

Transparency and Responsibility in NREGA

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ABSTRACT

Under National Rural Employment Guarantee Scheme in September 2005, Government of India got passed the National Rural Employment Guarantee Act in the Parliament. Through this Act, a member of a rural house hold was to be provided job for at least 100 days in a financial year, as an unskilled worker (labourer). This was guaranteed under the Act. Thereafter Government of India issued a guide and the scheme was launched on February 2, 2006 in 200 districts of the country. In the first phase this scheme was launched in 22 districts of Uttar Pradesh. For transparency and Responsibility in NREGA, Social audit is an effective tool. It returns to the poor and deprived people its right of ownership alongwith democratic awareness. Social audit is such a process which promotes mass awareness and also ensures people's participation. For ensuring transparency and responsibility, people's involvement is a must and it will be tickle down to the lower levels only when the process of social audit is adopted and done through citizens, groups and gram sambas. The most interesting finding of this research is the possibility of a new paradigm for the relationship between state agencies and civil society organisations. The state itself hes commissioned civil society organizations to ensure transparency and responsibility in the working of NREGA through the process of social audits. CSOs are encouraged to bring out into the open instances of corruption and maladministration in the state machinery itself. In a sense, this model involves both conflict and cooperation with state agencies and therein lies its uniqueness. As we approach the second anniversary of NREGA in February-2008 there may be lessons to be learnt from the experience of Andhra Pradesh for other states.

1. INTRODUCTION

Under National Rural Employment Guarantee Act (NREGA) Release of central Assistance of Rs. 166.45 Lakhs was given to Meerut district of Uttar Pradesh as first instalment for the implementation of the NREGA during the current financial year 2009-2010.

The National Rural Employment Guarantee Act came into existence on February 2, 2006. In the beginning, it was implemented in 200 districts of the country. In the second phase beginning 2007-08 it was further extended to 130 more districts for implementation. As announced by the UPA government, from April 2008 this Act will be introduced and implemented in all the districts of the country. For proper implementation of the Act Union Government has formulated a set of rules and regulations. The State Governments have also to follow suit and frame rules and regulations for

- proper implementation of the Act in their
- respective areas. In the chapter 10 and 11 of
- the rules and regulations enacted by the
- Centre and Jharkhand mention has been
- made to ensure transparency, responsibility
- and accountability. Before going into the
- process of social audit, it is essential to know
- the rules and regulations especially chapter
- ten and eleven. According to the rules, the
- authority of social audit has been entrusted to
- the Gram Sabha but in Jharkhand no body
- had any knowledge about social audit with
- the efforts of some progressive people's
- organisations and non governmental
- organisations people came to know about
- procedure of social audit for creating
- awareness about social audit, organization
- like MKSS (Majdoor Kisan Shakti
- Sangathan) and Parivartan played significant
- role. After concluding social audit at national
- level in Dungarpur of Rajasthan and
- Ananthpur district of Andhra Pradesh, the
- same was introduced in Ranchi district of

Jharkhand and Son Bhadra, the most backward district of Uttar Pradesh along with community (mass) hearing (Jan Sunvai). The following date record can show reel progress report of district Meerut undeveloped NREGA. The new name of NREGA is Mahatma Gandhi National Rural Employment Guarantee Act for the financial year 2009-2010.

2. THE ANALYSIS

Various people organizations and non-governmental organizations engaged in Jharkhand formed together a common platform "Jharkhand NREGA watch" and through this plot from social audit and mass hearing was organized. For social audit, the exercise had begun from the first month of the year 2007. After several meetings, the date of social audit was finalized and to make the programme successful, required informations

- were arranged with the cooperation of the
- deputy commissioner. For this purpose 15
- village panchayats, four blocks of Ranchi
- (Mandar, Angada, Khimti and Kanke) were
- selected. For social audit of these 15
- panchayats selection of schemes and related
- informations viz muster roll, measurement
- diary, bills and voucher of purchased articles,
- job order, estimates, approval of gram sabha
- or a copy of gram sabha resolution etc.)
- were collected before hand.

