

दिल्ली रोज़ी रोटी अधिकार अभियान

Delhi Rozi Roti Adhikar Abhiyan

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FACT FINDING REPORT ON STARVATION DEATHS OF 3 MINOR GIRLS IN MANDAWALI, EAST DELHI

Three minor girls Mansi (8), Shikha (4) and Parul (2) died on July 24, 2018 in Mandawali, East Delhi and the post mortem reports listed starvation as the cause of the deaths. Members of the Delhi Rozi Roti Adhikar Abhiyan (DRRAA)- Anjali Bhardwaj and Amrita Johri along with Harsh Mander (former special commissioner to the Supreme Court in the Right to Food case), Anirban Bhattacharya and Vudit Verma (Centre for Equity Studies) and Ashok Kumar (Satark Nagrik Sangathan) visited Mandawali on July 28, 2018. The report of the fact finding is given below:

Fact Finding Report

On July 28, 2018 we visited Mandawali and met several people who had known the family to try to gain an understanding of the circumstances around the death of the 3 minor girls. Given below is an account of the circumstances as reported by each person and general observations about the places we visited.

1. Verbal testimonies and general observations:

- i. **The room where the children spent their last 3 days-** We first went to the single room dwelling located at Pandit Chowk, Mandawali, where the family spent their last 3 days and from where the 3 minor girls were taken to hospital and declared brought dead on July 24, 2018. The room is located in a two storey building with 28 similar rooms with a common toilet. The family stayed with a friend called Narayan in a room on the ground floor. The room was locked from the outside.
- ii. **The neighbours-** At this building we met several neighbours. The neighbours said they had seen the children and the mother though they had no interaction with them since they shifted there only three days prior to the death of the girls. The neighbours reported the children as looking extremely weak and said they would come out of the room to only defecate in the corridor as they did not have enough strength to go upto the toilet. The neighbours said they had not seen any food being cooked in the room in the last 3 days. None of the neighbours we spoke to had a ration card. The family living in the adjacent room said the mother was also looking extremely thin and weak and finding it difficult to move around.
- iii. **Sudesh the landlady-** Sudesh who is the owner of the building said she had never seen or interacted with the family prior to the death of the 3 girls. She knew Narayan who was living on rent in the room where the family spent their last 3 days. She said that Narayan hails from Allahabad and was unmarried and did not have any children. Narayan had taken the room on rent since July 10. He had earlier stayed here in the year for 3-4 months.

She explained that most of the tenants are migrants and typically stay for only a few months at a time. Most of them work as daily labourers at construction sites or by pulling rickshaws. She said only 1 or 2 of the 28 families had ration cards. Sudesh mentioned that when she saw the mother after the death of the 3 children, she seemed rather dazed and was not communicating/interacting.

According to Sudesh, the eldest daughter Mansi (8) had gone to school on Monday i.e. July 23, a day before her death. She claimed that people told her that the eldest daughter fell ill around 7 pm on Monday.

- iv. Neighbourhood Anganwadi-** The local anganwadi is located barely 30-40 steps from the room in which the girls died. The anganwadi was essentially just a corridor with some posters strung up on a wall. The corridor led to other rooms where a family lived. The Anganwadi was being temporarily housed here as the building next door, where it was originally located, was undergoing renovation. While the teacher or helper of the Anganwadi were not available at the time of the visit, locals confirmed that the anganwadi was functional and about 20-25 kids were enrolled and would get a daily meal at the anganwadi. While several children staying in the building went to this Anganwadi, the two younger siblings who died Shikha (4) and Parul (2) were not enrolled at the anganwadi. Locals said the anganwadi workers would visit nearby buildings to urge children to enrol. They conjectured that since the family was new to the area and arrived only over the weekend (Saturday/Sunday), they had not yet been identified.



