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IMPEDIMENTS AND BOTTLENECKS IN IMPLEMENTATION OF EMPLOYMENT GUARANTEE SCHEME (MGNREGA) IN THE SCHEDULED AREAS OF JHARKHAND, INDIA

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ABSTRACT

India is one of the several fast growing economies of the world. Despite this, poverty is still pervasive in the nation, especially in rural areas where almost 70% of India's 1.3 billion people dwell. For combating this debauched scenario, a wide range of poverty alleviation policies have been introduced in the country since the liberation of the country from the colonial regime. Among them, the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) scheme outruns all the existing arrangements and stands out as the largest poverty alleviation scheme operational in the country. There is no denying that the scheme is outstanding in its vision, but due to certain loopholes, it has been partially successful in achieving its goal of eradicating poverty. The present paper backed with empirical evidences from a rural and tribal setup of Jharkhand, attempts to assess the institutional and non-institutional bottlenecks and impediments which are encumbering the accomplishment of the desired mission and vision of the scheme at the grass-root level. It also endeavours to forward a few recommendations for policy makers for enhancing and improving the implementation of the said scheme.

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INTRODUCTION

The term 'poverty' is a complex socio-economic state, indicative of a state of economic deprivation and inefficiency to maintain the bare minimum necessities of life, falling below the minimum standards of modest living (Niemi, 2011). India is one of the developing, but still a relatively poor nation of the world. On parameters like hunger, clothing, shelter, health and education, the country is significantly low in the ranking of Human Development Index (Antony and Laxmaiah, 2007). After independence of the nation in 1947, one of the major challenges in front of the government was to decrease the existent poverty in the country. For this, several committees were constituted time and again and based on their recommendations, steps for alleviating poverty were initiated by the government. However, a persistent problem in all the cases was the determination of parameters for identifying poverty, that is "who shall be declared as 'poor'?" was to be worked out at the outset before implementation of the schemes. For this various committees, bodies and models were instituted by the past governments.

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The National Sample Survey (NSS) attempted to measure poverty by using nation-wide household surveys (National Sample Survey Organisation, Report, 2006). The Tendulkar Report insisted on accessibility to essential goods and services circumscribing health, education, durable goods and entertainment as the parameter for determining poverty (Perspective Planning Division Report, 2012). Envisioned to be conducted every 10 years, the Ministry of Rural Development initiated the Below Poverty Line (BPL) Survey in the year 1992, for identifying the BPL households in rural areas. Initially, it used the annual family income for classifying the poor, but later on in the year 1997, the survey changed its criteria from income to consumption. Further, in 2002, the model of Score Based Ranking (SBR) for each household, indicating quality of life in every family, became the determining criteria (Perspective Planning Division Report, 2012). Later on, the N.C. Saxena Committee, in its report recommended for sticking on to just five parameters viz. community, land ownership, occupation, education and old age or illness, for identification of the poor on a scale of zero to ten (Economic and Monitoring Wing, 2009). Currently, almost 22% of the rural population and 15% of the urban population of the country, is combating the dreadful situation of 'poverty' and has been placed below the Poverty Line (Zilova et al. 2014).

This phenomenon is not uniform across the country. The poverty level is around 10% in the provinces of Delhi, Goa, Punjab etc., while it is nearly 60 % in the states of Bihar, Jharkhand and Odisha (Zilova *et al.*, 2014). According to the country's 11th National Development Plan, more than 300 million people in India are poor and the country has been successful in reducing the proportion of poor people from about 55 per cent in 1973 to about 27 per cent in 2004. Still, poverty remains a chronic condition for almost 30 per cent of India's population. Certifying the same, the report of UN's Millennium Development Goals, also projects a figure of nearly 300 million people, dwelling in extreme poverty in India and facing deprivation in terms of access to basic services, including education, health, water, sanitation and electricity. Thirty years ago, India accommodated one-fifth of the world's poor, but now it has become the home to around one-third of the world's poor people. This means, the nation has now more number of poor, than thirty years ago (World Bank Study, 2013).

Poverty Alleviation Schemes in India

Based on the recommendation of the different instituted committees and conglomerating it with the different norms for measuring it, the past governments, initiated several plans and programmes to overcome the issue of poverty. The National Rural Employment Programme (NREP) was launched in 1980. It aimed to create employment opportunities by building and maintaining community assets like village roads, ponds, wells etc. Later on this programme was merged with the Jawahar Rozgar Yojna (JRY) in 1989 (Gaiha, *et al.*, 1998). The Rural Landless Employment Guarantee Programme (RLEGP) programme was initiated in the year 1983. The main objective of this programme was to provide 100 days of assured employment in a year to rural landless labour families. This scheme was sponsored by Union Govt. However, in 1989, this programme was also merged in the Jawahar Rozgar Yojna (Bansil, 2006). The main objective of this merging was to create additional employment for rural under-employed and unemployed by releasing funds directly to the village *Panchayats*, which would initiate programmes according to the local needs of the region and people.