The process of social audit was fixed from May 6th to May 24, 07. In this social audit, representatives from each district of the state along with more than 300 representatives from various states of the country participated. Students of Jawahar Lal Nehru University, Delhi, Delhi University, Delhi and Kerala University also extended their co-operation in special way, in this

Monitoring Format For Employment Generation Monthly Progress Report Under National Rural Employment Guarantee Act (NREGA)

S. No.	District	Cumulative No. of HH issued job cards (Till the reporting month)				Cumulative No. of HH demanded employment (Till the reporting month)	Cumulative Labour Budget estimation of employment provided (Till the reporting month)	Cumulative No. of HH Provided employment (Till the reporting month)	No. of HH working under NREGA during the reporting month
		a SC	b ST	c Other	d Total				
1	Meerut	15199	0	12155	27354	8160	14233	8160	3156

Monitoring Format For Monthly Progress Report On Physical Performance Indicating Assets Created Under NREGA During The (Year)

Districts	Month	Works/Activities Rural Connectivity {Rural Connectivity, etc to be indicated separately}		Flood Control and Protection {Drainage in water logged areas, Construction & repair of embankment Other, etc to be indicated separately}		Water Conservation and Water Harvesting {Digging of new tanks/Ponds, percolation tanks, Small Check Dams, Others, etc to be indicated separately}		Drought Proofing {Afforestation and tree plantation Others, etc to be indicated separately}		Micro Irrigation Works {Minor Irrigation Canals, Others, etc to be indicated separately}			
		Nos. (Km.) Expenditure		Nos. (Km.) Expenditure		Nos. (cu.mt) Expenditure		Nos. (hect.) Expenditure		Nos. (Km.) Expenditure		Nos. (hect.) Expenditure	
		Completed	Ongoing	Completed	Ongoing	Completed	Ongoing	Completed	Ongoing	Completed	Ongoing	Completed	Ongoing
Meerut	01	84	68	5	18	954	311	13	17	0	57	4	
		21.43	17.73	3.01	6.54	43310	44434.35	0.5	54.39	0	298	1.69	
		39.49	25.66	1.01	8.62	97.57	66.04	0.82	4.1	0	96.18	1.69	

**Monitoring Format For Monthly Progress Report Under NREGA
(Financial Performance)**

S. No.	District	O.B. as on 1 st April of the year	Release of the last year received during current year		Release during current year		Misc. Receipt	Total Availability	Cumulative Labour Budget Estimation of Total Expenditure (Till the reporting month)	On Wages	
			Central	State	Central	State				a	b
			a	b	a	b					
1	2	3	4		5		6	7	8	9	
1	Meerut	194.706	0	0	466.45	0	0.469	661.625	836.8	216.819	4.246

Capacity Building Personnel Report

District	Month	Gram Panchayat Level Gram Rozgar Sahayak		Accountant		Block Level Engineers/ Technical Assistants		Programme Office	
		Target	Achievement	Target	Achievement	Target	Achievement	Target	Achievement
1	2	3	4	5	6	7	8	9	10
Meerut	1	459	0	12	12	92	0	12	12

Capacity Building Personnel Report

District	Month	Gram Panchayat Level Gram Rozgar Sahayak		Block Level							
				Accountant		Engineers/Technical Assistants		Programme Office		Computer Assihievement	
		Nos. To be Trained	Nos. Trained	Nos. To be Trained	Nos. Trained	Nos. To be Trained	Nos. Trained	Nos. To be Trained	Nos. Trained	Nos. To be Trained	Nos. Trained
1	2	3	4	5	6	7	8	9	10	11	12
Meerut	1	459	0	12	12	0	0	12	24	24	24

Bank And Post Office Report

District	Month	No. of Bank Account		Amount of wages Disbursed through bank Accounts (Rs. in lakhs)	No. of Post Office Account Opened		Amount of Wages disbursed through post office Accounts (Rs. in lakhs)	Total Accounts		
		Individual	Joint		Individual	Joint		Individual	Joint	Total
		1	2	3	4	5	6	7	8	9=3+6
Meerut	01	16077	40	215.895	400	0	0.924	16477	40	16517

