

THE LOST CHILD

Episode 1 - Muzaffarpur shelter home case - When 'Protectors' turn Monsters

Host - Padma Priya

It was a very rainy and humid day when I set off from Patna in the eastern state of Bihar, to a small town called Muzaffarpur. Known for its Shahi lychees, jardalu mangoes, this town is home to nearly 4,00,000 people. Situated on the banks of the Burhi Gandak River, a tributary of Ganga, Muzaffarpur is known for its confluence of Islamic and Hindu cultures, and has given rise to many leaders such as India's first president Rajendra Prasad and former defense minister George Fernandes among others.

Despite its rich cultural and political history, Muzaffarpur has, in the recent past has been in the news for all the wrong reasons. Earlier this year, it was in the public memory when nearly 100 children died because of an epidemic caused by an acute encephalitis syndrome or AES. Last year, the town hit the national headlines, when a state-wide audit of the shelter homes for women, children and the elderly revealed an unimaginable crime that was being carried out in the 'Balika Griha' in Muzaffarpur.

And this is where this story begins.

Hi. I am Padma Priya, editor of Suno India, a podcast platform for issues that matter and the host for this podcast 'The Lost Child'. This podcast will bring you stories of hope and tragedy from a failing child care and protection system in India. The Lost Child is being produced by Suno India, supported by Firstpost. Parts of this episode are in Hindi and English. You can find the transcript for this episode on our website along with additional reading material. Before we begin, we would like to issue a trigger warning: portions of this episode contains disturbing information on sexual assault and rape.

When I reached Muzaffarpur, it had been raining the whole day. The roads were clogged with water and the bylanes of the town were packed with traffic. I was in the town at the time of a local festival. As I entered the town, I asked a couple of people for the way to the "Balika Grih". Some said that they had never heard of it, others said it no longer existed. Finally, I asked a traffic constable who pointed me to the road on which it used to be. I got off the car and set off on foot to find the 'Balika Griha', the shelter home that was until last May home to over 40 girls aged between 6 to 16 years. Run by a non-profit Sewa Sankalp Evam Vikas Samiti, Balika Grih came to limelight last year when a social audit of over 110 shelter homes across Bihar carried out by Tata Institute of Social Science also known as TISS revealed that and I quote from the report "grave instances of violence were reported by the residents. Several girls from this shelter home reported about violence and were being abused sexually."

I had assumed that it would be located away from the town. To my surprise, the shelter home was located not too far from a temple and was literally 100 m away from the main road. As I entered the lane, I was surprised by how big the walls of the shelter home were and just by the complete absence of windows. To outsiders, it is like an abandoned house, over-growing weeds, rusting locks over the doors and a defunct printing press with reams of newspaper

lying in the courtyard. Every level has an iron door with locks. More than a shelter home, it felt and looked like a jail. A portion of the home had been demolished last September by the Central Bureau of Investigation or CBI when it was revealed to them by multiple former residents of the Balika Grih that the murders had taken place in the house and bodies buried in the residence itself. And here's where the dark and ugly world of Brajesh Thakur unfolds, one floor at a time. Brajesh Thakur is a local leader with political connections allegedly going up to the Bihar cabinet. He is also a 'journalist' and till his arrest was on the press accreditation committee. As per records, Brajesh Thakur owned multiple shelter homes for women and girl children across Muzaffarpur and Madhubani. Located in Sahu Road, Balika Grih is located in the same compound as 'Pratah Kamal', a Hindi daily that Thakur's family has been running since 1982. Three interconnected buildings that housed a lobby, residences for employees, a printing press and the family home now wear a sign of desolation and gives one an insight into how the horrors could have perpetrated on the girls living in Balika Griha.

This case is among one of the worst instances of violations of children that have come to limelight. Nearly 36 of the 44 girls living in the shelter home were found to have been sexually abused with many of them having been raped multiple times. This is a case that showcases how the State turns a blind eye to those children living in shelter homes and how State can become complicit in their abuse and mistreatment. It also shows how the child welfare committees themselves can be corrupted to the point where the welfare of the children is no longer their main priority and how the confluence of politics and money can lead to total violation of child rights and crimes against children. Unfortunately, this case is not an exception and is perhaps just a symptom of failing child care and protection system we have in our country. In fact, the 110 pages audit report by TISS highlighted 15 such shelter homes across the State which were running in complete violation of the Juvenile Justice Act and were life-threatening to those living there.