It was a Union Government sponsored programme and expenditure was shared between the Central Government and the respective States Government in the ratio of 80:20. In the year 1999, Jawahar Rozgar Yojna was renamed as Jawahar Gram Samridhi Yojna (Jain, 2001). Later on, aiming to remove seasonal unemployment, the Employment Assurance Scheme (EAS) was launched by the Indian government in 1993. It was a demand based employment assurance scheme under which 1772 blocks of different states of the country were brought under coverage. It aimed at providing 100 days of work for unskilled physical workers in rural areas during non-agricultural season. Similar to the Jawahar Rozgar Yojna, the funds for this scheme was also shared between the Central Government and the respective States Government in the ratio of 80:20 (Lalnilawma, 2009). Moving ahead, the Prime Minister's Rozgar Yojna (PMRY) was launched in the year 1993. It was a self-employment scheme meant for the educated unemployed youth. It targeted families which had an annual income of less than Rs. 25,000 INR. Under this, each

educated unemployed youth was eligible for loan of Rs. 100,000 INR to start a small business (Goyal, 2000). Postliminary, the Jawahar Gram Samridhi Yojna (JGSY) was initiated on 1st April 1999, to create rural infrastructure, like roads, bridges, etc.

The main aim of the scheme was to create wage employment for the unemployed rural youth (Sethi and Andrews, 2012). Almost simultaneously, the Sampooma Gramin Rojgar Yojna (SGRY) scheme was introduced in September 2000 with an objective to provide gainful employment and food security to villagers. Later on, the Employment Assurance Scheme (EAS) and Jawahar Gram Samridhi Yojna (JGSY) were merged into this scheme because of their common objective (Karuppaiyan, 2002). Apart from these, there were several other initiatives as well, which, either directly or indirectly, aimed to reduce and alleviate poverty. Some of them were Integrated Rural Development Programme (IRDP), Indira Awas Yojna (IAY) and the Training of Rural Youth for Self-Employment (TRYSEM) (Goel, 2007).

MGNREGA - Mahatma Gandhi National Rural Employment Guarantee Act

It was in 2005, when for the first time a public wage programme mandating the rural households and adult individuals, with a right based approach to employment, came into existence. It came at a time when India was undergoing a severe rural livelihood distress. The NREG Act, 2005 was notified on 7th September, 2005. The Act came into force from February 2, 2006 and was implemented in a phased manner (Babu, *et al.*, 2014). During the first phase, 200 of the most backward districts in the country were taken up. In the second phase, an additional 130 districts were added and later on in the third and the final phase, all the remaining rural districts were covered under the Act, with effect from 1st April, 2008 (Ministry of Rural Development, 2010). The Act, in honour of the legendary Mahatma Gandhi, was later on renamed as Mahatma Gandhi-NREGA and currently all the districts of the country, except those which have hundred percent urban population, are covered under the said scheme.

It is a visionary flagship programme of the Government of India, which focuses on the development of rural areas by means of employment generation. The short-term objective of the Act aims to fulfill the need of casual employment and discouraging migration; whereas, the long term goal, aims to create sustainable livelihood measures for the future (Kumar, 2011). As per the report of Planning Commission, the scheme has created three billion person-days of work in 2009-10 against 86 million person-days in 2003-04 through other programmes (Singh, 2010). There is no denying that MGNREGA has brought a silent revolution in many ways in rural India, than one. The scheme assures employment guarantee to the rural citizens, which comprise a substantial section of the Indian mass. Catering to such a large population, MGNREGA is often stated as the largest functional employment guarantee programme on the globe aimed to guarantee 'right to work' for poverty alleviation and social security (Sharma, 2013). It aims to ensure livelihood security in rural areas by providing at least 100 days of wage employment in a financial year to every household whose

adult members volunteer to do unskilled manual work. Apart from this, members of Scheduled Tribe who have received land rights under the Forest Rights Act, 2006, shall qualify for extra 50 days of work under this scheme (Press Information Bureau, 2014). The programme, apart from economic security, also envisions creating rural infra-structure, empowering rural women, and fostering social equity (Mahato and Roy, 2015).

Study Area, Data Collection and Adopted Methodology

India, as a political and administrative entity, consists of 29 states and 7 union territories. Jharkhand is one among the 29 states of India. The industrial city of Ranchi is its capital and Dumka has been designated as its sub-capital. The state is divided into twenty-four districts among which Ranchi is one amongst them. Demographically, the district has a major chunk of tribal population and all the 18 blocks under the district have been categorized as 'Scheduled Area'. It has been notified in 'The Scheduled Areas (State of Jharkhand) Order, 2007 as per the provisions mentioned under the 5th Schedule of the Indian Constitution (Gazette of India, 2007). Ratu is one of the administrative blocks of the district, which is located at about 16 km from the district head quarter, comprising of 14 *panchayats* covering 50 villages (website of Ranchi District). The current study has been carried out in the Bajpur *Panchayat* of Ratu Block in the month of February and March 2015. Under this *Panchayat*, there are four villages namely Hisri, Chouli, Bajpur and Pandra.