Transparency Report

District	Month	Must Roll Verified		Social Audit		Inspections Conducted			Gram Sabha Held			Complaints
		No. of Muster Roll Used.	Verified	Total Gram Panchayats	No. of GP where social Audit held	Total Works Taken up	No. of Works Inspected at District Level	No. of Works Inspected at Block Level	Total Gram Panchayats	No. of Gram Sabhas held	No. of VMC meetings held	
Meerut	01	2390	670	459217	1754	51	554	459	426	232	26	13

social audit. To brief about the process social activists like Prof. Jean Drez, Aruna Roy, Anne Raja, Nikhil De, Girish Bhugda,

: Balram, Gurjeet and Karuna and Soumyaji of the rural development ministry of Andhra Pradesh were also present. A three day

training programme of all participants has held at Ranchi's Panchayat. Raj Training Centre Bombay from May 13 to May 15, 2007.

All these trained participants were divided into 15 groups and were sent to 15 panchayats for conducting social audit and mass hearing. With the co-operation of gram sabhas these groups carried out their job with responsibility. All the 15 groups together conducted social audit of 88 schemes and came across several irregularities which were put up before the officers of district and state level in the mass hearing (open house) by the villagers. Some of the important points are as follows :

- (i) Non payment of full wages (due) emerged as the most significant problem.
- (ii) During inspection at all places of work, the workers complained of non-payment of full wages. At some places it was due for 15 days and at some places wages were not paid even for more than three months.
- (iii) The issue of payment of wages less than minimum wages also across at all places.
- (iv) Cases of a single worker having two job cards also came up.
- (v) No provision was seen for treatment of workers getting injured while working on job.
- (vi) Workers at any job-site were not aware of the first aid kits, though it was available.
- (vii) In the estimate, separate rates were mentioned for different types of soil and at different stages, but the labourers were not paid as per estimate.
- (viii) Bogus attendance was found in muster rolls and job cards in all places.
- (ix) The post master took bribes from Rs. 70 to Rs. 150 from labourers for opening accounts in post office in their names.
- (x) There were no notice boards at many job sites.
- (xi) More than half of the works were found stopped for more than one month, with out any important reason.
- (xii) Handicapped passons were not provided any sort of jobs at any place. Neither any job

- card was issued to any such person.
- (xiii) Job cards were also not seen in favour of women.
- (xiv) Many families were deprived of Job cards in spite of passage of an year. No work was offered despite demand; even their applications were not accepted.
- (xv) Families deserving unemployment allowance are being regularly cheated.
- (xvi) Work began in Feb., 07, but job card was issued in April of the same year in the Latarjang village under Shiladon Panchayat of Khunti block.
- (xvii) All most at every job site, the job cards of the labourers were found with the agents.
- (xviii) In the Saarl Village of Sirsa Panchayat in Angada block against the name and signature of Babita Kumari, as per muster roll no. 51890, payment of wages for 6 days has been showed as paid, which is completely false, because Babita Kumari is a regular student of class VI and she is not a labourer.
- (xix) In Nauadiya Village under Tanti Panchayat of Angada block, some works were found to be incomplete and closed. Against the estimated work of Rs. 119400/- Job worth of only Rs. 26000 was done. Out of this only Rs. 19500/- have been paid and rest is unpaid till date.
- (xx) Almost at every place, nominations in the muster roll were found to be in the names of heads of families, but other members of the household also worked., This fact was not mentioned in the muster rolls. Payment of wages to the women was also shown against the head of the same household.
- (xxi) At almost every place, It was found in general practice that name of a single person was mentioned more than once in the muster roll.
- (xxii) From Badkargi village under Murahi Panchayat of Khunti block, Some villagers had left the village and had gone away. Here payment of wages of labourers for construction of a tank is due. The work was

stopped as the department (Government Official) could not make funds available in time. Due to all round pressure of the labourers, the agent Khudiya Munda mortgaged his personal land and made partial payment to the labourers.

(xxiii) In Kumkuma village of Shiladon Panchayat under Khunti block at a time 3 schemes (1 tank and 2 irrigation well) were approved by the block, though there was no demand for any work from the labourers there. Neither the schemes were sanctioned by the gram sabha. This was found to be an outcome of the connivance between government employers and middle men.

