

August 3rd, 2007
allschemes/499/MP

Shri. R C Sahni,
Chief Secretary
Government of Madhya Pradesh,
Mantralaya
Bhopal 462 004.

Sub: Status of Implementation of Food Schemes

Dear Shri. R C Sahni,

As you are aware, in our capacity as Commissioners of the Supreme Court in CWP 196/2001, PUCL v. UOI and others, we monitor the implementation of the food and work related schemes in the country and regularly submit reports to the Supreme Court. The Special Commissioner Mr. Harsh Mander and Principal Adviser Mr. Biraj Patnaik had a detailed meeting with you about the food and employment schemes of Madhya Pradesh in February this year. We would like to bring to your notice some of the issues that remain to be resolved. In this context, we request you to also refer our letters *minutes.CS/483/MP dt: 28.02.2007* and *allschemes/482/Madhya.Pradesh dt: 27.02.2007*.

Integrated Child Development Services:

1. From the status of implementation of ICDS report of the Ministry of Women and Child Development of March 2007, we find that 6950 of the 9537 anganwadi centres (AWCs) that were sanctioned in 2005-06 have been operationalised. Kindly let us know (a) the current status of operationalisation of anganwadi centres in the State, (b) the plans to operationalise the remaining 12501 centres that have been sanctioned to the State (remaining 2587 AWCs that were sanctioned in 2005-06 + 9914 AWCs sanctioned in 2006-07). The Court in its order dated states, "The backlog has to be cleared immediately and the centres which have been sanctioned upto September, 2006 shall be made operational and functional by 15th July, 2007 Those centres which have been sanctioned upto January, 2007 shall be made functional by 30.09.2007."
2. We are yet to receive from you details of the survey of SC/ST habitations in State and whether they have all been provided AWCs. Please let us know the details of the same.
3. Further you have reassured us that no existing contracts will be renewed by the Government of Madhya Pradesh for the supply of SNP and the State Government will take immediate steps to shift to locally procured and produced hot, cooked meals for the age group 3-6 years. Please let us know what the progress on this front has been.
4. We also were informed about the very promising innovations made by the MP Government for identified highly malnourished children. We would be grateful for the

details which we could like to share with the Supreme Court and other State Governments.

5. We would also be grateful if you could kindly provide us with the details of the number of applications made under the “Anganwadi on Demand” as per the directions of the Supreme Court order dated December 13th, 2006. We would like to know the number of applications made, the dates when these demands were made/ applied for and the number of ICDS centres that have been sanctioned in response. (including the date of operationalisation).

Mid Day Meal Scheme:

1. For the Mid Day Meal Scheme, we suggested that our field reports indicate that there is still too much involvement of teachers in the procurement of supplies, cooking and the distribution of hot cooked meals. We would be grateful if cooks and helpers are appointed on a priority basis across the State. The Supreme Court directions are unambiguous about the appointment
2. We also requested you to send us details about the performance of the MDMS in the new framework of the society that has been recently registered to undertake this programme in Madhya Pradesh.
3. We had also suggested that the MP Government adopts the model of food security of aged people, disabled and other vulnerable groups, as has been attempted successfully by your Government in Morena district, of providing them a Mid Day Meal along with the school children. This is a pioneering effort by the District Collector and can perhaps be successfully replicated across the State of Madhya Pradesh.
4. We are enclosing a copy of a field study done on the Mid Day Meal Scheme by Nick Robinson, a Yale Fox Fellow at the Jawaharlal Nehru University which points out both systemic and implementation issues in the way the scheme has been operationalised in MP. We would be grateful if the Department of School Education could send us their comments on the report.
5. We are also enclosing a field study (published in EPW) which was conducted by our Adviser in Madhya Pradesh, Dr.Mihir Shah (on both the MDMS and the Antodaya).

Targeted Public Distribution System and Antodaya Anna Yojana

1. When we met you we reiterated that the Supreme Court instructions are clear that each BPL and Antodaya family must get 35 kgs of subsidized food grain every month which was not the case in MP because of the variance between the number of BPL families in Madhya Pradesh and the official poverty estimates of Government of India. We suggested that this gap may be bridged by the State Government lifting their quota of APL grain and providing it at BPL prices to identified families. Our Principal Adviser had communicated the details of the Chhattisgarh Government’s Mukhya Mantri Khadha Suraksha Yojana to Shri.Amitabh Jain (vide e-mail dated April 2nd, 2007). As we had mentioned in our discussions, this scheme has greatly helped in resolving this problem of the difference in the sanctioned number of BPL families by the Government of India and the actual number of BPL families identified by the State Government. We would like to know if the State

- Government would consider such a scheme for Madhya Pradesh to ensure that every family gets their minimum quota of 35 kgs of subsidized food grains?
2. We requested systematic compliance of the Supreme Court orders on the coverage of the most vulnerable groups in the Antodaya Anna Yojana viz. “primitive” tribal groups, disabled, single women, widows and old people. We would request you to update us on the current position.
 3. To check the level of leakages and corruption the State has not yet constituted vigilance committees. We would request you to make the Vigilance Committees functional in MP at the earliest.
 4. Dr.Mihir Shah, our Adviser for Madhya Pradesh had written to the State Government with the suggestion that AAY cards should be given to disaster affected people (in the context of the recent floods in Khandwa), if their main livelihood source has been destroyed. We would be grateful if this could be considered by the State Government.

National Maternity Benefit Scheme/ Janani Suraksha Yojana

1. The Janani Suraksha Yojana guidelines of the Government of India clearly state that BPL women who have home deliveries are eligible for an assistance of Rs. 500. However, we find that in Madhya Pradesh almost all the beneficiaries who received JSY were those who had institutional deliveries. We would be grateful if this is rectified at the earliest.
2. Further we find that only 58% of the Rs. 42.6 crore released by the government of India for JSY has been utilized in MP in 2006-07.
3. We are enclosing a copy of a field study done on the NMBS/ Janani Suraksha Yojana by Nick Robinson, a Yale Fox Fellow at the Jawaharlal Nehru University which points out both systemic and implementation issues in the way the scheme has been operationalised in MP. We would be grateful if the Department of Health & Family Welfare could kindly send us their comments on the report.

