the government was taken on record on August 8, 2013. The matter is listed for final disposal on December 2, 2013.
2. **WP(C) 215/2005:** **Living Will**- The petition seeks the enactment of a law on the lines of the Patient Autonomy and Self-determination Act of the USA, which sanctions the practice of executing a ‘living will’ in the nature of an advance directive for refusal of life-prolonging medical procedures in the event of the testator’s incapacitation. While our petition awaits disposal, the Court has in *Aruna Shanbaug* (criminal writ no. 115 of 2009) legalized passive euthanasia and laid down the guidelines for withdrawal of life support from a patient in a permanent vegetative state. This order of the Apex Court goes well beyond the limited relief sought in our petition.
3. **WP(C) 122/2008:** **Speedy Justice-** Filed by Janhit Manch, Common Cause and two others, the PIL offers a multi-pronged strategy to expedite the dispensation of justice and liquidate the backlog of court cases. It came to be tagged with an SLP on a matter relating to judicial service. The attention of the Court was focused on the adequacy of the efforts being made to fill the existing vacancies in the subordinate judiciary under different High Courts. The wider issues, which were raised in our PIL, finally engaged the Court’s attention after a gap of one year. At the last hearing in November 2012, a forceful plea was made on behalf of the petition*e*rs for video-recording of court proceedings to expedite the disposal of cases and improve the quality of justice. There are no further orders of listing.
4. **WP(C) 464/2011:** **Safety Concerns in Nuclear Energy Programme:** Through this writ, Common Cause, CPIL and some eminent citizens have challenged the constitutional validity of the Civil Liability for Nuclear Damage Act (CLNDA), 2010 and sought a safety reassessment as well as a comprehensive analysis of the long-term cost-benefits of the nuclear plants in India. The petition also seeks the establishment of an independent and effective atomic energy regulatory authority in the interest of people’s rights to life and clean environment. Before the admission of the petition, the petitioners had to establish that th*e*y had exhausted the remedies available to them. They were also asked to file details of the functioning of independent nuclear regulators in other countries. Eventually, the Court partly admitted our petition in terms of the prayer for declaration of the CLNDA as unconstitutional and void *ab initio*. In the hearing on September 6, 2012, the Court directed the respondents to file their counter affidavits. The petition has since been tagged with the petition at serial no. 12.
5. **WP(C) 536/2011:** **Combating the Criminalization of Politics:** Public Interest Foundation, Common Cause and two other civil society organizations filed the present writ for debarring persons charged with serious criminal offences from contesting elections and ensuring time-bound disposal of pending criminal cases, appeals and revisions concerning members of Parliament and state legislatures. The petition also challenged the constitutional validity of Sec. 8(4) of the Representation of the People Act, 1951, which provides that in the event of conviction of a sitting member, the ensuing disqualification shallbe stayed on filing an appeal or revision.

Notice was issued to the UOI and the Election Commission to file their replies by March 26, 2012.The Election Commission of India eventually filed its reply in February 2013, broadly supporting the prayers made in our PIL. It reiterated its longstanding recommendations for debarring persons charged with serious criminal offences from contesting elections and endorsed the prayer for quashing Sec. 8(4) of the RPA. By its judgment in *Lily Thomas* dated July 10, 2013*,* the Court ultimately held the impugned provision as unconstitutional*.*

The Court upbraided the UOI on August 19, 2013 for not filing its response even after two years of the notice. The UOI finally filed its response on October 7, 2013. It tried to take shelter behind the Parliamentary Standing Committee’s rejection of the ECI’s recommendation for disqualification of persons charged with serious criminal offences and to take credit for having held seven regional consultations to gather feedback from the stakeholders with a view to forging a consensus on electoral reforms. In an effort to buy time, the government has referred the issue of electoral reforms in its entirety to the Law Commission 'for consideration and examination with the aid of reports of various Committees in the past, the views of the Election Commission and other stakeholders, etc., and to suggest comprehensive measures for plausible changes in the law under reference'.  In the hearing on November 25, 2013, the Court directed the UOI to file the reference made to the Law Commission and listed the matter for December 16, 2013.