(xxiv) Gram Sabha in the Chukdu village of Shiladon Panchayat, proposed several schemes on priority basis. But the block office preferred other schemes and this dishonoured the decisions of the gram sabha.

(xxv) The engineer and the gram sevak, in Karge village of the same Shiladon Panchayat, had shown false measurements in the M.B. (measurement book) and withdrew the money for earth work without doing anything.

(xxvi) Ten women in Shemata village of Shiladon Panchayat had worked on different days to serve drinking water to the labourers. Their attendance was registered but none of them was paid any wages. They were told that there was no such provision in the estimate. It is a blatant violation of the Act. During the entire process of social audit, basic facilities like creches for small children, shelter for resting of labourers, water and first aid boxes were not found any where.

(xxvii) An estimate in the Saudag village under Shiladon Panchayat, for a new tank, was prepared for Rs. 316600/-. But the same was not constructed instead old tank was shown as the new one after repair and renovation. The gram sabha was unaware of the new work. The social audit team exposed the fraud committed with connivance of engineer, panchayat sevak and other

employees who had tried to usurp the money meant for new tank just by incurring little amount on the face lift of the old tank.

(xxviii) The construction of a tank in Tilma village under Khunti block, was undergoing on the plot of one Birsa Munda. Just a day prior to the visit of social audit team to the village, a cheque for Rs. 23733/- issued on 30-03-2007 was released to Birsa Munda. He got it on 17-05-2007.

(xxix) On May 20, 2007, in all the 15 Panchayats simultaneous mass hearing (open house) was held in which villagers took part in thousands. Representatives varying from block level to the state, took part in the open house and experienced first hand the people's problem and report of the social audit. In those open houses actions were taken on the spot to rectify the various irregularities. The next day, that is on 21-05-2007, the social audit was done in the four block offices. During this process, the panchayat level report was presented and peoples problems were brought to the notice of all. Representatives ranging from district to the state and national level took part in this block level social audit. Instructions were issued to remove all complaints and problems on the spot, in the open house. Besides, all the documents pertaining to the social audit were handed over to the deputy commissioners. During this social audit, the Central team and Jharkhand NREGA watch offered many suggestions to the State Government for rectifying several irregularities and anomalies.

1. Even after passage of 15 months, no officer or employee has been appointed to implement the National Rural Employment Guarantee Act in the scheme. Due to this size thousand posts are vacant in the state. Efforts should be made to fill in those vacancies immediately.

2. During this exercise it was found that the irregularities in measurement and lack of timely measurement aggravated the harassment of the labourers. Rate of wages

which were fixed according to the different types of soil and different levels, were not being paid to the labourers. It is therefore, necessary to fix uniform, rates in the state after doing a proper study.

3. Complaints of late and delayed payments, less wages and no payment of wages were noticed at every place during social audit. To get rid of it orders must be issued at once to open savings bank account of all labourers in the local/nearest post office, get opened account of each and every worker and regularise the fund flow system.

4. In the absence of panchayats elections a great deal of difficulty is being faced in the implementation of the Act that is NREGA. In each village the agents appeared to be more powerful than the gram sabha. The involvement of each gram sabha must be ensured in decision making and monitoring. It will increase transparency and responsibility of officials.

5. To raise the level of transparency and responsibility of officials. Officials' instructions should be issued making compulsory to keep and maintain all related informations and facts like muster roll, copy of measurement book, attendance register, estimate, work order and notice board etc. at each job site, so that the monitoring committee and other citizens can access to the details of the work.

6. On the social audit report submitted by the central team and Jharkhand NREGA Watch, the deputy commissioner taking an immediate action constituted a 15 member enquiry committee. The enquiry committee submitted its report with in seven days to the deputy commissioner. On the basis of the report he registered cases against 16 employees and 5 office bearers.

As regards to the postal employees, the Head Post Master was requested to take suitable action against them. The deputy commissioner of Ranchi ordered for action against officials of other departments also. Two engineers of Khunti, post master of

Jonha and a few panchayats sewaks were also suspended.