National Old Age Pension Scheme and Annapurna

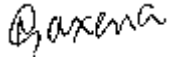
1. Based on the population projection data for 2006, we estimate that there would be around 6.3 lakh people above 65 years of age eligible for an old age pension. (using the 1993-94 poverty ratios as directed by the Court). Of this from the data available with the Ministry of Rural Development, Government of India, we find that about 4.2 lakh beneficiaries have been covered. Government of India is not factoring in the contribution of the State Government for the coverage of the additional families.
2. We had written to you for details on the NOAPS, including State contribution to the Scheme, the fund disbursement mechanism, the timing of payment etc. We have not received any response on this yet.

National Family Benefit Scheme

1. The coverage under the National Family Benefit Scheme continues to remain very low. MP has covered 16,460 beneficiaries while the ceiling of the Government of India (based on age-specific mortality estimates factoring in the BPL estimates for the state) is 60,000 beneficiaries.

We would request you to kindly send us a response on the issues that we have raised.

With Regards,



Dr. N.C. Saxena



Harsh Mander

Cc:

Mr. Mihir Shah, Adviser to Commissioners, Madhya Pradesh.

Draft for suggestions only – April 2007

Visiting Madhya Pradesh

**A Report on the Implementation of
The Mid-Day Meal Scheme
In Four Districts of Madhya Pradesh**

Nick Robinson^{**}
Yale Fox Fellow at Jawaharlal Nehru University
(in association with *Vikas Samvad*^{††}, Bhopal & HRLN New Delhi)

April, 2007

^{**} nickrobinson5@gmail.com
^{††} vikassamvad@gmail.com

Table of Contents

Acknowledgement	...	1
Introduction	...	2
➤ Report Methodology	...	2
➤ Background on Nutrition in Madhya Pradesh	...	3
➤ Background of Mid-day Meal Scheme	...	3
Implementing the MDMS	...	5
➤ Failure to Serve the Meal	...	5
➤ Children who do not go to School	...	6
➤ The Impact of Organizing the Mid-Day Meal on Teacher's Time	...	7
➤ Quality of the Meal	...	8
➤ Quantity of the Meal	...	9
➤ Corruption in MDMS	...	9
➤ Availability of Water	...	12
➤ Infrastructure and Equipment	...	13
➤ Impact of MDMS on Attendance	...	14
Recommendations	...	16
Appendix One	...	18
Boxes:		
Relevant Supreme Court Orders	...	4
Small Village Cooks: Ensuring Adequate Pay	...	6
The Cost of Slum Relocation	...	11
After the Joint Commission of Enquiry's Visit: Gothra-Kapoorra Village	...	13

Acknowledgements

This report would not have been possible without the support and comments of:

Rolly Shivhare (Right to Food Campaign, Madhya Pradesh); Uma Chaturvedi (RtF Campaign MP); Rajesh Jain and Sanjay (Sopan, Seoni); Indu and Rajeev (National Institute of Woman, Child, and Youth Development); Bijay Bhai, Dinesh Bhai and Adiwasi Mukti Sanghthan (Sendhwa, Badwani); Anil.G; Prof. Jean Dreze, Sandip Naik & Sachin Jain (Vikas Samvad);

Introduction

This report investigates the implementation of the Mid-Day Meal Scheme in Madhya Pradesh. The report is based off interviews conducted in four districts in the state – Bhopal, Seoni, Barwani, and Sheopur – during the last three weeks of March, 2007.

The Madhya Pradesh government claims it has achieved 100% implementation of the Mid-Day Meal Scheme. This report finds that the Mid-Day Meal Scheme has been widely implemented throughout the state. However, the program still suffers from major implementation failures. This report identifies the principal failures as:

- The meal not being served because of corruption, teacher absenteeism, and other implementation problems.
- Teachers being distracted from their educational duties by their responsibilities involving the organization of the mid-day meal.
- Cooks in small schools not being paid enough because of the per student pay structure of the mid-day meal.
- Deficiencies in the quantity of food being served in several parts of the state.
- An inadequate supply of drinkable water at many schools.

These findings concerning the mid-day meal are troubling. Although great strides have been made in the last several years to implement a mid-day meal in the state much work remains to be done. Madhya Pradesh must ensure that its mid-day meal is universalized with quality in a manner that does not place undue burdens on already overworked teachers.

ξ *Report Methodology*

This report investigated the implementation of the Mid-Day Meal Scheme in four districts in Madhya Pradesh. Its findings are based on a review of the relevant literature, individual interviews, group discussion, and observation. The focus of the interviews and other research in these districts was on poor and marginalized populations – slum dweller, tribal, and other backward caste communities – whose children would likely benefit most from the mid-day meal, but were also likely to have difficulty accessing the program.

District	Type of District	Focus of Interviews	Location in Madhya Pradesh	Location in District interviews done
Bhopal	Urban	Slum Dwellers	Center - Capital	-
Seoni	Rural / Tribal	Tribal Communities	South-east	South of Seoni
Barwani	Rural / Tribal	Tribal Communities	South-west	Around Sendhwa
Sheopur	Rural / Primitive Tribal Group	Tribal and OBC Communities	North	Around Karahal

A list of many of the communities visited is included in Appendix One.

