

# The Missing Middle? Women’s Collectives and the Right to Food in India

## PRELIMINARY AND INCOMPLETE DRAFT

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### 1 Introduction

The landmark People’s Union for Civil Liberties (PUCL) vs. Union of India case (2001–2017) transformed India’s food security landscape by deriving the right to food from Article 21 of the Indian constitution.<sup>1</sup> Over 17 years, India’s Supreme Court issued more than 50 interim orders directing the universalization of nutrition programs, including Integrated Child Development Services (ICDS), the Public Distribution System (PDS), and mid-day meal programs (Drèze 2004; Birchfield and Corsi 2010). In 2017, these judicial directions were eventually codified in the 2013 National Food Security Act (NFSA) and the case was formally closed.

The legal architecture built during this period marks a genuine shift in India’s approach to food security, moving from a welfare-based to a rights-based framework and placing women explicitly at the center of implementation (Drèze and Khera 2017). Yet scholarship on rights-based development has noted that the adoption of rights language does not automatically produce the institutional architecture through which rights become claimable. Rhetoric has routinely outpaced substantive change, and the gap between formal commitment and practical realization remains the defining challenge of rights-based development globally (Nelson and Dorsey 2018).

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<sup>1</sup>Article 21 of the Indian Constitution guarantees that "No person shall be deprived of his life or personal liberty except according to procedure established by law." (Constitution of India, Art. 21, available at <https://www.india.gov.in/my-government/constitution-india>)

In the NFSA, this gap has a precise institutional cause. The framework recognizes two categories of legal actors: individual beneficiaries who file grievances and registered NGOs who file public interest litigation (Sood 2008; Bhagwati 1985). This binary model reflects the original vision of public interest litigation as a mechanism for organized civil society to speak on behalf of the poor at the Supreme court of India (Bhagwati 1985; Kalantri, Chandra, and Hubbard 2017).<sup>2</sup> But it renders invisible the village-level collectives that actually mediate millions of women's access to nutrition entitlements on the ground (Kumar, Nguyen, et al. 2021). The silence of the PUCL-NFSA framework on these middle-level mediating institutions is not a minor omission but a structural blind spot.

The timing of this invisibility is particularly striking, because it coincides with a massive expansion of grassroots collective institutions in the country. In 2011, just as the PUCL case was actively issuing interim orders and two years before the NFSA would be enacted, the Government of India launched one of the world's largest rural development initiatives: the National Rural Livelihoods Mission (NRLM). With a combined budget of \$5.1 billion and \$1 billion in World Bank support, the Mission aimed to benefit 350 million people in 12 states that represent 85% of the rural poor of India (Ministry of Rural Development, Government of India 2011; Joshi and Rao 2018). The explicit goal was to mobilize rural households, particularly women, into Self-Help Groups (SHGs) and federated institutions where "with the strength of the group behind them, they will be able to exert voice and accountability over providers of educational, health, nutritional and financial services." The NRLM was the latest in decades of state investment in village-level collective institutions. Since the passage of the 72nd and 73rd Amendments to the Indian constitution, local government institutions – Gram Sabhas and Gram Panchayats – led to the creation of "250,000 democracies" in India and a strengthening of democratic experience (George, Rao, and Sharan 2024).

To date, evidence suggests that these investments produced considerable returns.<sup>3</sup> For NRLM specifically, systematic reviews have found that SHGs have positive effects on the economic, reproductive, social and political domains of women's empowerment, attributing these benefits to the accumulation of social capital and mutual accountability resulting from peer interactions (Desai and Joshi 2014a; Desai and Joshi 2014b; Sanyal, Rao, and Majumdar 2015; Datta 2015; Brody et al. 2017; Joshi and Rao 2018; Díaz-Martin et al. 2022). The NRLM was building exactly the organizational infrastructure through which rights become real (Epp 2010). Yet, the legal framework being constructed in parallel made no provision for these collectives as legal actors in the very nutrition schemes—PDS, ICDS, maternity benefits—that NRLM groups were created to help women access.

This is the paradox at the heart of the paper. On the one hand, the state has invested

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<sup>2</sup>Public Interest Litigation (PIL) is a distinctive feature of Indian constitutional law that permits any citizen or organization to petition the Supreme Court or High Courts directly on behalf of those whose fundamental rights have been violated, without requiring the affected parties themselves to have legal standing (Bhagwati 1985).

<sup>3</sup>For an excellent review of evidence on investments in local democracy, see George, Rao, and Sharan (2024).

heavily in collective institutions explicitly designed to help women access nutrition entitlements. On the other hand, it has constructed a legal framework for nutrition rights that made these same institutions invisible. I illuminate the paradox by examining how women's collectives actually function in India's nutrition governance. Drawing on organizational documentation from three significant development organizations, alongside longitudinal evaluation data tracking women micro-entrepreneurs across ten states in the aftermath of the Covid-19 pandemic, this paper demonstrates that women's collectives perform systematic legal intermediation work: translating bureaucratic procedures, documenting patterns of entitlement denial, mediating disputes that affect nutrition access, and monitoring whether ICDS and PDS actually deliver promised services. The organizations often operate in a legal gray zone, performing functions the PUCL-NFSA framework assigns either to individual beneficiaries or to registered NGOs, yet lacking support and visibility.

