

Report on Implementation of Interim Orders of the Supreme Court in the Right to Food case in Shivpuri District, Madhya Pradesh

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Shivpuri district is a part of Gwalior division of MP. It has seven tehsils and is surrounded by Datia, Gwalior, Guna and Sheopur Districts. Shivpuri is the home of the *Sahariyas* (a primitive tribe), who inhabit as many as 550 villages in the district. Sahariyas are mainly to be found in the Chambal valley of MP and Rajasthan. They inhabit villages in or near the forest. They started being evicted from forests from around 1860. They have faced a long history of social ostracism, living in separate hamlets on the outskirts of the main village settlement. They were forced to work as labourers and whatever land was allotted to them by government was very low productivity, stony land. In the recent drought in MP, the main starvation deaths were among the Sahariyas, who must be among the poorest and most malnourished people in India. They have been known to eat roots of forest plants to survive and migrate in large numbers to look for work. They also depend on sale of NTFPs such as honey, gum, anwla, herbs etc. But here they are badly exploited by middlemen. The government has set up a special Sahariya Development Authority, headed by the District Collector, that provides funds to various line departments to implement development programmes for the Sahariyas. But in the absence of effective monitoring, most of this money invariably goes down the drain.

A total of seven villages in three blocks of Shivpuri district were visited during the trip. These form part of the working area of two NGOs Sambhav and Parhit, who have been working here for many years. In these villages, only the *Saharwanas* were visited. These are the hamlets inhabited by Sahariya adivasis, which are usually a little away from the main village. Nearly all Sahariyas in these villages are in a highly vulnerable condition, both in terms of health and nutrition. Lack of alternative employment opportunities forces people to seek employment in hazardous activities like stone quarrying. The legal status of most of these quarries is in doubt. Several of these hamlets have an unusually large number of young widows. The reason probably lies in the low life expectancy of men employed in stone quarries due to a high incidence of tuberculosis. This problem is further compounded by the absence of any proper health care system.

¹ This report is based on the visit by my representative Ms. Jyotsna Jain to 3 blocks (Shivpuri, Pichhor and Pohri) of Shivpuri district from the 15th to 17th of July 2004. She was assisted during the visit by activists of two NGOs (Sambhav and Parhit) working in the area for many years.

The land of these people is either stony and infertile or of very poor quality, further endangering the survival of already threatened lives. In some cases where fresh pattas have been allotted, the land given is quite far from the village, making it difficult for the people to take care of it or till it. Naya Ballarpur is a rehabilitated village for the Sahariya oustees of the Madhav National Park. People of this village said that they were promised fertile land, a source of water for irrigation and good houses at the time of displacement. But as things stand today, only about 61 out of 100 households have been given land. This land is of very poor quality, with no source of water. It is not even enough to meet their subsistence needs. Out-migration to distant places in search of work is very common in these villages. People are largely unaware of their entitlements under various food-related schemes of the government.

List of Villages visited in Shivpuri District

	Village	Gram Panchayat	Block	Distance from the Block Office (Kms.)
1	Mudkheda	Dhaulagarh	Shivpuri	30
2	Himmatgarh	Himmatgarh	Shivpuri	40
3	Naya Ballarpur	Ballarpur	Shivpuri	25
4	Dwarka	Birauli	Pichhor	20
5	Badera	Badera	Pichhor	12
6	Lokhri	Parasi	Pohri	25
7	Dehde	Doba	Pohri	15

Scheme-wise Summary of Findings

1. Antyodaya Anna Yojana

- A large number of AAY cards have been distributed in the area to Sahariyas following the interim order of the Supreme Court in 2003.
- However, in three out of seven villages (Himmatgarh, Lokhri and Dehde) several Sahariyas are yet to receive their AAY cards. What is even more shocking is that this is also true of village Dehde (GP Doba) in Pohri block where three starvation deaths had taken place in 2003.
- Only four out of seven villages (Naya Ballarpur, Badera, Lokhri and Dehde) have PDS outlets located in the village itself. In the remaining three villages (Mudkheda, Himmatgarh and Dwarka) the outlet is outside the village at a distance ranging from 2 to 6 km.