ξ *Background on Nutrition in Madhya Pradesh*

Despite India's remarkable economic growth rate in the last decade the nutritional health of many of its citizens has decreased. Madhya Pradesh is symptomatic of this broader national trend. According to the National Family Health Survey the number of wasted children under three in Madhya Pradesh increased from 20.2% to 33.3% between 1998-1999 and 2005-06. The number of underweight children under three increased from 53.5% to 60.3% during this same period. The number of women with a body mass index below normal increased from 35.2% to 40.1%.³ These indicators have a real impact on health. UNICEF estimates that malnutrition is the underlying cause in half of the 21 lakh under-5 deaths in India each year. Further, malnutrition in pregnant women is one of the chief causes of low birth-weight babies, which in turn is a significant contributor to infant mortality.⁴

Anemia rates also increased for both women and children between 1998-1999 and 2005-06. The number of anemic children 6-35 months went from 71.3% to 82.6%. For pregnant women it increased from 49.9% to 57.9%.⁵ Anemia is a significant contributor to maternal and infant mortality. Further, anemia often impacts energy-levels which effects educational development, work productivity, and general well-being.

There is some limited positive news under the latest National Family Health Survey for Madhya Pradesh. Stunted children under age 3 in Madhya Pradesh decreased from 49% to 40% from 1998-1999 to 2005-06. Further, the NFHS recorded a decline in infant mortality from 88 per 1000 births to 70 per 1000 births.⁶ However, the Sample Registration System (SRS) of the Indian Census still finds that Madhya Pradesh has the highest infant mortality rate of any state in the country. SRS also records the infant mortality as 76 deaths per 1000 births as of 2005, which is somewhat higher than the NFHS-III numbers.⁷ If Madhya Pradesh were a country it would rank amongst nations with some of the highest infant mortality rates in the world. Its infant mortality rate is about fifteen to twenty times as high as most developed nations.⁸

ξ *Background of Mid-Day Meal Scheme*

The nation's first state-wide mid-day meal program was introduced in Tamil Nadu in the 1950's.⁹ By the 1980's two other states – Gujarat and Kerala – had used their own resources to

³ Fact Sheet: Madhya Pradesh (Provisional Data) 2005-2006 National Family Health Survey (NFHS-3) www.nfhsindia.org/pdf/MP.pdf

⁴ UNICEF webpage. Under-nutrition – Challenge for India. www.unicef.org/india/nutrition_1556.htm

⁵ Fact Sheet: Madhya Pradesh (Provisional Data) 2005-2006 National Family Health Survey (NFHS-3) www.nfhsindia.org/pdf/MP.pdf

⁶ Id.

⁷ Sample Registration System. Table 1: Estimated Birth rate, Death rate, Natural growth rate and Infant mortality rate, 2005. Vol. 41 No. 1 Oct. 2006. www.censusindia.net/vs/srs/bulletins/SRS_Bulletin_-_October_2006.pdf.

⁸ The 76 per 1000 infant mortality rate ranks Madhya Pradesh slightly worse than Haiti, which had an infant mortality rate of 74 per 1000 births in 2006. Most of the remaining countries with a worse infant mortality rate than Madhya Pradesh are in Africa and have experienced civil strife in recent years. See www.who.int/whosis/whostat2006_mortality.xls.

⁹ Reetika Khara, "Mid-Day Meals in Primary Schools: Achievements and Challenges" *Ec. & Pol. Weekly*, Nov. 18, 2006, at 4742

create schemes to universalize the mid-day meal for primary school children.¹⁰ Other states, such as Madhya Pradesh, introduced limited mid-day meal schemes during the 1980's and 1990's. Recognizing the success of many of these state programs, the central government introduced the Mid-Day Meal Scheme (MDMS) in 1995. Until 2001 though, implementation of this national scheme remained limited. Mid-day meals were still not given in large parts of many states. Further, even when they were available, often only dry rations were given.¹¹

On November 28, 2001, the Supreme Court ordered that all states provide cooked meals to every primary school child with a minimum content of 300 calories and 8-12 grams of protein each day of school for a minimum of 200 days. Grassroots organizations rallied around the Supreme Court's orders and demanded that the states implement the Mid-Day Meal Scheme. Although many states were at first slow to act, today implementation of the mid-day meal is almost universal across the country.¹²

Relevant Supreme Court Orders from Right to Food case concerning MDMS:

“We direct the State Governments/Union Territories to implement the Mid-Day Meal Scheme by providing every child in every Government and Government assisted Primary Schools with a prepared mid-day meal with a minimum content of 300 calories and 8-12 grams of protein each day of school for a minimum of 200 days.” (Nov. 28, 2001 order)

“3. The conversion costs for a cooked meal, under no circumstances, shall be recovered from the children or their parents.

4. In appointment of cooks and helpers, preference shall be given to Dalits, Scheduled Castes and Scheduled Tribes.

...

5. The Central Government shall make provisions for construction of kitchen sheds and shall also allocate funds to meet with the conversion costs of food-grains into cooked mid-day meals. It shall also periodically monitor the loss take off of the food grains.

...

7. In drought affected areas, mid-day meal shall be supplied even during summer vacations.

...

9. Attempts shall be made for better infrastructure, improved facilities (safe drinking water etc.), close monitoring (regular inspection etc.) and other quality safeguards as also the improvement of the contents of the meal so as to provide nutritious meal to the children of the primary schools.” (April 20, 2004 order)

¹⁰ Ministry of Human Resource Development of the Dept. of School Ed. & Literacy, *National Programme of Nutritional Support to Primary Education, 2006 [Mid-Day Meal Scheme]: Guidelines*. Sept. 2006. p. 1 [hereinafter NMBS Guidelines Sept. 2006]

¹¹ Khera, at 4742.

¹² Khera at 4743.

Implementing the MDMS

The Mid-Day Meal Scheme serves a two-fold purpose. First, it provides nutrition to primary school students across the country. Second, it helps increase attendance at schools with the lure of a quality meal. Experiences in Madhya Pradesh and other states have shown that the mid-day meal scheme can be used to realize both these purposes. However, both of these goals are threatened in Madhya Pradesh by an education system that is often found in a state of collapse, the failure to give the meal in some areas, an inadequate amount of food served, corruption, and other implementation failures. These implementation shortcomings have a serious adverse impact on students' education and nutrition that must be addressed immediately.