The scope of the argument deserves clarification. The constructive work tradition to which several of these organizations belong has deep roots in Gandhi's vision of *Gram Swaraj*, the idea that self-governing village communities, not the state, should be the locus of collective life (Gandhi 1962). The organizations have many good reasons to maintain autonomy from the state, and the concern that legal recognition could become co-optation is not unfounded (Merry 1988). But there is a difference between integration into the state's delivery machinery and simple acknowledgment of what collectives already do. Gandhi's own argument that rights should follow the performance of duties cuts both ways: if these collectives are already performing the intermediation work that the legal framework assigns to others, the state's omission of this results in a failure on its own terms.

The paper proceeds as follows. Section 2 reconstructs the legal architecture of India's right to food, tracking how the PUCL case and the 2013 NFSA emerged. Section 3 examines why the institutional arrangements coalesced around atomized beneficiaries. Section 4 uses a mixed-method approach of qualitative and quantitative data to document three intermediation functions that women's collectives actually perform. Section 5 turns to the distribution of the missing middle, examining where these collectives exist and, critically, where they do not, showing that the women most structurally excluded from formal entitlement channels are also the least likely to be reached by the informal intermediaries who could help them. The final section concludes by considering what recognition, not integration, but acknowledgment of collective intermediation, might require from the legal architecture.

## **2 Background: The Legal Architecture of Food Security**

### **2.1 The PUCL Case**

In 2001, the People's Union for Civil Liberties (PUCL) filed a writ petition asking the Court to recognize food as a fundamental right under Article 21 of the Constitution and to direct the government to implement existing food security schemes (Drèze 2004; Brierley 2019). Rather than issuing a single declaratory judgment, the Court converted the case into contin-

uing mandamus, issuing more than 50 interim orders between 2001 and 2017 that progressively defined entitlements, established monitoring mechanisms, and held state officials personally accountable for implementation failures. The case has since been recognized as one of the most consequential exercises of judicial activism in Indian constitutional history (Mishra 2024; Bhagwati 1985).

The Court's November 28, 2001 order laid out the basic framework for the policies that were to follow, specifying precise nutritional entitlements for different categories of beneficiaries. Children aged 6 months to 6 years were entitled to 300 calories and 8–10 grams of protein per day through supplementary nutrition programs. Pregnant and lactating women were entitled to 500 calories and 20–25 grams of protein per day. Children in government and government-assisted primary schools were to receive mid-day meals (Drèze and Goyal 2003). These specifications established the right to food not as an abstract principle, but as quantifiable and enforceable entitlements targeted at specific categories of the population (Birchfield and Corsi 2010). This partitioning of the population into administratively defined categories is a structural feature of the framework that will be examined more closely in the following subsection.

To ensure implementation, the Court created a multi-layered accountability structure. On May 8, 2002, the Court appointed two Supreme Court Commissioners “to redress complaints that have not been resolved by the Collectors and the Chief Secretary.”<sup>4</sup> The Court authorized them to “take the help of NGOs and individuals to help them monitor the implementation of the court’s orders,” directing that “The Commissioners shall be at liberty to take the assistance of individuals and reliable organizations in the State and Union Territories.”

The Court also established clear lines of accountability. The October 29, 2002 order held Chief Secretaries personally responsible, stating that “Chief Secretaries will be held responsible if starvation deaths are established in their states.” Subsequent orders required Chief Secretaries to file detailed compliance reports, creating a hierarchical grievance pathway: individual beneficiaries could file complaints with District Collectors; unresolved complaints would escalate to Chief Secretaries; and persistent failures could reach the Supreme Court Commissioners (Drèze and Khera 2017).

The May 8, 2002 order also recognized Gram Sabhas as monitoring bodies, directing that they were “entitled to conduct Social Audits into all Food/Employment schemes” and to “monitor the implementation of the various schemes.” This provision appeared to create space for community-level oversight. However, Gram Sabhas are formal governance bodies with constitutional recognition (George, Rao, and Sharan 2024), not the informal women’s collectives that actually mediate access to entitlements on the ground. As Sanyal and Rao have documented, the gap between the formal authority of Gram Sabhas and their actual functioning as deliberative bodies is substantial; women’s participation in particular has remained limited (Sanyal and Rao 2019).

In this apparatus, the imagined process for claiming rights was quite clear: individ-

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<sup>4</sup>Order dated May 8, 2002, available at: <https://web.archive.org/web/20150722012905/http://www.righttofoodindia.org/orders/may8.html>

ual beneficiaries would see their names on displayed lists, understand their entitlements, and file complaints with Collectors if those entitlements were denied. Formal NGOs with legal standing, such as PUCL itself, could file Public Interest Litigation to challenge systemic failures and be enlisted by Supreme Court Commissioners to assist with monitoring (Kalantry, Chandra, and Hubbard 2017; Sood 2008). Between these two categories however, there was nothing.