To understand this case better, I met with Santosh Singh, editor of Kashish News, a regional TV channel that caters to audiences in Bihar and Jharkhand. Santosh Singh is a well-built man in his mid-forties. He had previously reported for ETV Bihar and has vast networks among police, bureaucracy, and communities in the State. Santosh was among the first journalists to break the news on the TISS report and most importantly to report relentlessly for over 6 months on the case.

Santosh Singh: Jo TISS ki report baad me saadhinik hui, october se hi ye log uss par kaam kar rahe the jahan tak hume jankaari hai 2017 me december me hmare TISS se jude hue ek bande se hmari baat cheet hui wo humse milne ke liye aya tha ki dusre mutalle ko leke usi dauraan dusri charcha hui TISS ko leke sarkaar ki taraf se bahot dabaav iss baat ko lekar ki report badalne ki baat hai toh hume aisi jankaari mili ki report me kuch na kuch aisi jaankaari zarur aayi hai jo sahaj nahi hai aur uss report ko lekar Bihar me kuch chal raha hai, uss report ki jankaari ko confirm karne ke liye hum samaaj kalyaan vibhaag ke bhi kuch log humare saath the hai toh unse jab humne baat ki wo ghabraaye ki aapko kaise pata chala ki yeh iss tarah se kuch cheezein ho rahi hain? toh unse milne ke liye gye toh laga ki wo khud humse jankaari lena chah rahe hain , hume kya kya jankaari hai aur uska jo chehre ka jo senior officers the unke chehre ke bhav se hume yeh lag rha tha ki yeh kuch chhupana chah raha hai, fir hum uspe aage badhe humare paas story kahan se shuru karein aur uss report me kis kis NGO m humla hua hai yeh jankaari hum tak nahi pahonch paa rahi thi lekin achanak hume lagta hai

ki May ki 1st week me ki yeh jankari hume milne lagi ki yeh mamla Muzaffarpur ke ek NGO se juda hua hai aur uss NGO me ladkiyon ke sath bahot hi galat vyavahar hota hai fir hum uspe focus krne lag gye ki uss khabar ko aur tab cheezein aane bhi lagi thi.

Translation: The TISS team was working on this case since October. According to my information, in December 2017, I had a conversation with a person who was associated with TISS and during that time there was pressure from the government on TISS to change the report. From this information, I anticipated that something wrong is going on in Bihar's shelter homes and to confirm this, I contacted the people from Social Welfare Department. When I talked about the report to them, I could sense the feeling of nervousness on their faces, they also asked me how did I know that something wrong is going on in Bihar? They wanted to know what I all I knew about the report. I also felt that they were trying to hide something, from their expressions and the conversation. And, later on, when I got more information, I couldn't find out which NGO was mentioned in the report but then in the first week of May, I got some information that this report is related to an NGO in Muzaffarpur where girls were being mistreated and then I started focusing on this case.

According to reports, the preliminary audit report was submitted by TISS in February 2018. Later in April, while submitting the final audit report, the team from TISS sought a meeting with the social welfare department to raise concerns in person. However, the matter was taken up by the social welfare department only in May when the first news reports in local media began to trickle out. When I searched for the full report-i also found an abridged version of the report which had the date changed from April to May. Mr Santosh confirms that the report was perhaps submitted even earlier- in February or March and the officials had turned a blind eye to the grave concerns raised by TISS.

Santosh Singh: Haan yeh pata chal chuka tha aur tab tak yeh report bhi submit kar chuke the March me ab wo hum report ki copy nikaalne ki koshish kr rahe the lekin wo file move hi nahi ho rha tha FIR file darj kardi aur FIR darj ki toh unknown kisi ke khilaaf unhone FIR darj nahi ki, ki ye TISS ki report aayi hai jisme aneeymita ki baat hai.