Afterwards, on May 23, 2007 one important meeting was organised in Jharkhand's capital, Ranchi to consider the social audit reports, their conclusions and suggestions. The meeting was attended by the Joint Secretary, Ministry of Rural Development Govt. of India, Principal Secretary, Rural Development Ministry, Govt. of Jharkhand, member of National council of NREGA, members of planning commission, all the deputy commissioners of the state, block development officers, intellectuals and representatives from social and civil organizations among other govt. of Jharkhand issued several instructions after considering the reports of social audit on behalf of the Rural Development Ministry of Jharkhand also instructions were issued for compliance.

1. Principal Secretary, Government of Jharkhand issued instructions to all the deputy commissioners for conducting social audit in their respective districts.
2. The term 'Agent' should not be used anywhere, as this Act, (NREGA) does not allow it. There can be no contractor under this Act. At all the job sites, creches for small children and water-boys or maids must be arranged for serving water to the labourers.
3. All formalities for the appointments must be completed within three months.
4. Pending Wages must be paid to the labourers immediately.
5. On May 24, 2007 members of the (convening) organising committees of NREGA council and Jharkhand NREGA Watch met the Chief Minister and members of his council of Ministers along with all the reports of the social audit and discuss with them the new strategy for social audit to be done in future.

Social audit is such a process which promotes awareness and also ensures people's participation. For ensuring transparency and responsibility, people's

involvement is a must and it will tickle down to the lower level only when the process of social audit is adopted and done through citizens groups and gram sabhas. To make exercise popular, it is essential that social audits should be done on regular basis and the rural people should involve themselves fully in it for physically verifying the schemes. For restoring real democracy it is necessary that people should be given right of ownership. In this sense social audit is an effective tool which gives in return to the poor and deprived people its right of ownership along with democratic awareness.

3. CONCLUSION

In view of the cited scenario, irregularities, anomalies and problems, we can unhesitatingly say if social audit is done properly and certain instructions given by Central & state Govt. are followed this scheme under NREGA may be a life line and a ray of hope to the poor people in rural areas of India If special attention is paid to Job Cards, muster rolls and the monitoring and information system (MIS) much more transparency and responsibility in implementation of NREGA may be experienced and felt. NREGA / Mahatma Gandhi National Rural Employment Guarantee Act is the united Progressive Alliance (UPA) Government's flagship programme and they hope to gain political mileage in the coming elections. That is pershaps one of the main reasons why NREGA has been fast tracked and will be implemented throughout the country by 2008. The earlier plan was a phased one where there would be a progressive implementation

The opponents of NREGA were very critical when the Act was in the final stages of being drafted as it was felt that corruption would be rampant and scarce resources would be wiped out with out any real benefit to the poor. Interestingly, while there are reports of corruption in NREGA across the country, these are necessarily "petty"

corruptions and not found on a "ground" scale which was the case with other poverty eradication and employment generation programmes. And the main reason for this is the transparency and responsility measures that have been integrated in the Act and in the operational Guidelines issued by the Government of India of these, social andit is a keytool. However, good intentions are not enough.

Much more needs to be done. If the Government of India seriously wants to ensure transparency and resposibility, then it needs to provide additional resources separately for social audit and not expect funds for social audit to come out of administrative support costs as is currently the practice. State governments do not have the capacity to initiate social audits on their own. In many states, NGOs are at loggerheads with the state on other issues and there is no trust between civil society organization and the state. Even where there is trust, there is no capacity, either with in local CSO or with in the state machinery. What is required incapacity. Building on a massive scale, which goes beyond manual and tool kits and provides hands – on training to core groups of trainess from with in the government and its training institutions and CSOS in every state. Inter state and intra state exposure visits and training programmes on an ongoing basis need to be supported.

The new paradigm of relationship between state agencies and SCOs deserves to be explored more thoroughly in the wide range of socioeconomic and political contact to be found in different states. Both sides need to rethink their positions and attitudes and allow this new paradigm an opportunity to prove itself. Otherwise, as pirations towards transparency and responsibility, which depend to such a great extent on this partnership, will remain unfulfilled.

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