## 2.2 The NFSA

The National Food Security Act (NFSA), enacted on 5 July 2013, codified many of the interim orders into statutory entitlements: 35 kg of food grains per month for Antyodaya Anna Yojana (AAY) households and 5 kg per person per month for priority households, with prices capped at Rs. 3/2/1 per kg for rice, wheat, and coarse grains, respectively. It established maternity benefits of Rs. 6,000 for pregnant and lactating women and guaranteed nutritious meals for children through ICDS centers and mid-day meal schemes (Drèze and Khera 2017).

The NFSA was lauded for centering women in its implementation architecture. Section 3(3) of the Act mandates that “the eldest woman of the household of age 18 years or older” be designated as the head of household for ration card purposes, framed in official documentation as “a step towards women empowerment.” The Act’s life-cycle approach further targeted women through cash maternity benefits and nutrition support for pregnant and lactating mothers. The Act assigned States and Union Territories responsibility for “effective implementation,” including identification of eligible households, distribution of foodgrain entitlements through fair price shops, and the establishment of grievance redressal mechanisms.

On 10 February 2017, the Supreme Court formally closed the PUCL case, noting that “in view of the passing of the NFSA,” the litigation had achieved its objectives (Mishra 2024). This two-decade effort by the judiciary and the legislature was, in important respects, a genuine victory for women and food security: nutritional entitlements had been progressively defined and expanded, officials held personally responsible, and landmark legislation enacted.

The NFSA marked, in the government’s own language, “a paradigm shift in the approach to food security from welfare to rights based approach.” It was part of a broader rights-based turn in Indian social policy that also produced the Right to Information Act (2005), the Forest Rights Act (2006), and the Mahatma Gandhi National Rural Employment Guarantee Act (2006). India was not alone in this turn. Across the developing world, states and international organizations embraced rights-based frameworks over the same period — yet two decades of experience suggest that such language has consistently outpaced substantive change, with institutions preserving procedural arrangements rather than building the accountability structures a genuine rights-based approach requires (Nelson and Dorsey 2018).

Whether the NFSA represented a genuine exception to this pattern is an open question.

The Supreme Court itself makes for an interesting study. Through the system of PIL, it sought to make itself available as a venue for rights-based claims on behalf of the poor (Bhagwati 1985). Realizing this aspiration in practice was more complicated (Kalantry, Chandra, and Hubbard 2017; Chandra, Kalantry, and Hubbard 2023). In the next section, we explore how the atomized individual-beneficiary model featured in the PUCL-NFSA may have made it difficult for the system to deliver on its promises.

### **3 Why the Architecture Looks This Way**

Why did India build its legal architecture for food security around the atomized individual-beneficiary model? One answer comes from the broader literature on welfare states. Piven and Cloward argued that welfare systems are designed, at least in part, to contain the collective political pressure that generates them: by channeling all procedures through individuals, they atomize the very constituencies whose organizing power made rights legislation possible in the first place (Piven and Cloward 1971). Atomized claimants are administratively legible and politically manageable; collective intermediaries with pattern documentation and grievance escalation capacity are neither.

But the Indian case does not map cleanly onto this story. Piven and Cloward were writing about a state ambivalent or hostile to collective organizing among the poor. From its inception, the Indian state has been committed to alleviating poverty (Kapur 2020). Ambedkar, the principal architect of the Indian constitution, argued that formal legal equality was meaningless without addressing the social structures that prevented its realization and built into the constitutional design provisions for the collective representation of disadvantaged groups (Ambedkar 1947). And, as noted above, the postcolonial state has continuously invested in collective institutions from gram sabhas to women’s cooperatives to the NRLM (George, Rao, and Sharan 2024). Piven and Cloward’s framework can explain why the legal architecture looks the way it does; it cannot explain why the state spent billions constructing the intermediaries its legal architecture then refused to see.

A more complete answer requires a framework suited to the specific conditions of postcolonial democracies viewed through three intellectual prisms. The first relates to the mode of governance inherited from the colonial period. The second is a conception of citizenship that has historically been too thin to accommodate collective claims. The third is the political economy of the Indian state itself and the structural reasons why it systematically underdelivers on programs requiring ongoing local accountability.

#### **3.1 A Mode of Governing: Populations, Not Citizens**

A substantial body of postcolonial scholarship examines how the governance systems of societies like India were shaped by and continue to reflect the administrative and classificatory logics of colonial rule. Nicholas Dirks has argued that the colonial state was an “ethnographic” state whose technologies of census, population surveys, and administrative

classification did not merely describe Indian society but actively produced and controlled it (Dirks 2001). The postcolonial developmental state inherited rather than abandoned this classificatory logic.