Translation: TISS had submitted the report in March and I was trying to get a copy of that report since then but the file was not moving and an FIR was filed where the name of the complainant was not mentioned.

When the FIR was initially filed in May, it was filed with no mention of the main accused says Santosh Singh. Documents accessed by Suno India confirms this. Initially the case was registered at Mahila Police Station, Muzaffarpur on the basis of a written complaint by Dibesh Sharma, Assistant Director, District Child Protection Unit against "unknown persons". The complaint was entirely based on the audit report by TISS.

Santosh Singh: uske baad complainant toh nahi hai, TISS ki report hi hai iske ilawa jo accused banana tha kisi ne kisi ko accused nahi mana maan lijiye shelter home par aarop hai TISS ki report me maan lijiye TISS ki report ke adhaar pe aapne FIR darj kari, aap sansthaan ke secretary kaun hain? Chairman kaun hain? Yeh toh aap batayenge aapne sirf 4 page line ki TISS ki report lagate hue aapne FIR ki copy bhej di, toh mera maksad sirf yehi tha ki public domain me yeh cheezein aayein fir jaisi hi wo kyunki uski inside story hume pata tha ki wahan ho kya rha hai fir dheere dheere cheezein badti chale gyi ki humne unn ladkiyon ka jahan

jahan alag alag jagaho pe shelter home hain unse hum lagataar sampark banaye rakhe ki kya kya ladkiyan ka byaan aa hai.

Translation: Now that the name of the complainant is missing, there was no name of the accused in the FIR and it was filed based on the report submitted by TISS. Who is the secretary of the organization? Who is the chairman? Based on 4 pages of TISS Report, you have filed an FIR? So my main aim was to bring all this in the public domain. Also, I was in touch with all the shelter homes in Bihar to know about the statements of the girls.

Following an uproar in media and with heightened attention on the case, 10 people, including Brajesh Thakur, were held. One person, Dilip Verma, former chairman of the district Child Welfare Committee, and for a brief while absconded.

On June 1st, the girls were moved to shelters across the state. Surprisingly, even as the case was unfolding, the NGO was awarded another contract in May to run a shelter home for beggars in Patna by the social welfare department. The same social welfare department had asked for the audit and had the report in front of it. The tender was of course quickly canceled when it was reported by the media, and the reason stated was “unavoidable circumstances”.

The months following the filing of the FIR were intense. Even as national media picked up on the story, there were calls for the case to be handed over to the Central Bureau of Investigation from local leaders and opposition leaders who accused the Nitish Kumar government of trying to hush up the investigation. It was later in June that the CBI took over the case from the special investigating team of Bihar police and filed a chargesheet.

But this was not the first instance that the Balika Griha or other shelter homes run by Brajesh Thakur’s NGO came to light. An employee from the concerned department told me in the conditions of anonymity that and i quote “The issue around Balika Grih came to light, not in 2018 first but actually in 2014. Even then there were reports of girls being sexually abused and violated but no action was taken. Within the department, we heard rumors that the girls in the shelter home were allegedly being picked up randomly from different locations in the State and even some minor sex workers from Nepal were being brought here. Yet, no action was taken because members of the child welfare committee who are supposed to monitor the shelter were hand in glove with this whole operation.” This was further confirmed to me by a lawyer close to the investigation who wished to remain unnamed. The lawyer said and i quote “There was one girl, who was kidnapped when she went to her mother to the district hospital. She was then taken to this shelter home. She knew who her mother was and the town she came from but this was not looked into by the CWC deliberately.”

This part is important. And to understand why the atrocities in Balika Griha continued for so long, one has to understand the role that a child welfare committee plays. Child Welfare Committees are the most critical district-level bodies for ensuring appropriate implementation of the JJ Act. By law, these committees are empowered to be the final authority for taking decisions towards the care, protection and rehabilitation of the children who are in shelter homes. This means they are also responsible to ensure that their basic rights and needs are fully met.