ξ *Failure to Serve the Meal*

Madhya Pradesh claims that the mid-day meal scheme is implemented in 100% of its public primary schools.¹³ On the ground though, implementation is still far from universal.

Several communities around Karahal village in Sheopur district, which are comprised mainly of the Saheriya primitive tribal group, report only partial implementation of the scheme. In Kapoora the villagers report the meal being served only when the teacher comes, which is barely two or three times a month.¹⁴ (see boxed text on Kapoora village situation) In Ranipura, also in Sheopur, teacher attendance is sporadic as well. Further, the school frequently does not receive the money for the dahl, vegetables, and oil due to corruption. As a result, the mid-day meal is served two to four times a week.¹⁵ (For more information on similar cases where corruption affects the MDMS see later section on corruption.)

Several schools in districts outside Sheopur visited during this research also reported that the mid-day meal had been interrupted for various reasons. Some schools reported a problem with the supply of grain. In small Bhandki village, in Seoni district, the local PDS shop claims it is not supplied with enough grain for the program, so there are two to three days every month when they do not serve the mid-day meal. Parents complain regularly to the panchayat and sector head, but nothing is done.¹⁶ In Warla village, in Barwani district, the local school has been told they will only be provided grain for 20 days a month. If there are more school days than this in the month the students don't get a meal.¹⁷

Smaller schools reported problems in retaining a cook that resulted in the stoppage of the meal until they could find a new cook. (See boxed text on problems with retaining cooks at small schools) In Julwania village near Sendhwa the meal is not served when the electricity goes out because it is needed for food preparation. As a result, the meal is not given three or four days a

¹³ Sixth Report of the Commissioners to the Supreme Court in the Right to Food Case. P. 77.

¹⁴ Interview #50

¹⁵ Interview #48

¹⁶ Interview #10

¹⁷ Interview #25

month.¹⁸ Many of the teachers also reported that money was not given in time to buy vegetables and dahl so they were forced to buy these items on credit. Teachers and parents report a decrease in attendance when no meal is served. Further when students go home for lunch many do not return afterwards.¹⁹

ξ *Children Who do Not Go to School*

None of these failures to provide students a mid-day meal count children who do not receive the meal because they do not go to primary school. The reasons children do not go to school are diverse. Parents may force their children to work or not care if they attend school. Other parents' jobs may be migratory keeping students out of school (see boxed text on slum relocation in Bhopal). Street children often have no access to schools. Schools may be too far away for children living in more remote parts of the state.

The government may also play a proactive role in denying children a right to their education. For example, in New Paron – a bifurcated village of tribals and other backward castes (OBCs) – the government has relocated the village almost seven times in as many years, as Old Paron was originally located on now protected land in Kuno National Sanctuary. New Paron is about 4 km from the nearest school. This is too far for the children to walk so they do not attend. The government has promised the villagers a new school, but the government has failed to live up to similar promises in previous relocation sites.²⁰ There was a school in Paron, their original village, which the children attended. For the last seven years though the government has effectively made it impossible for these villagers' children to attend school or receive the mid-day meal.²¹

The Costs of Slum Relocation

In 2004, the government moved about 350 households from an unregistered slum in B-Cabin Double Fatark in Bhopal to near Sukhisevaniya village about 20 km outside the city. The relocation site is rocky and bleak, located under towering electrical towers. Shacks made out of sticks, cardboard, and canvas ramble up against each other. During school hours young children run through this new state-sponsored slum. When sitting together they pick fleas off each other

When the slum-dwellers were moved to this site the government promised that they would be given title to this new land. Of the 80 families that have remained in these horrible conditions, only about 30% have gained such title 3 years later. They were given no compensation when they were moved. They were given free transportation for their few belongings, dropped off, and given one day's worth of food rations.

They requested a water tanker for the site, which the government promised it would provide. The tanker remained the first five days and then left. They have been asking to get it back ever

¹⁸ Interview #33

¹⁹ Interview #10, Interview #33

²⁰ Interview #45

²¹ Interview #47

since. The villagers in Sukhisevaniyya across the main road have spurned the slum dwellers as they are rag pickers and considered untouchable. As a result, they are not allowed to use the water pump in the village. An electrical pump was provided to the slum by the government, but there has never been electricity to run it. To survive, the slum dwellers must walk three kilometers every day to the nearest hand-pump for water. Because of this distance from a water source, they often do not bath for weeks at a time.

Many of the children in this slum do not attend the local school. They and their parents continue to be rag pickers in Bhopal. Now though they must travel 20 km by train spending up to a week at a time in the city making it impossible for the children to attend school regularly. Additionally, some of the children say they are treated badly by the village school children. Others claim the teacher is too strict. Regardless, growing up as rag pickers in Bhopal they never had to go to school and so the transition would be difficult even under the best of circumstances.

The nutritional deficiencies of the slum are apparent. Four of the children have been identified by the local Anganwadi worker as having third grade malnutrition. Slum dwellers try as much as possible to avoid the nearby village. This is where the closest Anganwadi center is located so they rarely go. Currently, the helper to the village Anganwadi worker comes once a week to deliver soya biscuits to the children.

Even if they did have an Anganwadi center most of the residents of this relocation site do not have valid ration cards. They had ration cards in Bhopal and applied for them to be transferred to this new slum. Few have gotten them and so cannot avail of many state benefits, like subsidized grain. One woman laments, “What does it matter though? Even if we had the cards the PDS shop is never open.”

ξ *The Impact of Organizing the Mid-Day Meal on Teacher’s Time*

Teachers have limited time and energy. They are already asked to teach too many students under difficult circumstances. In its national guidelines for the Mid-Day Meal Scheme, the government makes clear that “Teachers should . . . under no circumstances be assigned responsibilities that will impede or interfere with teaching or learning.”²² However, teachers in Madhya Pradesh often complain about the time organizing the mid-day meal scheme takes from their educational duties.