In his research on the politics of the governed, Partha Chatterjee argues that in post-colonial states like India, the domain of politics is split between two registers. The first is civil society, which Chatterjee describes as “an actually existing arena of institutions and practices inhabited by a relatively small section of the people” who are, in the constitutional sense, rights-bearing citizens capable of making legal claims (Chatterjee 2004, p. 38). The second is political society, the terrain on which “most of the inhabitants of India,” who are “only tenuously, and even then ambiguously and contextually, rights-bearing citizens in the sense imagined by the constitution,” interact with the state not as legal actors but as targets of governmental programs (Chatterjee 2004, p. 38).

Population groups in political society interact with governmental agencies “not as bodies of citizens but as convenient instruments for the administration of welfare,” their claims never rising to the level of justiciable rights (Chatterjee 2004, p. 40). What results is a paralegal zone where the state retains control and cannot be held accountable.

The NFSA’s architecture illuminates this perspective precisely. At first glance, the Act is progressive in its focus on women and is attentive to the specific vulnerabilities of pregnant women, lactating mothers, and caregivers of young children. But these categories feature as populations to be administered: women described as reproducers and dependents rather than as empowered actors capable of monitoring, documenting, and enforcing the entitlements the Act establishes. Women’s collectives fall entirely outside this frame, possessing neither the legal status of recognized actors nor the specific entitlements of individual beneficiaries. They are the structural blind spot of the governance architecture.

### **3.2 Citizenship: Beneficiaries, Not Rights-Bearers**

A second prism examines how citizenship itself has been constructed in postcolonial India, and whether the formal rights the state grants are matched by the substantive conditions necessary for their realization. The gap between formal and substantive rights was a central concern at the founding of the republic. B.R. Ambedkar, the principal architect of the Indian constitution and the foremost political leader of India’s Dalit communities, warned that political democracy would remain fragile in the absence of social and economic equality: a constitution could guarantee formal rights while leaving intact the social structures that prevented their realization (Ambedkar 1936; Ambedkar 1947).

Niraja Gopal Jayal argues that Indian citizenship has historically been constructed in thin, individualized terms that struggle to accommodate collective claims or substantive equality (Jayal 2024). The language of welfare has historically been one of charity and state largesse rather than robust social citizenship (Jayal 2024, p. 12). As Epp argued, rights do not become real through legal text alone but through the sustained organizational infrastructure that allows people to claim them (Epp 2010).

Feminist legal scholars have long cautioned that for women in particular, legislative

victories won from the top do not automatically translate into substantive change when everyday practice remains regulated not by law but by other authorities (Menon 2012; Bartlett 1990). Women embedded in relationships of care and dependency are disadvantaged in claiming the benefits of formal legal innovations (Fineman 2017).

The capabilities approach developed by Sen and Nussbaum provides a unifying framework for these concerns: what matters is not only whether a right exists on paper but whether individuals have the real freedoms and institutional supports necessary to exercise it (Nussbaum 2000; Sen 1999). Judged by this standard, the NFSA's silence on the collective infrastructure through which entitlements are actually claimed represents a significant gap between formal achievement and substantive realization.

### **3.3 The Political Economy of State Delivery**

The third prism comes from the political economy of the capacity of the Indian state. Substantial literature has documented the heterogeneous performance of the Indian state in policy domains, with particular attention to its chronic failures in the ongoing delivery of local services. Khera's empirical work on the implementation of PDS and ICDS has shown that exclusion from these programs is systematic rather than incidental, rooted in persistent front-line accountability failures (Khera 2011).

Kapur argues that the Indian state performs well in episodic and time-bound activities, but poorly in ongoing delivery that requires quotidian accountability at the local level (Kapur 2020). Food entitlements, daily access to PDS, ICDS nutrition support, and maternity benefits are quintessentially the latter. They require sustained front-line accountability from a local state that is dramatically under-resourced: local government expenditure represents just 3 percent of total government expenditure in India, compared with 27 percent in the United States and 51 percent in China (Kapur 2020).

Muralidharan reinforces this point, arguing that India must build capacity in several different areas: data collection, personnel, the quality of public expenditure, tax revenues, federalism and decentralization and most importantly for the purpose of this paper, leveraging non-state actors that include "both the private sector and civil society" (Muralidharan 2023, p. 10). He notes that Indian state struggles to work with non-state partners: procurement is rife with corruption and inefficiency, and the resulting procedural complexity means that officials often avoid contracting altogether. The result is a state that cannot deliver services to its people directly, and will not recognize the intermediaries who can — foreclosing the very partnerships that would make rights-based delivery viable.

Together, these three prisms illuminate the same structural problem from different angles. The mode of governing inherited from the colonial state produces a legal architecture that sees populations to be administered rather than collective actors to be recognized. The thin citizenship architecture does not provide a recognized place for intermediaries through which formal rights become real. And the political economy of Indian state delivery ensures that individual grievance channels were always structurally ill-equipped to deliver

ongoing local accountability or improve the overall capacity of India to ensure resilient development.