1. **WP(C) 194/2011: Obstructive RTI Rules of the Allahabad High Court-** Common Cause has been questioning the obstructive RTI rules framed by various High Courts under the rule-making powers conferred by the Right to Information Act, 2005. Our analysis showed that the Allahabad High Court (RTI) Rules, 2006, were particularly obstructive. In November 2011, Common Cause urged the High Court to reformulate the provisions contrary to the RTI Act in line with various recommendations of the Central Information Commission. As there was no response from the High Court, this petition was filed for quashing the offending rules.

In November 2012, the High Court sought and was granted two months to amend the deviant rules. A gazette notification was issued on April 4, 2013 for the amendment of Rule 4 relating to application fees. Common Cause filed an additional affidavit on July 15, 2013, highlighting, *inter alia*, a deliberate ambiguity in the wording of the amended rule. The matter is now listed for December 10, 2013.

1. **WP(C) 463/2012: Irregularities in allocation of captive coal blocks-** The petition seeks a court-monitored investigation into the allocation process and prays for imposition of punitive damages on the allottees for false declarations and breaches of the conditions of allotment, cancellation of the permission granted to captive coal block users to divert surplus coal for other purposes, and recovery of the windfall profits obtained by the allottees through direct or indirect sale of coal blocks.

The petition highlights the arbitrary and opaque manner in which the Central Government alienated a scarce natural resource in favour of a few select private companies to the detriment of the public exchequer and deferred the introduction of competitive bidding. Captive coal blocks were hastily allotted to the favoured companies, many of which were *ab initio* ineligible, or had no real need of coal. The petitioners urge that as per the law propounded in the 2G Case and the opinion tendered by the Supreme Court in a subsequent Presidential reference, the coal blocks so allotted be resumed and auctioned as per Section 11A of the Mines and Minerals (Regulation & Development Act), subject to the relevant environment and forest laws and the Fifth Schedule of the Constitution. Notice was issued to the respondents on November 19, 2012 and the matter posted for hearing on January 24, 2013.

In view of the reports of government interference in the CBI investigations and alteration of the agency’s findings in the status report submitted to the Court, the Society filed an Application for Directions seeking a thorough court-monitored investigation by a Special Investigation Team into all the cases relating to the allocation of coal blocks, the undue government interference in the ongoing investigation by the CBI and the dilution of its status report. This initiative led to the resignation of the Union Law Minister, at whose behest the status report had been altered. The Apex Court issued a stern warning to the government to refrain from disturbing the CBI investigation team and directed it to propose a legal framework for ensuring the functional autonomy of the CBI. During the hearing on July 10, 2013, the government submitted that it had constituted a Group of Ministers in compliance of the Court’s direction to ensure the functional autonomy of the CBI and taken various actions on the GOM’s recommendations. As there was a divergence between the government and the CBI on the amendments to be made to the Delhi Special Police Establishment Act, 1946, the Attorney General was directed to convey the government’s position on the CBI‘s response.

The government affidavit stated that 172 coal blocks had been identified for allocation, but did not provide the break-up of allocations to government and private companies. In response to a pointed query, the AG informed the Court that all coal mines after the 1973 Act belonged to the states and the recommendations for their allocation emanated from the states concerned. Moreover, under the Mines and Minerals Act, an allocation letter was only a letter of intent, which did not confer any right to operate a mine, or impinge on the rights of the state governments.

After protracted arguments, notices were issued to the governments of Jharkhand, Chhattisgarh, Odisha, Maharashtra, A.P., M.P. and West Bengal to explain their position. In the hearing on November 26, 2013, the Court, taking cognizance of an IA filed by Common Cause regarding a lack of diligence on the part of the Enforcement Directorate, ordered for notice returnable on January 15, 2014 to be issued to the agency. The move of the Court for appointment of *amicus curiae* to provide an independent perspective on the CBI’s “pace and fairness” in carrying out the Court-monitored investigations was vehemently opposed by the CBI. The matter is now listed for December 5, 2013.