- v. Pankaj Rickshaw Garage, Railway Colony, Saket Block, Mandawali-** We visited Pankaj Rickshaw Garage in Saket Block, Mandawali where the father of the girls, Mangal, used to hire the rickshaw which he would ply to make a living. The area has several rickshaw garages which rent out rickshaws for Rs. 50 per day to rickshaw pullers. Since Mangal and his family had lived in the area of Saket Block, Mandawali for several years before shifting to Pandit Chowk, the rickshaw pullers and locals knew them well. We met about 20-25 rickshaw pullers most of whom hailed from UP or Bihar and had migrated to Delhi for work. Most of them had been in Delhi for several years and lived in the area. Only one rickshaw puller had a ration card. Upon enquiring why others did not possess a ration card, they cited lack of information, requirement of documents and bureaucratic hurdles as preventing them from acquiring ration cards.
- vi. Dileep, rickshaw puller-** Dileep, who hails from Madhubani, Bihar knew Mangal well as he used to pull rickshaws in the area. He said till about 4 years ago Mangal used to run a local food cart/dhaba (people referred to it as hotel) where he would cook and sell parathas and tea. He

was doing fairly well at the time and had hired a person to assist him. He said Mangal's wife, Beena, did suffer from some mental impairment. However, the *dhaba* shut down and Mangal then started pulling rickshaws. Various causes for the closure of the *dhaba* were put forth, including Mangal being unable to retrieve some funds he had deposited in a Fixed Deposit, theft of his pushcart and heavy consumption of alcohol, though none of these could be confirmed. For the last 3-4 months, Mangal had been renting a rickshaw from Pankaj Rickshaw Garage. Dileep knew the family well and said the 3 girls would often play in the area with the children of other rickshaw pullers. He said that in recent years Mangal had started drinking heavily and there would often be reports of him falling asleep on the pavement. Dileep and other rickshaw pullers had an inkling that the children were going hungry and would often buy them some food. According to Dileep, in the 10-15 days before the family shifted out, the rickshaw Mangal had hired was stolen. Then again a day before they shifted out, i.e. on Saturday July 21, another rickshaw that Mangal had hired was stolen. Because of the loss of the rickshaws Mangal left the Pankaj Rickshaw Garage and shifted his family out of the room in Saket Block. Some people suggested that the room where Mangal lived with his family was owned by the same people running the Pankaj Rickshaw Garage.

vii. The room where the family lived for several years before shifting to Pandit Chowk, Mandawali- We visited the room where the family lived for several years before they shifted to

Pandit Chowk, Mandawali. The windowless room measuring about 7 feet by 7 feet was located in a by-lane of *Gali No. 2*, Railway Colony, Saket Block, Mandawali. An open drain and an overflowing manhole ran along the by lane. On a wall, the word '*Ladli*' was scribbled in silver ink. Drawings and words were scribbled on the walls which neighbours said were the handiwork of the eldest daughter Mansi.



viii. Kiran Devi, neighbour, Gali No. 2, Railway Colony, Saket Block, Mandawali- Kiran Devi, lived in a room at the end of the *gali* where Mangal's family lived. She had known them for more than one and a half years. Her husband worked as a petty contractor on construction sites. According to her, Beena, the mother of the 3 girls, did not suffer any serious mental health issues or impairment. She said the mother was able to look after the girls and would sometimes cook food in the room. However, the mother would often be dishevelled and was extremely thin. She also talked about Mangal's drinking problem. The neighbours knew that the family was having a hard time making ends meet. The eldest daughter, Mansi would spend significant

time at Kiran's house as Kiran's daughter was her classmate. Kiran said she would always feed Mansi and also send some food for the other sisters and her mother. The weekend before they shifted to the room at Pandit Chowk, Kiran said that the two older daughters were playing with her children in the by lane. She said that the younger two daughters might have been ill at the time they shifted out. According to Kiran and her daughter, Mansi had not attended school on Monday, the day before her death. Kiran's family did not have a ration card.