## **4 Women’s Collectives as De Facto Legal Intermediaries**

This section documents the intermediation work that women’s collectives perform — what they actually do at the interface between beneficiaries and state nutrition schemes — drawing on two complementary sources of evidence. The first is publicly available organizational documentation from three significant development organizations: PRADAN, SEWA Bharat, and Seva Mandir, including annual reports, program documentation, case narratives, and evaluation records published between 2018 and 2025, analyzed for evidence of key intermediation functions. The second is longitudinal evaluation data from SEWA Bharat’s Udyami program, which tracked 1,308 women micro-entrepreneurs across 21 districts in ten states over two survey rounds in 2022 Desai, Hazra, et al. 2023, covering entitlement access, decision-making agency, confidence in negotiating with government officials, healthcare utilization, and participation in local governance.

The three organizations are selected for theoretical purposiveness rather than representativeness. All three create structures that explicitly mediate between individual beneficiaries and state entitlement programs while lacking formal legal standing in the PUCL-NFSA framework, yet they represent meaningful variation in scale, organizational model, and state relationship — from PRADAN’s 3.4 million households across nine states to Seva Mandir’s deep engagement in two districts of Rajasthan; from formal partnership with State Rural Livelihoods Missions to autonomous capacity-building largely outside the state’s programmatic framework Joshi and Rao 2018. This variation strengthens the argument that the legal invisibility of collective intermediation is a structural feature of the PUCL-NFSA framework rather than a characteristic of any particular organizational type.

Three limitations bear noting. The case organizations are illustrative rather than representative, and the intermediation functions they perform may differ from those of organizations operating in different institutional environments. The Udyami evaluation data, while geographically broad, cannot be generalized to women’s collectives as a whole. And the quantitative analysis establishes associations rather than causal effects: the non-experimental design means that observed differences between exposed and unexposed women may reflect pre-existing characteristics rather than program effects. None of these limitations undermine the core theoretical claim. The argument that women’s collectives perform systematic intermediation work enabling millions of women to access nutrition entitlements, yet remain invisible within the PUCL-NFSA legal framework, stands independently of the representativeness of the case organizations or the causal identification of the evaluation data.

These organizations were proliferating precisely as the legal architecture was taking shape. As the PUCL case issued interim orders and the NFSA was being drafted between 2001 and 2017, the National Rural Livelihoods Mission had set an ambitious goal of or-

ganizing 350 million women into self-help groups, actively partnering with NGOs across India to meet it Joshi and Rao 2018. Official estimates suggest the actual number reached was around 90 million.<sup>5</sup> PRADAN alone reached 3.4 million households through SHGs organized into 5,400 village organizations and cluster- and block-level federations across nine states PRADAN 2025. SEWA Bharat organized informal women workers into sector-specific trade groups and community monitoring committees across eight states SEWA Bharat 2024. Seva Mandir, operating mainly in Udaipur and Rajsamand districts of Rajasthan, maintained autonomous support for women’s collectives for nearly 60 years without formal state partnership.

What these organizations share is that their collective structures perform systematic legal intermediation work in relation to nutrition and social protection schemes. In each case documented below, the work collectives perform is work the legal framework assigns to individual beneficiaries or registered NGOs — yet on the ground, it is collectives, not those actors, who actually carry it out.

## **4.1 Mechanisms of Intermediation**

### **4.1.1 Information Translation and Bureaucratic Navigation**

Women’s collectives make state entitlements legible to beneficiaries and navigate bureaucratic systems on their behalf — work that extends far beyond information provision to active mediation at the interface between women and the state apparatus Kumar, Scott, et al. 2019. The gap between formal entitlement and actual access is not primarily informational; it is structural. For women juggling paid and unpaid work with limited literacy, unfamiliarity with bureaucratic procedures, and restricted mobility, the distance between knowing about an entitlement and successfully claiming it is vast Laslett and Brenner 1989. The PUCL framework assumed that posting beneficiary lists in ration stores and Anganwadi centers would enable claims. It did not account for the care work burden that makes individual rights-claiming structurally impossible for many of the women the law was designed to protect.

The SEWA Bharat evaluation illustrates this structural barrier concretely. Among the 1,308 women micro-entrepreneurs tracked across ten states, 72% were engaged in economic activity, yet 75% of these working women needed childcare support Desai, Hazra, et al. 2023. Of those, only 17% could access formal services; 37% had no support at all; and 41% reported that childcare responsibilities directly affected their economic activity. A woman managing paid work and unpaid care on Rs. 150 per day cannot easily travel to the Block Development Office to file a complaint when the Anganwadi worker denies her child the nutrition promised under NFSA Section 4(a). In this context, the collective is not a convenience — it is the only mechanism through which the entitlement becomes claimable at all.

The three case organizations each demonstrate this translation function in distinct ways.