- It was found that in all seven villages people are not getting their rations in the quantities they are entitled to. Entries in the ration cards clearly indicate that less than the stipulated quota of foodgrains is being given. In some cases the quota was shown in the ration cards as being given fully but the amount of foodgrain given was actually below the stipulated norm.
- In villages Mudkheda, Himmatgarh and Naya Ballarpur of Shivpuri block and village Badera of Pichhor block, false entries were found in all the 30 AAY cards we examined. A careful examination of the cards and verification with the village people revealed that the ration given out was less than that entered in the cards. It was found that anywhere between 1 to 10 kg. per month per card had been misappropriated in this manner.
- People of six of these seven villages do not get ration in parts. This facility is available only in the outlet that caters to Dwarka.
- Six of the seven PDS shops open only for 2 – 3 days in a month (the exception is the outlet that caters to Dwarka).
- Sugar is usually not available at the ration shops.
- In most villages, prices charged for rice and kerosene are higher than the stipulated prices.
- All of the above constitute a serious violation of Supreme Court Orders.

2. Mid-day Meal Scheme

- Mid-day meals are being given in all seven primary schools but in six out of the seven schools the scheme is not being run in a satisfactory manner. Himmatgarh school is the only exception to this rule as the children look forward to the meals given at the school.
- In almost all cases where the mid-day meal was not satisfactory, it was reported that only one or two rotis were given and even these were either very light or very small. In some cases it was found that the rotis could actually fit the palm of an average adult hand. This clearly means that less than the prescribed norm of 100 grams of wheat per student is being used to make these rotis.
- In Badera school, girl children are often denied rotis.
- Dal is served more often than vegetables. Dal and vegetables are mostly very watery and are very often under-cooked also.
- Schools in Lokhri and Dehde do not run regularly. Therefore, meals are served once in ten days or even less.
- There are no dedicated kitchen sheds in any of the schools visited. Cooking takes place mainly in the cook's house.

3. Integrated Child Development Scheme (ICDS)

- Four villages (Himmatgarh, Badera, Lokhri and Dehde) do not have anganwadi buildings.
- The building in Mudkheda is in need of repairs.
- Supplementary nutrition is not being given in three ICDS centres (Naya Ballarpur, Badera, and Lokhri).
- The centre located in Dwarka provides only uncooked dalia. Apparently, pregnant and lactating mothers here refuse to eat food cooked by a dalit.

- The centre at Himmatgarh gives less than the prescribed amount of dalia to children. No dalia is given to pregnant, lactating mothers and adolescent girls
- In Naya Ballarpur, the anganwadi is not functioning because the anganwadi worker, who stays in Shivpuri (25 kms. away), hardly ever visits the centre. The sahayika has had to resort to wage labour for her survival, as she has not been paid for the last 10 months.
- In Badera, caste discrimination is practiced by the anganwadi worker against the dalit sahayika. The anganwadi runs on the ground floor of the house of the upper-caste anganwadi worker, who herself lives on the first floor. The anganwadi worker forces the dalit sahayika to clean her whole house. Even though she lives right there, the anganwadi worker refuses to even step into the anganwadi.
- Dehde anganwadi is overcrowded. The AWW says that she can register only 80 children but nearly 100 children come each day. This means that all 100 children share the nutrition meant for 80 children and the extra children do not get the other facilities. In Dehde, payment for fuel and rent has not been made for the last year to the anganwadi worker.

4. NFBS, NMBS, NOAPS

- In each of these schemes, we have the extraordinary anomaly that most AAY cardholders are not included even though they would otherwise be eligible, as their names do not figure in the BPL list. This is because they have got their AAY cards thanks to the SC intervention on primitive tribes. This is an issue that needs to be urgently addressed all over the country.

5. Annapurna Yojana

- No old persons are receiving benefits under this scheme as this scheme remains shut down all over MP, despite SC interim orders to the contrary.

