

Report of fact finding into the death of Premani Kunwar

Place of visit – Korta village, Danda Gram Panchayat, Danda block, Garhwa, Jharkhand

Date of visit – 4-5 December 2017

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Summary of finding

Premani Kunwar, a 64 years old widow and living with her thirteen years old son Uttam was completely dependent on the grain entitlements 35 kgs/month under National Food Security Act (NFSA) and pension (Rs.600/month) under the Indira Gandhi National Old Age Pension Scheme (IGNOAPS). Lack of sufficient food and nutrition was a regular affair in her family. She did not get her grain entitlement of 35 kgs in November 2017. She also did not get the pension of September-October 2017 (Rs. 1200) as it was credited to the account of Shanti Devi, whose bank account is linked with Premani's Aadhaar, without her knowledge. Premani last withdrew her pension on 8 September 2017 following which there was no money left in her account. No food had been cooked in her house for 8 days preceding the date of her death (1 December 2017) as there was no grain in the house and Premani did not have proper meals in this duration. In November, she had borrowed some uncooked grain, cooked rice and satttu from her neighbours. She passed away in the early morning of 1 December 2017 because of continual starvation that was at its worst in the last eight days before her death.

Detailed report

Details of family

Premani Kunwar, aged 64, was the second wife of late Mutur Mahto who passed away around 15 years back. She is survived by a son, Uttam Mahto aged 13, who lived with her. He is studying in 7th class in the government school. The first wife of Mutur Mahto, Shanti Devi passed away around 25 years back. Mutur Mahto and Shanti Devi had 6 children – four sons and two daughters. The oldest three brothers and two daughters are married.

All of them (Premani Kunwar, Uttam Mahto and the four brothers and their wives) live on the same plot. The kuchcha house, in which all the family members are living, is built on an area of around 7 decimals and is in a dilapidated state. Premani and Uttam shared two rooms of the house. Premani's family and families of the brother do not own any land, apart from the land on which their house is situated. They also do not take land from others on *bantayi* system for cultivation, as they cannot afford the cost of input material such as fertilisers etc.

The four brothers work as unskilled labourers mainly in mason works and get 10-15 days of work per month on an average. Their wives also work as labourers sometimes in local agricultural works. The four brothers have four Priority Household cards under NFSA. The names of three members of their families are missing in their cards.

Premani Kunwar had an Antyodaya ration card (Annexure 1- card no. 202000172021) under National Food Security Act and was a pensioner under the Indira Gandhi National Old Age Pension Scheme.

Details of the death

When Uttam woke up in the early morning of 1st December, he found Premani dead. He immediately informed other family members. The Block Development Officer (also functioning as the Marketing Officer) visited the family the same day and inspected their rooms and inquired about the death. He was told by the family that Premani had died because of starvation. He promised Rs. 10000 to the family for immediate needs. The family has not been given that money yet.

Status of availability of food in the family

- According to Premani's son, step-sons and daughter-in-laws and the neighbours, no food had been cooked in Premani's home for eight days before her death because of lack of grains at home. She did not eat anything on 29th and 30th November as there was no food.
- Premani and Uttam were entitled to 35 kg of ration on their Antyoday card under the NFSA. She did not get any ration in August 2017 as the dealer did not distribute ration in that month. But the dealer made an entry of 35 kgs grain for August 2017 in her ration card (Annexure 1). She had borrowed some rice from her neighbours for that month. She got her ration in September and October. She used the ration to repay the loans and also sold a part of it to buy other essentials such as kerosene oil etc. Even though, she was entitled to 35 kgs of grains per month, she was given only 33 kgs by the dealer. But the dealer transacted 35 kgs on her card (as per the online transaction list of September and October 2017) and also entered the same in her card.
- Premani did not get ration in the month of November 2017. As she had become weak in the absence of sufficient food, she had to be taken on a bike to the dealer on 29 November for to authenticate her identity for getting the ration. She was accompanied by one of her daughters-in-law Rima Devi and her son Uttam. The dealer made her give her thumbprint in the POS machine for authenticating her ration transaction for November 2017, but did not give her the grain. There is an entry on her card for 29 November 2017 in the online transaction list of that month (Annexure – 2). The dealer also made an entry of 35 kgs grains for November 2017 in her ration card (Annexure – 1). According to the Uttam and Rima Devi, the dealer had said that he did not have grains and had asked Premani to come on 2 December 2017 to collect her ration.
- In November, Premani had borrowed some cooked rice from neighbours. She had borrowed 1 kg rice from Gulbaso Kunwar around 10 days before her death. She had gone to Gulbaso again after a few days to borrow some more rice, but Gulbaso could not give her more as she did not have enough herself. Premani also borrowed some cooked rice from Lilavati Devi. She was also given some sattu (one bowl) by Ramlal Mehta. Her son was getting lunch under the Mid Day Meal scheme in his school. He also brought some leftover rice for his mother sometimes.
- Premani's step family also gave her some cooked rice at times. According to Rima Devi and Rajkumari Devi, the grains that they used to get under NFSA could feed their respective families for only 10-15 days/month. For the rest of the month, they also had to borrow rice from neighbours at times.
- According to Uttam and the daughters-in-law, Premani and her son were surviving primarily on rice. Dal had not been cooked in the Premani's family for over a year. Vegetables had not been cooked since a couple of months. Garlic and sugar were not used by the family for