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<sup>5</sup><https://nrlm.gov.in/shgOuterReports.do?methodName=showShgreport>

Seva Mandir’s Women’s Resource Centres (WRCs) report increased women’s knowledge of government schemes and provide counseling and documentation support to obtain social security entitlements Seva Mandir 2021a. During the COVID-19 pandemic, when relief programs proliferated and eligibility criteria shifted rapidly, WRCs and SHGs took on additional navigational work — explaining schemes, compiling documentation, and accompanying women when confronting officials — that made formal entitlements accessible to women who would otherwise have been excluded Seva Mandir 2020.

PRADAN demonstrates the translation function at institutional scale: through 99 GP-level Help Desks and 32 block-level Nagarik Sahayata Kendras established across 511 Gram Panchayats in five states in partnership with the Ministry of Panchayati Raj, households accessed new entitlements not through individual discovery of posted beneficiary lists but through systematic collective intermediation PRADAN 2025.

A peer-reviewed implementation study of SEWA Bharat’s Shakti Kendras (SSKs) in Gujarat provides the most granular evidence: SSKs combined home visits, documentation support, and group exposure visits to government offices to build women’s independent navigation capacity Thomas et al. 2022. Between January 2020 and March 2021, six SSKs achieved 12,730 household contacts. Notably, women in SSK areas had not felt the need to use PMJAY’s telephone grievance mechanism, going instead directly to their Sevika — bypassing the formal channel not because it failed, but because the SSK model was already performing the relational intermediation work the formal architecture was never designed to provide.

#### **4.1.2 Monitoring and Collective Complaint Tracking**

Unlike individual grievances, which the PUCL framework channels through the district collector–state commission hierarchy, women’s collectives document patterns of exclusion affecting multiple households simultaneously and monitor whether schemes are actually delivering what the law promises. These are related but distinct activities: complaint tracking surfaces what has gone wrong for specific households; implementation monitoring asks whether the scheme as a whole is functioning.

Seva Mandir’s WRC case registration system documented 161 cases in a single year across just nine centers — a collective complaint tracking system that has no counterpart in the NFSA’s grievance architecture Seva Mandir 2021a. PRADAN’s approach operates at a different scale through SHG-level discussions that surface systematic exclusions. These are collective forums where women share experiences and identify patterns: multiple members reporting that the Anganwadi worker demands bribes, households noting that ration cards have not been updated despite births, pregnant women being denied the Rs. 6,000 maternity benefit promised under NFSA Section 4(b). The GP-level help desks aggregate these patterns across villages and escalate them to Panchayat officials. The results are striking: 25,000 ultrapoor households were linked to entitlements and supported in asset creation, and in West Bengal alone, 674,000 households developed entitlement plans and 460,000 developed livelihood plans PRADAN 2025 — reached not through individual complaint

filing but through collective identification and remediation of systematic exclusion.

The implementation monitoring function goes further. SEWA Bharat’s community monitoring committees conduct structured observation of ICDS centers — tracking attendance of Anganwadi workers, availability of supplementary nutrition, and whether pregnant and lactating women are receiving their entitled benefits SEWA Bharat 2024. This is proactive oversight rather than reactive complaint filing: collectives checking whether the scheme is working before women know to complain that it is not.

PRADAN’s SHG nutrition discussions perform an analogous function at scale, with 102,919 women across thousands of groups able to recall substantive nutrition content from collective discussions — a form of distributed scheme monitoring that the PUCL framework’s social audit provisions assigned to Gram Sabhas but which, as documented above, Gram Sabhas have largely failed to perform PRADAN 2025; Sanyal and Rao 2019.

The legal framework recognizes neither function. The NFSA’s Section 14 establishes District Grievance Redressal Officers to receive individual complaints; it does not accommodate a Cluster Level Federation filing a collective grievance documenting that 50 pregnant women across five villages have been systematically denied maternity benefits. And it has no mechanism through which a community monitoring committee’s findings about chronic Anganwadi absenteeism can be formally entered into the accountability architecture — short of a PIL filed by a registered NGO at the state level, which requires resources and legal standing that village-level collectives do not have.

### **4.1.3 Mediation and Accountability Creation**

Women’s collectives create accountability at the interface between beneficiaries and both state officials and informal power holders, despite lacking formal legal authority. This is the function that most directly resembles legal work.

Seva Mandir’s WRCs summon parties to mediation sessions and negotiate outcomes. In a documented case, when a woman named Sushma was abandoned by her husband who brought a second wife into the household, the Madri WRC summoned her father-in-law for mediation. He was described in WRC records as “a very powerful man in the village” and a “prominent person in the caste panchayat.” When he initially “verbally abused us on [the] phone and dismissed the summon,” the WRC persisted with “many repeated reminders.” He eventually agreed to pay compensation of one lakh rupees along with her mobile phone and savings Seva Mandir 2021a. The WRC possessed no formal authority to compel attendance or enforce the settlement, yet it achieved both. Its authority derived from organizational legitimacy and community recognition, not legal standing.