In Warla village one of the four teachers at the local school takes a half hour during the school day to buy vegetables. This leaves the other three teachers stretched thin and barely able to handle the situation. The planning also takes energy. A teacher in Warla explains, “Every day we have to organize the food first. After this we can concentrate on our teaching.”²³ The teachers in Warla also have to help in serving the food at the school. A teacher in Pamwara village in Sheopur district reports that one of the three teachers at the local school spends two to

²² NMBS Guidelines Sept. 2006, par. 4.3

²³ Interview #25

three hours during the school day gathering the food required for the meal and supervising the quality of the meal.²⁴

Another teacher from a village just outside Sendhwa notes: “I buy the food before school, but sometimes this makes me late for class. I also have to do all the accounts for the food. I plan the schedule. I change which vegetables are served every day and make sure they are fresh. I also have to go to a meeting the government holds about distributing the grain. This all takes too much time and I can’t teach. If they don’t have a full-time person for these tasks the program should be stopped.”²⁵ In addition, teachers complain about their time being drained by other non-education activities like polio drives and helping man polling stations at the school during elections.

Not all teachers report that organizing the mid-day meal is onerous though. In Dargada village, in Seoni District, the primary school teacher finds that “it is not a problem for the teacher to organize the meal if it is done properly and is well-planned. . . . I already go to the market anyway so it only takes one or two hours of my time a week.”²⁶ Rajan Singh, a primary school teacher in Dhawli village in Barwani similarly finds the mid-day meal interferes little with his teaching duties. In his school there is a worker who is designated to both the middle and primary school who will get the grain and other foodstuffs required. “All I have to do is give him orders,” he explains.²⁷

In Bhopal, the Nandi Foundation, a Hyderabad-based corporation, has been contracted by the city to provide the mid-day meal for all the schools in the city. In Shahpura School in Bhopal, teachers say they do not have to do anything to plan the mid-day meal. It comes every day from a large kitchen run by the Nandi Foundation elsewhere in the city. However, unlike other schools where the cook usually serves the food, here the teachers and older children are called upon to do the serving. Further, the teachers wish the menu had greater variety.²⁸

There have also been complaints from more rural areas that outsourcing the mid-day meal to companies like the Nandi Foundation takes away badly needed jobs as schools do not then hire their own cooks.²⁹ Further, it is more expensive to provide meals to smaller schools, but the government gives a fixed amount of money per student. Companies may use this rate structure to only make contracts in densely populated urban areas while ignoring communities in rural areas. Finally, under the Supreme Court orders cooks are to be hired from Scheduled Castes and Scheduled Tribes if possible to help provide these communities jobs and overcome societal discrimination. If the meal is prepared in a centralized kitchen away from the students it is unclear how the meal can be used to achieve this goal of helping overcome caste or tribal-based discrimination.

ξ *Quality of the Meal*

²⁴ Interview #43

²⁵ Interview #33

²⁶ Interview #8

²⁷ Interview #27

²⁸ Interview #41

²⁹ Interview #49

Most of the parents, teachers, and students talked to during this research thought the quality of the food served in the schools was better than what they received at home, or at least was the same. It should be noted though that the focus of this research was in poor rural areas.

A teacher who taught just outside Sendhwa observed that “about half the children like the food at home better, and half the children like the food at school better.”³⁰ In Sabji Farm slum in Bhopal a group of local women had mixed views on the quality of the meal in the local school where Nandi Foundation has a contract from the city to provide meals. The general opinion was that poorer slum dwellers thought it was better food or the same as what they received at home, while those who were better off often complained. One woman in the slum reported that she gave her children lunches to bring to school as “the chapatti is half-baked, the dahl is watery, and they don’t use salt or spice.”³¹

ξ *Quantity of the Meal*

Many teachers and parents interviewed claim that students were given enough food at the mid-day meal. However, others complained that the scheme left many of the students hungry. It is unclear if this discrepancy is because of different perceptions of how much food should be given or whether different amounts of food are actually being given due to different prices for foodstuffs throughout the state or corruption.

In Dhawda village in Barwani one parent complained that, “All the students are given the same amount of food although the students vary in how much food they need. The children say they are still hungry after the meal. If they live nearby some students have more food at home after lunch. . . . Sometimes the cook gives two chapatti, sometimes only one. This is not enough.”³²

A teacher near Sendhwa explains, “In theory it is a good scheme, but in practice it is distracting both teachers and students. Students are distracted because they do not get enough food and are still hungry. If they got the food from home they would not be hungry. Teachers are distracted because they have to spend their time organizing the program and not teaching. If the government is only giving half a meal then they shouldn’t give it at all.”³³

ξ *Corruption in the MDMS*

There were several reports of corruption involving the Mid-Day Meal Scheme. All of these allegations are serious and must be investigated immediately. Stealing money and food meant for children cannot be tolerated.

Four teachers who work in schools around Sendhwa alleged blatant corruption by local administration officials. They claimed that the officer who handles the cash for vegetables and other food items in their block demands 10% of this amount or he will not release the funds. To

³⁰ Interview #33

³¹ Interview #35

³² Interview #30

³³ Interview #33

hide this bribe they are forced to report that vegetables and other food items cost more than they actually did. To make up the 10% difference in food they are told to state that more children are attending classes than actually are since money is given out on the basis of how many students are attending per day.³⁴ They are also told to increase attendance numbers so they can take money for themselves as well. It was similarly reported in Sheopur district that teachers increase the attendance numbers to take more money for themselves suggesting this might be a wide-spread practice.³⁵

None of the teachers in Sendhwa who admitted complicity in this corruption scheme ever publicly displayed the number of children receiving the mid-day meal or other information about the MDMS as the central government's guidelines require. Indeed, in none of the schools visited for this report was such information noticed. One teacher, who was not aware of the requirement, dismissed the suggestion saying, "even if we posted it, who would read it? The whole area is uneducated."³⁶

It is unclear how this or other corruption is linked to complaints about there not being enough food served to the students. However, this type of corruption likely affects the quantity and quality of food being served. Further, it provides perverse incentives to teachers to artificially inflate attendance numbers. The worse they teach the fewer students who will come and the more they can inflate these numbers. Therefore, bad teachers can both pretend they are able to successfully keep students in school and make money out of perpetrating this farce.