1. **WP (C) 407/2012: Safety issues in Kudankulam Nuclear Power Plant-** As a corollary to our PIL challenging the *vires* of the CLNDA, CPIL, Common Cause and two others filed a writ petition to ensure that suppliers of the Kudankulam nuclear plant in Tamil Nadu are bound by the ‘Polluter Pays’ and the ‘Absolute Liability’ principles, and that in case of an accident the victims can sue the reactor suppliers for damages, even if the Government and the plant operator choose not to sue. The petition seeks a further declaration that the suppliers are bound by the said Act, irrespective of any bilateral agreement to the contrary, and prays that the rule framed by the Government to scale down the liability of nuclear suppliers be set aside as *ultra vires* the Constitution and the parent Act.

The petition has been tagged with our petition against CLNDA. In a hearing held on November 20, 2012, the Court slammed the Tamil Nadu administration for taking nuclear safety lightly and failing to take effective steps to implement the relevant disaster management guidelines. Questioning the Atomic Energy Regulatory Board and the plant operator on the steps taken to implement the prescribed safety measures, the Court indicated that the Government could be directed to comply with the Convention on Nuclear Safety which mandates an independent safety regulator. The Court has reserved its judgment.

1. **WP (C) 21/2013: Internet Freedom -** The alarming spurt in cases of abuse of the sweeping powers given to enforcement agencies under the Information Technology Act as amended in 2008 underlined the urgency of judicial intervention to ensure that citizens were not deprived of their freedom of speech and expression and personal liberty for opinions expressed on social media networks. In this context, Common Cause approached the Supreme Court on January 9, 2013 to challenge the constitutional validity of Sections 66A, 69A and 80 of the Act. In the hearing on September 30, 2013, the Court directed all the parties to complete their pleadings and listed the matter for final disposal in the first week of January 2014.
2. **IA in SLP (C) 29882/2012:** The SLP filed by Ashok Chavan, former Chief Minister of Maharashtra, against the order of the Delhi High Court upholding the Election Commission's power to inquire into the correctness of the account of election expenses filed by a candidate is pending in the Supreme Court. The UOI has filed a counter affidavit claiming that in terms of Section 10A of the Representation of the People Act and Rule 89 of the Conduct of Election Rules, the power of the Commission to disqualify a person arises only in the event of failure to lodge an account of election expenses and not for any other reasons, including the correctness or otherwise of such account.

This averment flies in the face of the Apex Court’s landmark decisions in *Common Cause vs. Union of India and Others (AIR 1996 SC 3081),* and *LR Shivaramagowda vs. TM Chandrasekhar (AIR 1999 SC 252).* To defeat the nefarious designs of the government to undermine the capacity of the Election Commission to curb the influence of money power and ensure the purity of elections, Common Cause, in concert with other like-minded civil society organisations and eminent citizens, including two former Chief Election Commissioners,filed an intervention application on April 25, 2013. Arguments in the matter were heard over four consecutive days. It is now listed for hearing on December 11, 2013.

1. **WP (C) 678/2013:** [**Compliance with the Supreme Court order in WP 35/2012**](http://commoncause.in/Recent_PILs/KGBWrit.php) -The follow-up of the decision in our PIL WP(C) 35/2012 for the removal of Justice Balakrishnan from the Chair of NHRC forced the UOI to reject the request for a Presidential reference under Section 5(2) of the Protection of Human Rights Act. The government contended that the allegations of misbehaviour pertained to Justice Balakrishnan’s tenure as Chief Justice of India and that his current post could not be considered as an elongation of the office of CJI. Rebutting these arguments on points of fact as well as points of law *vide* our counsel’s reply dated April 14, 2013, we urged the Competent Authority to reverse its decision and refer the matter to the Supreme Court for an inquiry.