- ix. **Shopkeeper of grocery shop, Gali No. 2, Railway Colony, Saket Block, Mandawali-** The shopkeeper of a shop located at the mouth of the by lane where the family lived, said he knew them very well. He said Mangal's parathas were famous in the area and the family was known in the neighbourhood. According to him, the family had fallen on hard times after the local *dhaba* that Mangal ran was shut down. Mangal's drinking problem also started after the *dhaba* shut down. He said that Mangal deeply loved his children and wife and had distributed sweets to celebrate the birth of his daughters. However, with declining finances, and mental health issues suffered by Beena, who would at times be found roaming the streets or defecating in the open, the family was struggling to survive. He recounted that a *mochi* (shoe maker) who sat at the mouth of the by lane, would feed the children some food and was crucial for the family's survival. According to him, the *Mochi*, was from a stable family but had left his home as he might have suffered some mental disability. The *mochi* would also feed the local stray dogs and would not turn away any person who asked for food. The *mochi* had died on June 22, 2018 due to an illness, exactly one month before the girls succumbed to starvation. According to the shopkeeper, the girls would have been alive, had the *mochi* not died. He expressed disbelief at the suggestion that the father may have killed his daughters by feeding them some medicine/poison. He said Mangal had never been violent towards his family or anyone in the neighbourhood.
- x. **No Anganwadis servicing the locality of Gali No. 2, Railway Colony, Saket Block, Mandawali-** Since the family had spent significant time at the this location, we inquired about the local anganwadi centre. The girls aged 2 and 4 should have been enrolled at the anganwadi and were entitled to receive food. The 2 year old was entitled to take home rations while the 4 year old was entitled to a snack and a meal. However, neighbours and shop keepers in the area stated that there was no functional anganwadi in the area. People claimed that the Anganwadi was only on paper and money was being siphoned off without providing any kind of facilities for the children. They accompanied us to an open area with a room which they claimed was supposed to be an Anganwadi till around an year ago, though it was being used as a cow shed now. We met several families with young children in the surrounding area and none of them were aware of any anganwadi centre.

2. Reconstructing the lives of the girls

From the various verbal testimonies, despite some contradictions, details of the lives of the three minor girls prior to their death and the circumstances around their death emerge. It is clear that the family had suffered several economic shocks due to the closure of the *dhaba* and the theft of the rickshaws. There was no safety net to buffer the fall out of the economic shocks and therefore, the ability of the family to provide even food for the girls was severely impacted. Mangal's drinking problem and the mother, Beena's, mental health issues meant that the children may not have been receiving adequate adult supervision. The family was dependent on the goodwill of neighbours and

locals to survive and perhaps their shifting to a new area, where no one knew them, meant that even that this crucial support stopped.

3. Official version

Two post mortem reports from different hospitals have confirmed starvation as the cause of death. They found no food or water in the stomach and found zero grams of fat on the bodies of the girls. The SDM's report has not been made public in its entirety. As per media reports, the SDM has confirmed that the girls were not getting adequate food, though it also points towards some medicine that the father may have fed the girls a day prior to their death. Also, the SDM report claims that funds of about Rs. 1800 were available in the bank account of the eldest daughter. The contradicting accounts will perhaps only be resolved through more detailed investigation, though the fact that the girls were starving and were not getting adequate food is undeniable. In our visit, none of the neighbours or locals referred to any sort of medicine being given to the children by the father or of any foul play.

4. Gaps in policy framework and implementation failures

The family, especially the children, were entitled to various rights under the National Food Security Act, including-

- i. Right to food at the Anganwadi Centre for the 2 younger siblings (4 year old Shikha would have been entitled to a snack and a hot meal while 2 year old Parul would have been entitled to take home rations)
- ii. Mid day meal for Mansi, the eldest daughter in school
- iii. Atleast 25 kgs of grain per month for the family under the Public Distribution System

Apart from this, the mother should have been receiving support and treatment for the mental health issues that she was facing as per media reports and the testimony of neighbours.

However, gaps in policy framework and implementation failures of existing frameworks, meant that the family was not receiving their legal entitlements.