Additionally, such book-rigging means the government does not have an accurate account of how many students are attending school. The government may believe students are in school learning, but in fact they are barely attending if not already dropped out. This type of corruption is deeply troubling as it both undermines children's right to food and their right to an education.

Other forms of corruption have led to the meal not being served regularly or at all. In Ranipura village, in Sheopur, former and current presidents of the school's MDMS committee allege that the block education officer asks for a commission before releasing the money for the MDMS. In 2005, no funds were reportedly released because the then-president refused to pay. As a result, there was no MDMS that year. In 2006, the school only received 7 months of the money. In 2007 the school has received sufficient grain, but not sufficient money so they have sold some of the grain on the market to buy other foodstuffs for the meal. This means the meal is given only two to four days a week. The cook has still not been paid yet this year.³⁷

In Rahorn village, also in Sheopur, community members claim that the mid-day meal is only served 15 days a month because the teacher is selling some of the grain and embezzling some of the money. Additionally, no vegetables have ever been served at the school although the government gives money for this expense – only rice and dahl are served.³⁸

³⁴ Interview #34. Neither these teachers' names nor their schools are identified in this report so as to prevent any retaliation against them for speaking out.

³⁵ Interview #44

³⁶ Interview #34

³⁷ Interview #49

³⁸ Interview #52

Amjhiri is a small isolated village in Barwani district. Here villagers complain that the local school teacher is stealing the resources meant for the mid-day meal scheme. Like in Rahorn village, no vegetables have ever been given to the students. In February 2007, no mid-day meal was served at all in Amjhiri as the teacher claimed that the government had provided no grain for the month. However, this is contradicted by the local community member who signs off on accepting the government grain supplies with the teacher. This independent monitor of the program had been selected by the teacher even though he was illiterate and has to sign with a thumb print.

No one in Amjhiri has complained about the teacher's behavior. Local community members explain that most of the parents do not know what they are entitled to receive from the government. Those that do know they are being cheated do not know where to complain. As one villager put it, "Who do we complain to? The teacher won't tell us."³⁹

It is also difficult for villagers to complain because the teacher is one of the few service providers from the government who comes to the village on a regular basis. Teachers are often involved in, or in charge of, surveying the community to give out BPL cards, selecting students for scholarships, or the provision of other social services. As a result, community members fear that if they speak out against the teacher they could be penalized because of the teacher's power in these other social programs.

After the Joint Commission of Enquiry's Visit: Gothra-Kapoora Village

On October 5, 2006 the Joint Commission of Enquiry (JCE) appointed under the Special commissioner to the Supreme Court in the Right to Food case visited Gothra-Kapoora village after 45 malnutrition-related deaths in 7 villages in the area between January 2005 and June 06. There the JCE found several children in poor health due to malnutrition. They heard complaints of women having to pay fees for delivery at the hospital in Karahal.⁴⁰ The district collector made assurances the situation would be remedied.

As of March 31st 2007, things have changed little for those living in Kapoora. After the Supreme Court visit they now get the 35 kg of wheat they are required to under PDS instead of the 30 kg they were being given. They also received some more food at the local Anganwadi Center. Fifteen packets of soya biscuits were given to help treat three children who had been identified as malnourished in the village. Upon inspecting the biscuits while visiting Kapoora for this report, it was discovered that they were four months past their expiry date. They had been given by block officials just the month before. Visits in other villages uncovered that expired biscuits had been given out throughout the block to treat children for malnutrition. This is potentially dangerous to the children's health. It is also symptomatic of the entrenched neglect and indifference of government officials towards these communities.

³⁹ Interview #31

⁴⁰ *Report of the Joint Commission of Enquiry: Incidence of Repeated Deaths Due to Malnutrition, Sheopur District, Madhya Pradesh.* Nov. 2006.

The school in Kapoora, which has 108 children enrolled, still effectively does not function, nor its mid-day meal. Gajraj Singh has been the teacher in the village for the last seven years. He lives 40 km away and has never come regularly. After two years of his appointment he was suspended for a year after villagers complained about his attendance. No replacement was given though and he was reinstated after his suspension.

Now Gajraj Singh comes two or three times a month according to community members. The mid-day meal is only served when he comes. The villagers claim they have seen him selling the grain for the MDMS in the open market and that he keeps the money given under the program. After the Commission of Enquiry visited Mr. Singh's records were seized, but no further action was taken as far as they could tell. Villagers think he is politically well-connected.

Additionally, hospital fees continue to be demanded from the local hospital from villagers in Kapoora. On March 29th, 2007, the local Anganwadi worker in Kapoora gave birth at the Karahal hospital. She paid 100 Rs to the nurse and 50 Rs to the sweeper, as well as money for transportation to and from the hospital. These fees are lower than others reported in the area, but perhaps she received a discount because she is an AWW.