As there was no response, a PIL was filed, seeking a writ of mandamus to the UOI to comply with the Court’s order of May 10, 2012 by making a reference for holding an inquiry against the Chairman, NHRC. Our contention is that the UOI was not in a position reasonably to conclude that the allegations of misbehaviour cited by us were unworthy of any further action. The UOI in counter affidavit refused to seek an inquiry under the Act, claiming that it had found no evidence of corruption by Justice Balakrishnan, either as a judge, or as Chairman, NHRC. In the hearing on October 17, 2013, the Court wondered whether it could ask the government to seek a reference to itself and posted the matter for final hearing on January 3, 2014, as it was a serious issue to be decided after due deliberation.

1. **WP (C) 728/2013:** ***Mala fide* favours to RIL in KG Basin contract**- The petition seeks, inter alia, appropriate writs to the UOI to undo the *mala fide* favours shown to Reliance Industries Limited and its associate, NIKO, in the working of the Production Sharing Contract for KG Basin Gas Block and a thorough court monitored SIT inquiry into the collusion between the establishment and the said corporates. The petition, which prays for cancellation of the RIL lease and/or an appropriate penalty for its failure to adhere to its commitments and deliberate underproduction, came up on September 9, 2013 before a bench headed by Justice H. L. Dattu, who recused himself from the case. After the recusal of Justice Dattu, the matter was heard by a bench headed by the Chief Justice of India and notices were ordered to be issued to UOI, Director General of Hydrocarbons, CBI, RIL and Niko to file their responses within 4 weeks. The matter has been tagged with another writ petition filed by Shri Gurudas Dasgupta, M. P. The matter has been listed for January 6, 2013 for fixing a date for final disposal. In the mean time, the parties are to complete their pleadings.
2. **WP (C) 880/2013:** [**News broadcast by private radio stations**](http://commoncause.in/Recent_PILs/privateradio.php)- The Society had written to the Minister of Information & Broadcasting on May 31, 2013, highlighting the iniquity of the extant government policy that bars private FM radio channels and community radio stations from broadcasting news and current affairs programmes. This exclusion violates the fundamental right to freedom of speech and expression and flies in the face of the ruling of the Supreme Court in *Ministry of I & B v Cricket Association of Bengal & Anr*, which had made it amply clear that airwaves were public property to be used to promote public good and for expressing a plurality of views, opinions and ideas. In the absence of any response, a [PIL](http://www.commoncause.in/whatsNew/FMnewswritfinal02092013.docx) was filed on September 6, 2013 praying that the unreasonable provisions in the relevant policy guidelines and grant of permission agreements be quashed. The Court has ordered for notice returnable in four weeks to be issued to the UOI.
3. **Muzaffarnagar riots:** [**IA in WP (Cr.) 158/2013**](http://commoncause.in/Recent_PILs/InterventionApplication.php)- Common Cause filed an IA in a petition filed by the Supreme Court Bar Association on the Muzaffarnagar riots in the context of the sting operation aired on Headlines Today. The application sought an investigation into the veracity of the sting operation and a full probe into the events and matters referred to in the tapes by an independent agency unconnected with the U. P. Police. During the hearing on October 17, 2013, the Court directed the state government to file a comprehensive response on the matters pending before the Court, detailing the steps taken and proposed to be taken to maintain peace and communal harmony. Subsequently, the state government was reprimanded for issuing a discriminatory order for the rehabilitation of riot victims of a particular community. The matters are now listed for December 12, 2013.

**High Court Cases**

1. **WP(C) 866/2010:** [**Post-retirement activities of**](http://commoncause.in/Recent_PILs/hc4.php) **judges** - During the pendency of this petition, which seeks to extend the accountability of the members of higher judiciary beyond their retirement, the Society has been able to secure some significant outcomes. At its instance, the High Court has followed the lead of the Supreme Court, which, in an unrelated PIL, had taken exception to the annexing of the legal opinion of a retired CJI to the petition and directed its registry to ensure that such opinions were not taken on record. The High Court instructed its registry to refuse to accept writ petitions in which opinions of retired judges were annexed. This was in line with our prayer for the prohibition of this practice as violative of the spirit of Article 124 (7) of the Constitution.