6. Widow Pensions

In all the seven villages, it was found that most eligible widows are not getting pension benefits. The table below summarizes the status in this respect.

	Village	Widows who have never received pension	Additional Remarks
1	Mudkheda	30	
2	Himmatgarh	25	
3	Naya Ballarpur	9	Apart from these nine, payment to two other widows was stopped abruptly two years ago
4	Dwarka	11	Apart from these 11, payment to two other widows has not been made for the last four

		years
5	Badera	9
6	Lokhri	20
7	Dehde	20
	Total	124
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7. Employment Opportunities

- In the current financial year, there has been no employment provided by the Gram Panchayat or any government department in Mudkheda, Himmatgarh, Naya Ballarpur, Lokhri and Dehde (a village where three starvation deaths had taken place in the year 2003).
- In Dwarka, 250 labourers have not been paid wages since February 2004 for work done during construction of a road by the Janpad Panchayat.
- In Lokhri, wages to several labourers have not been paid for construction of a dam under drought relief work in the summer of 2003. Furthermore, this dam has already broken.
- In Lokhri, around Rs.1.80 lakhs of wages have yet to be paid to workers who constructed two roads under SGRY in the summer of 2003. The sarpanch says that she has yet to receive the funds necessary for making the payment.

Village-wise Detailed Report on AAY, MDMS and ICDS

AAY:

1. Mudkheda village (GP Dhaulagarh), Shivpuri block—The PDS outlet is located about 6 ks. away from the village at Dhaulagarh. It opens only for two days in a month. False entries of wheat and rice were found in a number of ration cards. People are given much lesser than what is entered in their cards. Sometimes the difference is to the tune of 10 kg. Sugar and Kerosene entries were also found to be false. Rice is largely not distributed at all. The shopkeeper's behavior, apart from being unfriendly, is also fraudulent (his measurement of grain is often wrong, apart from the false entries). The wheat quality is generally below average but at times it is so smelly that it cannot be consumed by anyone. Ration not given in parts. People have been charged Rs.10–12 for procurement of the ration cards when the actual cost is only Rs. 5/-.
2. Himmatgarh village (GP Himmatgarh), Shivpuri block—The situation was not very different from the one at Mudkheda except that here the price of rice was higher (Rs.10 per 3kgs.) than the prescribed rate. Kerosene is supplied once in three

months. People have never seen any sugar in the PDS shop. The shop is about two kms. away from the village at Sewada. There are around 25 persons in the village who are yet to receive their AAY cards. Ration is not given in parts.

3. Naya Ballarpur village (GP Ballarpur), Shivpuri block—It was found that here also the PDS shop was running as badly as the ones mentioned earlier. Several false entries of grain and kerosene were discovered. When people protest about being given lesser grain, the shopkeeper intimidates them by saying that he would give them even lesser grain than what they have been given so far. The quota that comes to the shop is barely enough for half the population. The PDS shop is located in the village itself. Ration is not given in parts.
4. Dwarka village (GP Birauli), Pichhor block—Every one has ration cards. But people get ration 3–4 kg. less than their entitlements. The PDS shop is about 4 km. from the village at Karakheda. The shopkeeper who lives next to the shop, opens it whenever somebody goes to buy ration and also allows for partial offtake but does not keep it open otherwise.
5. Badera village (GP Badera), Pichhor block—Every one has ration cards. The PDS shop is located in the village itself. But it opens only for 2–3 days in a month. And ration is not given in parts. For the month of June some false entries were found in the ration cards. The amounts recorded were more than what was actually distributed. Some families have Blue ration cards but they are being used as Yellow cards (AAY). The shopkeeper at the PDS shop doesn't know about the entitlements himself. He complained about not getting enough quota of wheat, rice, sugar and kerosene every month.
6. Lokhri village (GP Parasi), Pohri block—The PDS shop is located in the village itself. But it opens only for 2–3 days in a month. About ten persons are yet to receive their ration cards. Ration is not given in parts. People have been getting ration for the previous month instead of the current month. The shopkeeper allows people to buy rice upto 3 kg. but less wheat is given than the prescribed amount. Kerosene is sold at a higher rate (Rs. 10 per litre).
7. Dehde village (GP Doba), Pohri block—three cases of starvation deaths were reported from this village last year. The PDS shop from July 2004 has been operating from a community centre in the village, using an old building constructed by the NGO Sambhav. This has been done on popular demand from the village, as the earlier PDS outlet was inaccessible. But the roof of this building is in need of repairs. Some people are yet to get their ration cards. People are not being given the full quota. Kerosene is sold at a higher rate (Rs. 10 per litre). The shopkeeper charges Rs. one extra per 3 kg. of rice. Nobody has ever been given any sugar from the shop.