The District Collector's Response to the Joint Commission of Enquiry's Report also claims that the National Rural Employment Guarantee Act is functioning for villagers with several ongoing projects in the area. However, the villagers say they worked for two weeks about two months ago, but there has been no work before or since.⁴¹

ξ *Availability of Water*

Access to drinkable water is still a persistent problem in many schools in Madhya Pradesh. In Dhawda village there is no water facility at the school. Villagers tried to dig a well at the school, but have yet to find water. Instead, the children must go 200 meters from the school to a well used by all the villagers. Parents say this is dangerous and are afraid their children might fall in.⁴²

At the primary school in Chachrya village in Barwani district there is no separate water facility for 525 students who attend the primary school. Students must use the same hand-pump as the rest of the village. In such a situation, children sometimes do not get water to drink or properly clean.⁴³

At Shahpura School in Bhopal the school's water tank is heated by the sun making the water all but undrinkable. Students bring water from home to drink during the day.⁴⁴ In Dhawli village in Barwani there is no water pump for the school so a worker must bring water from 1.5 km away, which is time-consuming and hard work.⁴⁵ A similar situation is repeated in

⁴¹ Interview #50

⁴² Interview #30

⁴³ Interview #29

⁴⁴ Interview #35

⁴⁵ Interview #27

Sukhisevaniya village near Bhopal where a broken hand-pump sits idle in front of the school.⁴⁶

In Ranipura village in Sheopur there is no functioning hand pump-near the school so children go home for water.⁴⁷ In Rahorn village, also in Sheopur, all the hand-pumps in the village have been in disrepair for the last year due to lack of government maintenance. As a result, all the villagers, including the school children, must go to a river about 1 km away. Villagers report though that the water from the river is dirty.⁴⁸

ξ *Infrastructure and Equipment*

Many of the schools did not have utensils for the students so the children had to bring these from home. In Warla village the school reportedly received no funds for the kitchen equipment so the teachers each contributed money to buy these supplies.⁴⁹ In Chachrya village, Barwani district, no kitchen equipment was supplied so teachers used some of the money allocated for the children's food to buy the needed equipment. The local panchayat has now given some money for this expense.⁵⁰

Several teachers complained that it was difficult to gather the requisite fuel for cooking. Forest officials would often stop villagers from cutting nearby trees. A teacher in Sukhdongri village, in Seoni district, noted that the cook had difficulty gathering wood nearby and the kitchen that was newly constructed was not properly ventilated. Both of these problems would be solved if natural gas were provided.⁵¹ Kitchen ventilation was also a problem in Sukhisevaniya village where two cooks worked under suffocating heat.⁵²

Small Village Cooks: Ensuring Adequate Pay

Under government guidelines cooks are paid 45 paisa for each student they prepare a meal for. Out of this money they must also pay for fuel costs. In small communities this has made it difficult for teachers to find persons willing to work for such a small salary.

In Titari village in Seoni District 20 students attend the local school. After paying for fuel, the cook only received 6 Rupees a day for several hours work. The local teacher could find no cook willing to work for this small amount so canceled the mid-day meal for almost three years. Instead, the teacher just gave the students the uncooked grain and 10 Rs once a month. In July 2006, SOPAN, a local development agency, interfered. SOPAN notified the local authorities who apparently did not know or did not care about this lack of implementation and explained to the parents the positive health benefits of the program for the children. Now one parent cooks the meal in what almost amounts to a volunteer position.⁵³

⁴⁶ Interview #36

⁴⁷ Interview #47

⁴⁸ Interview #52

⁴⁹ Interview #25

⁵⁰ Interview #29

⁵¹ Interview #17

⁵² Interview #37

⁵³ Interview #5

A similar problem arose in Bhandki village also in Seoni District. Only 21 students attend the school in this small tribal community. The cook quit in November 2006 because of their miserable pay. The mid-day meal was suspended for 15 days. The parents appreciated the meals though. As one member of the PTA put it “it’s a good program and we didn’t want the food to go to waste.” Now each parent contributes 6.5 Rs a month to the cook’s salary. This amount along with the government contribution ensures the cook makes 15 Rs a day before the costs for fuel.⁵⁴

Throughout small communities, teachers report similar problems with retaining a cook at such a meager salary.⁵⁵ Almost everyone agrees there should be a minimum salary provided to the cook. Otherwise, no one wants to do this difficult job. Without an adequate minimum pay level the meal may not be provided for lack of a cook. This jeopardizes the health of the students.

Arranging fuel, preparing and serving the meal, and cleaning up afterwards can easily take half the day. Cooks should therefore be paid at least the daily minimum wage in Madhya Pradesh.

ξ *Impact of MDMS on Attendance*

Throughout Madhya Pradesh teachers, parents, administrators, and community members all testified that the mid-day meal scheme increased attendance. The greatest effect in attendance seemed to be in rural areas, with urban areas reporting that the meal has had only marginal if any effect on attendance.⁵⁶

Jagdeesh, whose daughter attends the primary school in a tribal village in Seoni district, said he and other parents liked the program “because now we don’t have to worry about leaving a meal for our children when we go to the fields to work.”⁵⁷ Like many parents in his village before the mid-day meal, he and his wife had left his daughter unattended when they went to work. Maybe his daughter would attend school or maybe not. Now with the mid-day meal she has to attend school if she wants to eat.

A teacher in Sukhdongri village, also in Seoni district, commented that the mid-day meal had definitely increased attendance, but there were other reasons for the increase in attendance as well. For example, students now get free uniforms and books and the girl children receive scholarships in this predominantly tribal village.⁵⁸ A primary teacher in Warla village in Barwani district, where 4 teachers must handle 285 girl children, commented that “parents are now more educated so they are sending their children to school.” However, she admitted that “most of the children come for the food and biscuits. When food is not served many do not come.”⁵⁹

⁵⁴ Interview #10

⁵⁵ Interview #16, Interview #17

⁵⁶ Interview # 41

⁵⁷ Interview #10

⁵⁸ Interview #17

⁵⁹ Interview #25

Such statements of students coming to school only for the meal even after they have been attending school for several months or years are troubling but not uncommon. In a particularly egregious example, Mr. Kothari, a primary school teacher in predominantly tribal Pamwara village in Sheopur district, laments that “the [mid-day meal] program has increased attendance, but now about fifty percent of the children just come for the food and don’t attend class. I have pleaded with the parents to get them to stay, but they don’t care about their education.”⁶⁰ Although the mid-day meal should be credited for increasing attendance at schools one must question what type of education, if any, students are receiving once they get there.