The High Court also directed the UOI to take a final decision on its proposal to formulate a uniform policy regulating the conditions of service of the Chairpersons/Members of tribunals and statutory authorities. The UOI indicated on August 29, 2012 that it proposed to debar chairpersons and members of various tribunals from taking up arbitration work during their term of office. This would entail amendments to 42 different Acts and might take a period of three months.The Court was informed on March 13, 2013 that all issues pertaining to the functioning of the tribunals were being examined in another matter before the Supreme Court. Although the issue raised in our petition was not before the Supreme Court, the ministerial group constituted to look into the terms and conditions of presiding officers of tribunals had been requested to look into it as well. In the hearing on October 1, 2013, the UOI submitted with reference to our prayer for forbidding retired Supreme Court/High Court judges from taking up arbitration work while serving as chairperson/Member of any Government appointed constitutional/statutory body, commission, or tribunal, that a draft bill would be introduced in Parliament during the Winter Session. The matter is now listed for February 26, 2014.

1. **WP(C) 8363/2010:** [**Misuse of BSP reserved symbol**](http://commoncause.in/Recent_PILs/hc4a.php) **-** The petition challenges the order of the Central Election Commission rejecting our request for freezing the reserved symbol of BSP on account of its misuse by its government in Uttar Pradesh. Punitive costs were imposed on BSP on July 16, 2012 for the inordinate delay in filing a reply. A rejoinder rebutting the submissions made in the Party’s belated counter affidavit has been filed. The matter has now been listed for January 20, 2014.
2. **WP(C) 2992/2013: Strengthening the institution of** **the Lokayukta, Delhi-** Common Cause challenged the rejection by the Lt. Governor of the recommendations made by the Lokayukta in respect of eight former Municipal Councillors, who had been caught in a sting operation in the act of negotiating bribes for facilitating unauthorized constructions. It was contended that the Lt. Governorhad deviated from the procedure prescribed in the relevant statute by conducting *de novo* inquiries and taking into account extraneous circumstances to arrive at his decisions. The High Court was urged to set aside the impugned orders and direct that the case records be forwarded to the Commissioner of Police for further action in accordance with law. Notices were issued to the respondents on May 8, 2013.Rejoinders to the counter affidavits filed by the respondents have been submitted. The matter is listed for December 5, 2013. Shri Harish Salve, Senior Advocate, is arguing our case.
3. **WP(C) 4653/2013:** **Challenging the arbitrary appointment of the C & AG:** Common Cause has been campaigning since 1995 for a transparent, broad-based and objective procedure for appointment to the Constitutional office of the Comptroller & Auditor General of India. The issue was unsuccessfully agitated in the Supreme Court of India in 1996 through a PIL filed in the name of Common Cause, and in 2007 through a PIL in the name of Public Cause Research Foundation. Common Cause also submitted several representations on the subject to the authorities concerned. A memorandum was addressed to the Chairman of the Public accounts Committee of Parliament in November 2012, when the term of Shri Vinod Rai was drawing to a close.

The Union Government validated the worst apprehensions of civil society by naming the incumbent Defence Secretary as the CAG. It was decided to challenge this appointment, *inter alia,* on the ground of a humungous conflict of interest. Dr. B. P. Mathur, former Deputy Comptroller & Auditor General of India & a member of the Governing Council of Common Cause and Shri Kamal Kant Jaswal, Director, Common Cause, put their names to the writ petition along with many other former senior public servants. The petition (426/2013) was filed in the Supreme Court on June 3, 2013 only to be withdrawn for being filed in the Delhi High Court. The High Court took up the petition on July 24, 2013. After hearing all the parties, a division bench of Justices B.D. Ahmed and Vibhu Bakhru reserved the judgment on October 10, 2013.