The longitudinal evaluation of SEWA Bharat demonstrates how collective organizing builds women’s capacity to create accountability with government officials more broadly. Women exposed to SEWA’s organizing activities showed significantly higher confidence in negotiating with government officials—71% versus 67% among women without such exposure—and 38% felt able to make independent decisions about health expenditure compared to only 25% of women without collective support (Desai, Hazra, et al. 2023). This

confidence translated into tangible results: women involved in SEWA accessed health insurance schemes at significantly higher rates (73% versus 62%) and spent nearly half as much on healthcare (Rs. 2,760 versus Rs. 5,362), suggesting that collective knowledge enabled them to navigate public health systems rather than relying on private providers.

The COVID-19 crisis made the accountability creation function visible in a different register, not as informal mediation, but as state-delegated crisis governance. When India's lockdown made formal state channels unable to reach citizens, it was the national network of aagewans who stepped forward to fill the gap (Sen and Haque 2021). In Odisha, Badhigaon aagewans partnered with the panchayat to entirely take care of the distribution of the rations, resulting in very little hunger through lockdown and a quick resumption of local business. In Punjab, aagewans identified migrant families that were systematically missed in official surveys and ensured that they received ration kits on a priority basis. Nationally, SEWA aagewans mobilized to distribute over 75,000 sanitary napkins across six states within a week of lockdown after identifying that menstrual hygiene products had been excluded from the essential goods list.

The significance for the legal architecture argument is precise: the Indian state, in a crisis, operationally depended on these collectives to deliver constitutionally mandated entitlements, yet this dependence coexisted with complete legal non-recognition. The aagewans who distributed rations in Badhigaon had no formal standing to do so; the women who ensured that migrant families received PDS entitlements in Punjab had no recognized role in the NFSA's grievance or monitoring architecture.

## **4.2 The Legal Limbo**

The intermediation work described above looks remarkably like legal work. WRCs and SEWA trade groups use explicitly judicial language to describe their functions: they hear cases, conduct summons, facilitate mediation, and achieve resolution. Yet they exist in a legal gray zone the PUCL-NFSA framework cannot accommodate. The scholarship on legal pluralism has long recognized that most dispute resolution occurs outside formal courts through the private ordering of local institutions, and that the relationship between informal systems and the state is constitutive rather than simply supplementary Galanter 1981; Merry 1988. The framework's failure to recognize women's collectives reflects a deeper assumption that formal legal institutions are the primary site of rights enforcement — an assumption legal pluralism scholarship has spent decades dismantling.

The structural contradiction is clearest in the case of collective grievances. If thirty women in a WRC's catchment area are systematically denied ICDS maternity benefits, each can theoretically file an individual complaint with the District Collector under NFSA Section 14. But the WRC — which has documented the pattern and understands it as a systematic failure rather than thirty unrelated incidents — has no standing to file a collective grievance. The framework recognizes atomized individuals and would recognize PUCL filing a PIL about systemic ICDS failures. It explicitly recognizes gram sabhas for social audits. It does not recognize the village-level WRC that actually mediates between these

women and the state.

This invisibility misrecognizes how rights enforcement actually occurs. The NFSA established District Grievance Redressal Officers assuming individual beneficiaries would navigate the hierarchy. In practice, women go to Agewans who mobilize collective pressure; PRADAN's coordination structures linked thousands of households to entitlements through collective identification of exclusions, not individual complaint filing PRADAN 2025; Seva Mandir's WRCs resolved 161 cases in a single year affecting women's access to household resources and economic security Seva Mandir 2021b — mediation occurring entirely outside the NFSA's grievance architecture.

By 2017, when the Supreme Court closed the PUCL case and declared the legal architecture for food security complete, thousands of women's collectives were performing daily mediation of nutrition entitlement access — unrecognized by court orders, unmentioned in the NFSA, lacking standing for collective grievances, excluded from the monitoring architecture despite performing monitoring functions. The missing middle between individual beneficiaries and formal NGOs was not empty. It was filled with women's collectives doing legal work that the law could not see.

Thomas et al. capture this precisely in observing that SEWA's SSKs occupy an intermediate position between legally mandated accountability structures and privatized service navigation, with no recognized legal status of their own Thomas et al. 2022. Women in SSK areas systematically bypassed PMJAY's formal grievance hotline in favor of their local Sevika — not because the hotline failed, but because the SSK model was already performing the intermediation work the formal architecture assumes away. The gap Thomas et al. identify in PMJAY's design is structurally identical to the gap in the NFSA's grievance architecture: both frameworks assume an individual beneficiary with the capacity, knowledge, and time to navigate formal channels, and both are silent on the collective intermediaries through which entitlement access actually occurs.

## **5 The Distribution of the Missing Middle**

The preceding section documents what women's collectives accomplish where they exist. But the force of that account depends on a prior question: how many rural Indian women actually have access to such collectives? The answer is far fewer than India's headline civil society figures suggest — and the distribution of access is deeply non-random in ways that compound the very inequities these collectives are meant to address.