The JJ Act empowers the CWCs to function as a Bench of Magistrates that means the powers of a CWC are equivalent to the powers held by a Metropolitan Magistrate or, as the case may be, a Judicial Magistrate of the first class as conferred by the Code of Criminal Procedure (CrPC). But the CWC members hold this power as a bench and not on an individual basis. One of the core duties of a CWC is to visit each institution where children are sent for care and protection or adoption at least once every three months to review the condition of children residing there, with the support of the State Government and suggest necessary action. They must also monitor the associations and agencies within their jurisdictions that deal with children in order to check on the exploitation and abuse of children. What this means is that the CWC is directly responsible to oversee the organisations and NGOs that are being recognised by the State govt to look after children.

Interestingly, two days after the girls at the shelter home were moved out, one Ramesh Kumar, who was a secretary of another NGO run by Brajesh Thakur wrote to the SP of Muzaffarpur requesting that an FIR not be registered against the ngo and said the allegations being levelled were all false. The employee who spoke to me under conditions of anonymity also says that there were 60 inspections of Balika Griha which had taken place in the five years of its existence. This was quoted by Ramesh Kumar in his letter. Interestingly, Ramesh Kumar was never to be found by the SSP.

Shama Sinha: you will be surprised that in Bihar, most of the children welfare societies were running illegally.

This is Shama Sinha, an advocate in Patna High Court. She had filed a PIL in the High Court seeking to transfer the Muzaffarpur shelter home investigation to the CBI. When I met her in Patna and she pointed out how the child welfare committees were nearly defunct in Bihar.

Shama Sinha: because child welfare society that committee that is as per the law is for 3 years tenure but most of the child welfare committees had completed their 3 years long back some members had resigned and some are running with 2 members some with 1 member so whatever orders they were passing with respect to these children or the inquiry they were conducting with respect to the children was illegal any order which was passed to send these children to any children home was an illegal order because they had become function officio long back and the court was and there was a case going on with respect to these child home welfare committees and there was a stay on that and state had not taken a single step to ensure that stay is vacated and that case is concluded because it was a very serious matter and it was not a normal recruitment it was related to children but they were not bothered from last 2 years one case was pending the child welfare committees which were run which were existing they had no power to pass any order they might have been implicated them or they might have i think some of the members are the accused but then also but whatever things were happening even throughout the state the orders passed by any of the children welfare committees were illegal until date i don't think they have set that right.

I also spoke to Santosh Singh about this who told me that in this particular case, many Child Welfare Committees too were dissolved across neighbouring districts around the time the Muzaffarpur case was unfolding.

Santosh Singh: dekhiye isme hum aapko bataye ki Muzaffarpur shelter home me ke paas me zila hai samastipur aur madhubani is khabar ke dauran hum bataye ki iss khabar par hum kaise lage hue the, Madhubani se lagataar humko feedback mil rahi thi ki Madhubani ki kuch ladkiyan muzaffarpur shelter home me aayi thi wo pregnant ho gyi thi toh CWC wale log jo the wo us waqt hmare sampark me the wo humko bataye logon ko laga ki wo CWC ne aapatti dayar kardi kya aap hum jo aapko ladki bheje wo ladki pregnant kaise ho gyi? Hungama shuru ho gya in logon ne Samastipur aur Darbhanga ke CWC ko hata diya dissolve kr diya aur kaha ki jo bhi bach gya in zilo me aas paas ke uttar Bihar me jo bhi ladkiyan aayengi uska CWC monitoring karenge Muzaffarpur monitoring aur Muzaffarpur iss khel me maahir tha iske saath wo compromising attitude me the wo mohiyaa karaate the isliye wahan pe sab kuch chal raha tha theek thaak matlab cheezein saamne nahi aa rahi thi lekin CWC ko agar fire kr diya jaaye matlab aap agar 5 saal ke liye kyunki usme sensibe sangathan ke log rehte hain jo nyaay ki padhai kiye hain aise log rehte hain har log shaamil ho jaye badi mushkil hai ye, mahilaayein bhi hain toh humko lagta usko badi mazbooti se laagu kiye hain wo bhi puppet ho gya hai mantri ka samaaj kalyaan vibhaag ka puppet ho gya hai jisko chahiye ki usi ka member bana de wo apne tareeke se cheezon ko dekh rahe hain balki wo bacho ke welfare ke liye hai bacho ko sab kuch behtar tareeke se mil raha hai ki nahi uske welfare ke liye hai lekin wo lag jaate hain adhikaariyon ke welfare me aur wahan cheezein alag tareeke se chalne lagti hain.