Mid-day Meal Scheme:

1. Mudkheda village (GP Dhaulagarh) —The children are being given one Roti and ½ Katori Dal. The school building has only one functional classroom, which is used collectively for all classes. The other classroom, which is lying defunct because of its dilapidated state, is in need of urgent repairs. The school does not seem to possess any utensils as the food is cooked in the cook's personal utensils. There is no helper for the cook. The cook is having to pay for the grinding of wheat to make *Atta*. There is no kitchen shed in the school. The cook is an Adivasi.
2. Himmatgarh village (GP Himmatgarh)—The school building leaks. There is no kitchen shed in the school. Two Rotis and one Katori Dal is given daily. The cook and the helper are both Adivasis. Children like the meals.
3. Naya Ballarpur village (GP Ballarpur)—The children are given two thin Rotis and one big spoon (kadchi) full of Dal. There is no kitchen shed in the school. The cook and the helper are both Adivasis. Children look forward to the MDM.
4. Dwarka village (GP Birauli) – The children are given two light Rotis and one katori of Dal. At times vegetable is also served.
5. Badera village (GP Badera)—The male children are given two Rotis, which are as small as the palm of the hand and one katori of Dal or potato curry, which is extremely watery and tasteless. The girl children are often denied Rotis. Children are dissatisfied with the meals.
6. Lokhri village (GP Parasi)—The school doesn't run regularly. The MDM is served once in ten days. The girl children often don't go to the school. It's a well-known fact that the teacher who lives in Pohri never goes to the school.
7. Dehde village (GP Doba) – The school doesn't run regularly. MDM is rarely given.

ICDS:

1. Mudkheda village (GP Dhaulagarh)—The building leaks. People are happy with the centre. Children, pregnant and lactating mothers are getting Dalia (one big Kadchi full).
2. Himmatgarh village (GP Himmatgarh)—There is no dedicated building for the anganwadi. Children are given Dalia in a small quantity (a small Kadchi full). Adolescent girls, pregnant and lactating mothers are not given Dalia.
3. Naya Ballarpur village (GP Ballarpur —There is a dedicated building for the anganwadi. It opens only once or twice in a month. Even when it is open, many times Dalia is not given. The anganwadi worker stays in Shivpuri and visits the school very rarely. The Sahayika has not been paid for the last ten months.

4. Dwarka village (GP Birauli)—There is a dedicated building for the anganwadi. Two katoris uncooked Dalia is distributed once in eight days to children, pregnant and lactating mothers. The women refuse to eat cooked Dalia because the cook is a Dalit. Salaries to Anganwadi worker and Sahayika are not paid in time.
5. Badera village (GP Badera)—There is no dedicated building for the anganwadi. For the last 8 months there has been no supply of Dalia to the anganwadi. The anganwadi worker is from a higher caste. She never goes to the Anganwadi even though it is right under her own house). Her behaviour towards the Sahayika, who happens to be an Adivasi, is very bad.
6. Lokhri village (GP Parasi)—There is no dedicated building for the anganwadi. No Dalia is being given either.
7. Dehde village (GP Doba)—There is no dedicated building for the anganwadi. The Anganwadi has been running in the house of the anganwadi worker for the last 15 years. No payments have been made for fuel and the rent of the house for the last year. The Anganwadi worker is compelled to distribute Dalia to those children also whose names are not registered with the Anganwadi. According to her she has been instructed not to register more than 80 children.