more than a year. On 4 December 2017, there was only 2 litres of kerosene oil at their house and no rice or even salt.

- The family member and the neighbours stated that Premani had become physically weak gradually in the absence of sufficient food. According to the Rima Devi and Rajkumari Devi (daughters in law), Premani was completely dependent on her grain entitlements. If she did not get her ration time, she used to go hungry unless someone gave her some food.
- Earlier Premani used to work as unskilled agricultural labourer in the village (for harvesting rice, wheat etc.), but she stopped doing it since the last one year as she got weak. She had also stopped taking part in annual festivals such as Chhath because of her weakness. However, Premani's family informed that she was not suffering from any illness.

Access to old age pension

- Premani Kunwar was enrolled in old age pension (Rs. 600/month). The bank passbook and bank statement shows that the flow of pension was not regular. Premani had last withdrawn her pensions of Rs. 1200 (for July-August) on 8 September 2017. As per her latest bank statement (as on 5 December 2017), she does not have any money left in her account after that withdrawal (Annexure – 3). According to the family members, she went to the bank in October and November enquiring about her pensions for September-October, but was repeatedly told by the bank functionaries that her pension had not been credited in her account. Premani would return home and cry that she was not getting her pensions.
- As per the financial transaction details of Premani's Aadhaar card (available on the Public Fund Management System website), the pension for September-October 2017 (Rs. 1200) has been credited to the account of Shanti Devi (Annexure – 4). The Bank Manager, Mr. Ajay Tirkey, of the local branch of State Bank of India also confirmed this. He also shared the screenshot of the Aadhaar-bank account linkage that shows that Shanti Devi's account was linked to Premani's Aadhaar on 10 October 2017 due to which Premani's pension for October-November was credited in Shanti Devi's account. Shanti Devi's account was based in the Piprakalan branch of SBI which is around 22 kms from the village. The branch manager also shared that, according to his bank's software, the Premani's Aadhaar was linked to two bank accounts (Premani's and Shanti's) and he admitted that he did not know the reason for this (Annexure – 5).
- According to Garhwa's Deputy Commissioner, Premani's pension of September-October 2017 had been transferred to the account of Matur Mahto's first wife, Shanti Devi as her account got linked with Premani's Aadhaar number. The Deputy Commissioner said that it was a technical glitch in the transition period of linking pensions with Aadhaar. According to Shanti Devi's sons, they were not aware of any such account of their mother. They were also not aware that the pension had been credited to that account. The Branch Manager shared that the account was opened in 2007 and was being operated through the Piprakala branch. When the Branch Manager was told that Shanti Devi, Matur Mahto's first wife, died 25 years ago, he said that he did not know the details of this account as it was opened in a different branch.

Status of general well-being of the Premani's family

Premani's two rooms lie absolutely bare except for a few things such as a broken cot, a cloth liner with some clothes, a few utensils and a drum etc. (Annexure – 6). Premani and Uttam had only one blanket.