Translation: See, there is a district called Samastipur and Madhubani near Muzaffarpur Shelter Home. During this news, I was continuously getting feedback from Madhubani about the case, that some girls of Muzaffarpur Shelter Home who came here got pregnant. I was also in touch with the people from CWC, who had objected to the girls getting pregnant. This incident had led to dissolution of CWCs of Samastipur and Darbhanga, and it was said that all the girls from North Bihar will be monitored by the CWC of Muzaffarpur. And, Muzaffarpur was already professional in this game, they used to offer, that is why everything was going fine there and nothing was coming out. The CWC has also become the puppet of the ministers, they choose the members according to them. They are not looking at the welfare of the children but the welfare of the officers and that is how wrong practices take place at shelter homes.

Two CWC members Dilip Verma and Vikas and the appointed child protection officer Rakesh Raushan have been charge-sheeted in this case. It is therefore not surprising that despite social welfare officers having visited the Balika Griha 60 times over its five years existence, the web of silence remained.

In fact, on March 7 of that year, the Committee had presented a very positive report on the shelter.

Another state department welfare officer too has been accused of negligence, for not acting on the complaints made by the children. Documents accessed by Suno India show how one minor victim after another have provided gruesome testimonies of being drugged and sexually assaulted; of being beaten and raped viciously by the CWC members and the child protection officer. Victims would wake up with severe pain “down there” and of being beaten up. Of being taken to a ‘hotel’ and sexually violated. Known to the girls as “head sir”, Dileep Verma has been named in multiple girls testimonies.

The case got murkier when it was alleged that the Chandrashekar Verma, husband of the former minister of social welfare Manju Verma, was involved in the case. Phone records had revealed that Chandrashekar Verma and Brajesh Thakur had spoken multiple times in the months leading up to the scandal. However, Manju Verma and her husband were later arrested under a completely different case under the Arms Act.

So how did this shelter home and those running it get away with their crimes for so long? Because no one said anything. Not a whisper. What action then could one expect when no one was complaining? Back in Muzaffarpur, when I attempted to speak to the neighbours, I met with cold reactions. One woman who lived in the house adjacent to the Balika Grih said “we want to forget all that happened here” but refused to say more. Others simply said they had no idea what was going on as they could not see into the house and only heard sometimes girls crying. “Woh ladkiya pagal the- wohi hume bola gaya tha” said a shopkeeper who had a small stall at the end of the road.

Photos that were clicked inside the shelter home before it was demolished show how it had a labyrinth of stairs and secret doors through which the girls would be taken out and driven to unknown locations. “When the case came to light and we went to the shelter home, we saw blood spatters on the wall,” quoted the employee. The victims' testimonies confirm that the girls' were often ruthlessly beaten by the ‘house mother’ and the other women working in the shelter home and sometimes even Brajesh Thakur.

So how did a social audit by a group of researchers throw up this scandal along with others when over 60 inspections didn't reveal this? Was it a case of willfully turning a blind eye or were the girls truly not revealing anything?

In our next episode, you will hear from Tarique Mohammed from TISS who led the team that conducted the social audit, to understand more about the audit itself and how it was carried out & how his team found out these grave violations.

Tarique: Now if a home has 50 children and it is completely quiet, for us that was a concern.

You will also hear more from Shama Sinha, advocate, Patna High Court who talks about the ways the State fails these children and the ways in which rehabilitation can take place.

Shama Sinha: Because the basic concept of the Juvenile justice act is to reintegrate the children in the society but by keeping these children in the children's homes giving the contract to some people some NGOs who has no track record or some are related to politicians or to some bureaucrats and it has become of late a money making machine.

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