1. **WP (C) 7240/2013:** **Actionable evidence of corruption against Shri Virbhadra Singh-** Our counsel, Shri Prashant Bhushan, had requested the Central Vigilance Commission and the Central Bureau of Investigation in January 2013 to act on the unrebutted documentary evidence of corruption against Shri Virbhadra Singh, former Union Minister of Steel and the incumbent Chief Minister of Himachal Pradesh. The Society followed up the matter with letters to the Chief Vigilance Commissioner and the Director, CBI and urged them to discharge their statutory responsibilities as apex anti-corruption bodies. This elicited a formal response from the CVC that the matter had been referred to the Chief Vigilance Officer of the Ministry of Steel. Hence, Common Cause filed a PIL in the Delhi High Court on November 16, 2013, seeking a court supervised probe by the CBI/Director General, Income Tax (Investigations) into the allegations. The matter has been listed for November 27, 2013.
2. **WP(C) 3791/2000:** **Animal hazard on roads -** The Delhi High Court had disposed of our writ petition for mitigation of the hazard posed by dairies in residential areas and stray cattle on the roads in December 2002, directing the Delhi government, MCD and NDMC to shift the dairies outside the urban areas. The non-compliance of these orders was brought to the notice of the Court, which directed the MCD in May 2007 to shift the illegal dairies by August, 2008.

As per the latest status report of MCD, 1432 out of the 1435 dairies in the city have been rehabilitated in Ghogha Colony at the outskirts of Delhi. The remaining 3 are covered by interim stay orders of the Court. In the hearing on April 29, 2013, the Society undertook to verify the claims made in the status report filed by Chief Secretary, Government of NCT of Delhi. A visit of Ghogha Colony in Narela district by a Common Cause team showed that there was a gross misrepresentation of facts in the said report. In reality, very few dairies owners have shifted to Ghogha Colony due to the unsuitable location of the site and the utter lack of infrastructure facilities. Hence, we filed an IA to bring the discrepancies to the Court’s notice. The IA seeks the appointment of Court Commissioners to undertake a comprehensive inquiry into the status of the stray cattle menace in the Capital and ascertain the fate of the displaced dairies, as well as the ground realities the functioning of the infrastructural facilities claimed to have been established at Ghogha Colony. The matter is now listed for February 12, 2014.

**III. Support to other civil society organizations**

Common Cause continued to extend financial assistance to Vanangana for its work in the fields of communal harmony and empowerment of women in Chitrakoot, U. P.

The Society undertook to support Centre for Environment and Food security, Delhi, for a period of one year to enable it to pursue its PIL on systemic reforms in the implementation of the Mahatma Gandhi National Rural Employment Guarantee Act. The field surveys conducted by CEFS to document the gross irregularities in the implementation of the Act in UP, MP, Odisha and Bihar have made a significant impact and prompted the Supreme Court to order in-depth investigations by the CBI and pass consequential orders on various operational issues.

**IV. Miscellaneous**

Shri Vikram Lal and Maj. Gen. (Retd.) J.P. Gupta were unanimously re-elected as the President and Vice-President of Common Cause Society, respectively, for a fresh term of three years commencing May 10, 2013. The Governing Council renominated Maj. Gen. (Retd.) J.P. Gupta and Shri Prakash Singh to the Board of Trustees of Common Cause Trust for a further period of three years.

The Governing Council met four times during the year 2012-2013 and extended full support and guidance to the Director and his team. The Annual General Meeting of the Society was held on March 9, 2013. The members reviewed the developments since the last general body meeting and appreciated the various initiatives taken by the Society.

**VI. Finance and Accounts**

The Audit Report on the Annual Accounts of Common Cause Society and Common Cause Trust for the year ending March 31, 2013 have been received. The Governing Council has accorded its approval to the documents on September 26, 2013. Briefly, the expenditure during the year was Rs.52.78 lakh against Rs.50.62 lakh recorded last year. The income during the year was Rs. 58.97 lakh compared to Rs.50.25 lakh during 2011-12. Thus, there was a surplus of Rs.6.19 lakh as against a deficit of Rs.0.37 lakh last year. Overall, the financial results have been quite satisfactory.