Access of the family to other social welfare programmes

The families of Premani and her step sons did not have Job Cards under MGNREGA. Even though the women of these families work as agricultural labourers in the village and want work under MGNREGA, they do not have Job Cards. According to them, all the MGNREGA work in the village is done using excavation machines (JCB). Rima Devi, Babita Devi and Rajkumari Devi had also applied for pucca houses under the Indira Awas Yojana (and Prime Minister Awas Yojana) multiple times in the Gram Sabha and also to the Mukhiya, but houses have not been sanctioned for them yet. Premani's son Uttam also said that eggs were not being given in lunch under Mid Day Meal scheme in his school since the last 2-3 months.

Village-level findings

NFSA

All the villagers present in the meeting on 4 December 2017 in the village said that the dealer had not distributed ration in August 2017. The dealer said that he did not get allocation for that month. It also emerged that the dealer made many cardholders authenticate their thumbprint in the POS machine in November (to claim the grain entitlement for that month) and told them to collect the ration in December. On 5 December, some cardholders went to the dealer to collect their ration, but he turned them away by saying that only those families would get ration which had authenticated their thumbprint in November. The villagers also said that the dealer cuts 2-3 kgs of ration from Antyoday cards and 0.5 kg/person for PH cards.

There are some card holders such as Sanju Devi (202000172107) and Ramsingh Mahto (202000171924) who are not getting their grain entitlements since the last few months. The reason given by the dealer is "load nahi ho raha hai". As per the online list of PH cards, Ramsingh Mahto's card has been deleted.

Some single women such as Kaleshwari Kunwar (Husband – Lt. Bandhu Thakur), Gangiya Kunwar (Husband – Lt. Prabodh Mahto), Ram Kali Kunwar (Husband – Lt. Jaygobind Sah) and Ramkali Kunwar (Husband – Lt. Rampawan Mahto) had Antyoday cards before NFSA was implemented. But they have been given Priority Household cards under NFSA.

MGNREGA

No MGNREGA work is going on in the village. Work last happened in June 2017 in some schemes of land levelling and dobhas. The villagers unequivocally said that most of the excavation was done by contractors using JCB machines. Many families need work, but do not get work.

Dealer's comments to Premani's death and situation in village

The dealer Shivnath Ram said that he could not distribute ration in August 2017 as he had not been allocated grains for that month. Regarding the distribution of ration to Premani Kunwar for the month of November, he said that Premani had come on a bike (as she was weak) with her daughter-in-law and son. She authenticated her thumbprint for taking the grains for November, but did not take them as she did not have a bora with her. She said she would send someone with the bora, but

did not. He also said that no one in the village was being denied their grain entitlements and was not aware that any card had been cancelled.

When asked if he was aware that people who do not have Aadhaar card cannot be denied their grain entitlements, he said that he had received the letter on 3 December. It is interesting to note that he received the letter almost a month and half after Minister for food, Saryu Rai had announced that people will not be denied their ration in absence of Aadhaar.

Block Pramukh's comments on Premani's death

The block Pramukh Virendra Chowdhary claimed that the dealer had collected the allotted grains on 28 November. When Premani went to the dealer to get ration on 29 November, he did not give her the grain entitlements but entered the date of collection of ration in Premani's ration card as 27 November. He also confirmed that no food had been cooked at her home for a week before her death because of lack of grains.

Civil Surgeon's comment on Premani's death

The Civil Surgeon, when contacted on his phone, said that he had sent the post-mortem report to the Deputy Commissioner and was not allowed to share the findings.

Deputy Commissioner's comments on Premani's death

The Deputy Commissioner, Ms. Neha Arora, refused to give a copy of the post-mortem report and said that it would have to be sought through Right to Information. She verbally shared the finding of the post mortem report and showed the copy to the team. She said that the report found some (300ml) semi-digested food in the stomach of Premani and hence she had not died of hunger. According to the report, the cause of the death could not be ascertained from the post-mortem and the viscera would have to be sent for forensics for further examination. However, as per the news published in Prabhat Khabar on 4 December 2017 (Annexure 7), the district public relations officer has claimed that she died of illness.

When it was shared that the dealer did not distribute ration in August 2017 and he was not allocated ration, the Deputy Commissioner said that she was not aware of this. She also repeated the dealer's version of why Premani did not get ration in November. However, she also said she had sent a show-cause notice to the dealer on why he had not given the grains to Premani.