Civil society organizations in rural India are geographically concentrated in southern states and in villages that are more accessible, more populous, and better served by infrastructure — a pattern consistent with broader evidence that NGOs systematically self-select into operationally convenient locations rather than areas of greatest need (Brass et al. 2018). In Uttarakhand, for instance, contextual factors including population size, distance from nearby towns, and quality of village-level infrastructure were the primary predictors of which villages had prior NGO presence (Usmani, Jeuland, and Pattanayak 2022).

Within communities where collectives exist, access is further stratified. Poor Dalit and Muslim women are frequently excluded from SHGs through the reproduction of local power hierarchies within group structures (Jakimow and Kilby 2006; Batliwala and Dhanraj 2007; Baland, Somanathan, and Vandewalle 2008; Baland, Somanathan, and Vandewalle 2019). Qualitative research on SHG dynamics finds that local power differentials – rooted in caste, education, and land ownership – shape group composition and stability, with more vulnerable women the most likely to exit over time (Nichols 2021). Research on SHG survival using a census of groups in 386 villages in eastern India finds that households from disadvantaged castes exhibit higher attrition rates and smaller loans and that groups without formally educated members are four times more likely to become inactive (Baland, Somanathan, and Vandewalle 2019).

These distributional patterns matter for how we evaluate both the legal architecture and the collectives themselves. Research on women’s collectives as legal intermediaries is, by the nature of the phenomenon, research conducted where civil society is present and at least partially functional. The women whose access to PDS and ICDS entitlements is most structurally blocked are also the women least likely to participate in the collectives themselves.

The NFSA’s grievance architecture thus compounds two invisibilities at once: it does not recognize the collective intermediaries through which entitlement access actually occurs for the minority of rural women who have them, and it does not account for the far larger population for whom neither individual complaint nor collective intermediation is practically available.

Acknowledging this missing middle — naming it within the legal framework rather than assuming it away — is a necessary first step toward reaching the last mile. A rights architecture that cannot see its own intermediaries cannot diagnose why entitlements fail to reach those who need them most, let alone design the institutional conditions under which that reach might be extended.

## 6 Conclusion

This paper has documented a structural paradox at the heart of India’s food security governance. The legal architecture constructed through the PUCL case and codified in the 2013 NFSA succeeded in specifying entitlements, establishing grievance hierarchies, and holding officials personally accountable. What it systematically failed to do was recognize the village-level collectives that actually mediate millions of women’s access to those entitlements. Women’s collectives translate bureaucratic procedures, document patterns of exclusion, conduct proactive implementation monitoring, and create accountability with officials and informal power holders — daily, at scale, in a legal gray zone the PUCL-NFSA framework cannot see.

The argument is *not* that these collectives should be absorbed into the state’s delivery machinery. The concern that legal recognition could become co-optation is legitimate. The

argument is simpler: the legal framework should be consistent with itself.

The PUCL framework already recognizes certain civil society organizations as legal actors — registered NGOs can file Public Interest Litigation, and Supreme Court Commissioners were explicitly authorized to enlist reliable organizations in monitoring. But this recognition extends only to the top of the system, where the threshold of resources and legal expertise required to participate is highest. It does not reach downward to the village level, where entitlement access is actually mediated. This is not a principled distinction. It is an inconsistency.

Closing it is the first track of the policy response this paper points toward. Organizations already recognized by the courts for PIL purposes — and the collectives registered with them — should be permitted to file collective complaints with District Grievance Redressal Officers under NFSA Section 14. A WRC affiliated with Seva Mandir, an SHG federation supported by PRADAN, a trade group organized by SEWA Bharat: these are registered, documented actors, many already formally partnered with state programs. Allowing them to file collective grievances would not require new institutions or new legislation. It would also increase efficiency: a single collective grievance documenting that fifty women across five villages have been denied maternity benefits is more informative, more actionable, and less administratively burdensome than fifty individual complaints filed through a hierarchy most of those women cannot practically access.

The second track addresses a harder problem. Recognition alone does not reach the women who have no collective at all. The most marginalized women — poor Dalits, Muslims, those in remote low-infrastructure villages — are precisely those least likely to be reached by any collective. Addressing this requires a parallel investment agenda explicitly targeted at collective infrastructure in underserved areas. How to do that is beyond the scope of this paper, but the distributional evidence here makes clear that legal recognition and investment in collective infrastructure must advance together.

The two tracks are connected. A legal framework that cannot see its own intermediaries cannot diagnose why entitlements fail to reach those who need them most, let alone design the conditions under which that reach might be extended. Naming the missing middle — acknowledging, within the grievance architecture, the collectives that already perform intermediation work — is the necessary first step toward building the infrastructure that would extend that reach to the women the framework has twice made invisible: first by failing to recognize the collectives that serve them, and second by failing to reach the communities where no collective yet exists.

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