Stories abound throughout the state of teachers having to teach 50, 100, or 150 students each. As a result, the education system has effectively collapsed in many parts of the state. Often schools resemble holding pins more than places of learning. In Dhawda village in Barwani district one teacher must deal with 180 students. Parents complain that the school needs a wall because at present the children come and go as they please throughout the day.⁶¹

In Ranipura village, in Sheopur district, two teachers who only sporadically attend must teach 300 students who also only intermittently attend. The primary school is one room, which at about eight by five meters would be cramped for 30 students. It was constructed about 35 years ago, the plaster is falling off the wall, and the parents worry the ceiling will collapse during the rainy season. The parents in Ranipura have also asked for a wall to keep their children in.⁶²

Even with a wall to hold students in, it is unclear what even the best trained teacher could do for so many children. Under such conditions children and parents are less likely to see value in school. Teachers have less time to attend to the individual needs of students making it more likely they will drop out or not attend. Students who do not enroll or infrequently attend class do not gain nutritional benefits from the mid-day meal. Their health can suffer as a result. Both their right to food and their right to an education are being denied.

⁶⁰ Interview #43

⁶¹ Interview #30

⁶² Interview #48

Recommendations

φ *Staffing:*

- Provide independent staff to organize meals. For larger schools this might be a full-time staff person to plan the meals, gather food supplies and monitor quality. In smaller schools this might mean the promotion of a cook or the hiring of a person who the teacher could direct to gather the necessary food items. In some situations a particularly active PTA might be able to organize the meal. Teachers' involvement in the MDMS should not take away from their educational duties. Corruption in the MDMS may also decrease if the role of taking attendance (the teacher's responsibility) and organization of the meal (other staff) are separated.
- Guarantee every cook a minimum salary. This salary should not be less than the daily minimum wage for the state.

φ *Corruption:*

- Increase community members awareness about how they can complain about corruption or faults they find in the MDMS. This awareness may come in the form of posters, radio announcements, or other educational campaigns.
- Create a district level vigilance committee that would receive complaints about the mid-day meal scheme and have to resolve them within one month. District courts could also receive complaints about the scheme and respond appropriately.
- Release every three months the attendance at each school in the district, the number of meals given, and comments from the PTA about the status of the program. This information should not only be available to community members, but be put on a website, like the NREGA-ICT model, so NGO's and others can monitor the programs implementation.
- Set up a social audit in which several panchayats in each district would participate each year. Through this audit district officials would present data about the mid-day meal and the education system in the community. Community members could then respond to this data and give input about how to improve the school and its mid-day meal.
- The District Collector in Sheopur should regularly report to the Right to Food Commissioner on the operation of the school and mid-day meal in Kapoora. He should also report on other communities in his district which have schools that have also been identified as not giving the mid-day meal regularly.

φ *Infrastructure and Supplies*

- Improve facilities and supplies:

- All schools should have separate kitchens that are appropriately ventilated.
 - Kitchens should be fully stocked with necessary equipment.
 - All children should be provided with utensils for the mid-day meal
 - Natural gas should be considered as a fuel source instead of wood, especially where wood is scarce or the kitchen has poor ventilation.
- Provide drinkable water on all primary school premises. The school should be provided with a water tank if there is not a water source on school premises.
 - Increase the amount of money given per student for the MDMS. This money can be used to improve the quality of the mid-day meal. Rice, milk, egg, and other nutritious food should be rotated in the menu. Further, a greater variety of vegetables should be purchased.

**DR. N. C. SAXENA, COMMISSIONER AND
HARSH MANDER, SPECIAL COMMISSIONER OF THE SUPREME COURT
IN THE CASE: PUCL v. UOI & Ors. WRIT PETITION (Civil) No. 196 of 2001**

Appendix One:

Community	Status of MDMS	Student: Teacher Ratio	Source of Information	Water Source
Bhopal District:				
Shahpura School	Regularly implemented	401:10	Teachers and community members	Water tank that heats up in sun
Sukhisevaniya village	Regularly implemented	260:6	Cooks and teachers	Water brought by worker/most students bring from home
Seoni District:				
Titari Village	Regularly implemented/before not implemented because no cook	20:1	Social worker	Hand-pump
Dargada Village	Regularly implemented	62:1	Teacher	Hand-pump
Bhondki Village	2 or 3 days a month not implemented because PDS shop has no grain	21:1	PTA members	Hand-pump
Khapa village	Regularly implemented	57:1	Teacher	Hand-pump
Sukhdongri village	Regularly implemented	46:2	Teacher	Hand-pump
Barwani District:				
Warla Village	Only given food for 20 days a month by government	285:4	Teacher	Hand-pump
Dhawli Village	Regularly	319:4	Teacher	Worker brings from 1.5 km away
Chachrya Village	Regularly	525:5	Teacher	One hand-pump for school and

**DR. N. C. SAXENA, COMMISSIONER AND
HARSH MANDER, SPECIAL COMMISSIONER OF THE SUPREME COURT
IN THE CASE: PUCL v. UOI & Ors. WRIT PETITION (Civil) No. 196 of 2001**

				whole village
Dhawda Village	Two or three days not given out because government does not give enough grain	180:1	Parents	Local well
Amjhiri Village	No food in Feb. as teacher claimed no grain given (corruption suspected). Vegetable never served.	108:2	Community Members	Hand-pump
Julwania Village	Two or three days a month when no meal because there is no electricity	130:3	Teacher	Hand-pump
Sheopur District:				
Panwara Village	Regularly	142:3	Teacher	Hand-pump
New Parond Village	No nearby school so children do not attend school or receive meal	NA	NA	NA
Ranipura Village	Meal served only two to four times a week due to teacher absenteeism/corruption	300:2	Community Members	Students go home for water
Kapoora Village	Meal served only two or three times a month due to teacher absenteeism/corruption	108:1	Community Members	One hand-pump for entire village which barely functions
Rahron Village	Meal served 15 days a month due to corruption	145:2	Community members	River water