- i. **Family did not possess a ration card:** As per the eligibility criteria defined by the Delhi government, the family was eligible for a ration card. However, the family did not possess a ration card and was not receiving ration under the Public Distribution System (PDS). A quota system is followed under the PDS where number of people to be given ration cards is pre-decided and therefore, even if people meet the eligibility criteria, they are excluded. Further, many people get excluded due to insistence on furnishing of id proof/address proof and Aadhaar. These end up excluding the most needy and marginalised. Of the 28 families who live in the building where the girls eventually died only 1 or 2 had a ration card. Similarly, none of the neighbours in the Railway Colony had ration cards and only 1 rickshaw puller from among the 25 we met possessed a ration card.
- ii. **No functional Anganwadi at *Gali No. 2, Railway Colony, Saket Block, Mandawali*-** There was no functional anganwadi at the place where the family lived for several years. As a result, the two younger siblings were not enrolled in any anganwadi and were not receiving the daily food rations that they were entitled to under the Integrated Child Development Scheme which operates within the framework of the NFSA. The Anganwadi centres are mandated to monitor the growth of children by weighing them regularly. Angawadi workers are required to survey the local area to identify children and ensure their enrolment in the Anganwadi. While it would

be easy to lay the blame on the front line worker, the failure extends much beyond. Anganwadi workers are paid a pittance, not even minimum wages (Anganwadi workers and helpers are paid ₹9,678 and ₹4,839 per month, respectively) and are expected to be at the front line for all kinds of schemes and programs, including those that have little to do with the well-being of children.

- iii. **Failure of accountability mechanisms-** The issue of the non-functional Anganwadis could have been arrested and redressed had the statutory accountability provisions been put in place. The NFSA requires each state government to implement various grievance redress and accountability provisions, including- carrying out of periodic social audits (S. 28) and setting up of State Food Commission (S. 16). The Delhi government has failed to put in place this statutory framework despite repeated directions from the Supreme Court and the Delhi High Court. Lack of accountability systems means peoples complaints of denial of food security, like not having a ration card, non-functional anganwadis etc. remain unaddressed. Had the system of social audits been active, it would have thrown up these anomalies of non-functional anganwadis and needy families being left out of the purview of the NFSA.
- iv. **Inadequate provision of Food Security and failure to deliver on promises to increase entitlements-** The inadequacy of the entitlements under NFSA have been frequently highlighted by people working on food security and also political parties. While he was CM of Gujarat, Mr. Modi had said 5 kgs grain per person under the PDS as envisaged in the NFSA is wholly inadequate. However, in the last 4.5 years, there has been no increase in allocation under NFSA either by way of enhancing entitlements or increasing the coverage. Similarly, the AAP in its manifesto had promised Dal and oil as part of the public distribution system. However, no steps have been taken by the government to provide these after election.
- v. **No provision of mid day meal (MDM) during vacations and failure to deliver on promises to increase entitlements in MDM-** According to neighbours and locals the eldest girl had been regular in attending school prior to the summer vacations but had attended only a couple of days of school in July. Perhaps the lack of provision of mid day meal during the vacations may have contributed towards her untimely death. Even in the case of the 11 year old girl Santoshi who died of starvation in Simdega district of Jharkhand, local fact finding teams found that the disruption in the MDM due to *durga puja* vacations, was a contributing factor. The issue of enhancing entitlements, especially by including eggs, under MDM has been a long standing demand of the Right to Food Campaign. As a result of several representations, the Delhi government announced in the 2017-18 budget speech that banana / boiled egg will be provided to each student from the Delhi budget and additional amount of Rs. 55 crore was announced. However information received under the RTI Act found that no fund had actually been released and banana / boiled egg were not being provided in schools.
- vi. **No portability of the right to food-** The right to food is a fundamental right implicitly guaranteed by the Constitution of India. Yet, there is no framework to enable the portability of the right to food. Ration cards issued in one state are not usable in another which causes a huge problem for migrants. The insistence on proof of residence in the state where one is seeking a ration card precludes the possibility of migrants obtaining a ration card. Migrants form a large proportion of the population of Delhi and their contribution is integral to the economy, yet the current food security framework completely ignores their predicament.

- vii. **Absence of community kitchens-** Across several states in India, community kitchens/canteens have been set up to address the needs of the poor and marginalised, including the homeless. The kitchens provide hot cooked food at nominal prices or free of cost and do not turn away any person desirous of food. Despite the large number of homeless people and migrants who are excluded from the food security program, there is no such mechanism in place in Delhi.

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