The samples and cases considered in the study belong to Chouli village, which is bordered by Bajpur, Bero, Tigra and Gudu villages in the east, Laddah village in the west, Chero and Prem Nagar villages in the southern direction and Pali and Pandra villages in the north. Chouli is a revenue village under Halka No-4 of Ratu Block. The geometric location of the village stances at Latitude - 23°22'01.97" N and Longitude - 85°09'37.86" E (Google Maps, 2015). The selected village, comprising of 58 households, acted as the universe for assessing the factors impeding the process of implementation of MGNREGA. For the collection of primary data, rapport was established in the village. The key people were identified through snowball sampling. After the baseline study of the village, data concerning influence of MGNREGA on the livelihood of villagers, changing pattern of income and expenditure, awareness about the scheme, changing pattern of migration, people's perception on quality of work, creation of assets, access to credit, impact on savings etc. were gathered by means of observation, schedule and case study techniques.

Structured interviews were carried out with the wage seekers, elected *Panchayati Raj* representatives, government personnel, key informants and other local leaders of the community. Genealogical table helped in quick gathering of information about the family members in the village households. MGNREGA office and worksites were visited for physical verification of the facts. Secondary data related to the research were gathered from The Gazette of India, Annual Reports, Online Journals, Books, Operational Guidelines, Circulars, Office Orders, Publications of the Ministry of Rural Development and the website of MGNREGA. Having empirical backings, the current study attempts to evaluate the mode of implementation of schemes under MGNREGA vis-à-

vis to the provision laid down under the concerned Act and its operational guidelines; assess the institutional impediments at different levels of implementation of MGNREGA and bring-out the non-institutional bottlenecks which are encumbering in achieving the desired mission and vision of the MGNREG Act.

Findings of the Study

Prima facie, the MGNREGA scheme appears to be very promising for alleviating poverty in rural areas. However, the current empirical study attempts to reveal the gloomy side of the picture. During the study, ample number of problems were identified, which were impeding the proper functioning of MGNREGA in achieving its determined goals. The identified issues have been classified into two broad categories, Institutional and Non-Institutional, the details of which are discussed hereunder.

Institutional Impediments and Bottlenecks in MGNREGA

The core problem concerning the Act is basically institutional in nature. There are a number of institutional problems relating to the implementation of MGNREGA, which has resulted into resentment, disappointment and dissatisfaction among the rural beneficiaries. A brief account of the institutional issues are:

Problem in Defining and Identifying a Household

Definition of 'household' is the primary issue in the implementation of MGNREGA scheme. According to the Article 2(f) of the National Rural Employment Guarantee Act 2005, household means "the members of a family related to each other by blood, marriage or adoption and normally residing together and sharing meals or holding a common ration card." However, as per the operational guidelines of MGNREGA, a household means "a nuclear family comprising of mother, father, and their children, and may include any person wholly or substantially dependent on the head of the family. Households will also mean a single member family." Due to ambiguity, the *Gram Panchayat* often treat joint families as one household and consequently provide only one job card per joint family. This is a major set-back which requires immediate attention.

Issues Related to Registration and Application

The paramount step for availing benefit under the employment guarantee scheme, is the registration of the household and/or the concerned individual. For this, the head of the family of the household or the individual has to give a written application to the *Gram Panchayat*. After positive consideration by the *Gram Panchayat*, the registered individual/s is/are entitled to work in accordance to the scheme. According to the Act, employment for a maximum of 100 days per household should be assigned in one financial year. However, tribals who have received land rights under the Forest Rights Act, 2006, will be eligible for an additional 50 days of wage employment under the rural scheme. They will be given a job card of a different colour to distinguish them from the other non-tribal MGNREGA workers (The Hindu,

2014). As per the operational guidelines of MGNREG Act, the application for registration must be given on a plain paper to the local *Gram Panchayat*, which should contain the information of the applicant such as the names of those adult members of the household who are willing to do unskilled manual work and particulars like age, sex and Schedule Caste or Scheduled Tribe status.

A door-to-door survey, conducted by a duly constituted committee has also been provisioned, to identify the persons willing to register themselves under the Act. The search committee comprises of the President of the *Gram Panchayat*, the elected ward members, SC/ST members, women representatives, a village-level Government personnel and the *Gram Panchayat* Secretary. As per the Act, registration should be open throughout the year at the *Gram Panchayat* office, during working hours to maximize the enrollment. In a first look situation, it seems to be very easy to be registered under the scheme, but it is not that easy as per the fact-findings during the field study. People have faced various hindrances in getting themselves registered. In numerous instances, it was found that villagers, due to official hurdles, have failed to provide the requisite documents required for the purpose of registration. For example, due to non-availability of birth certificate, the verification of age for identification as an adult member is a prominent problem in the village. Furthermore, till today, not even a single door to door survey was conducted by the *Panchayat*. Adding on to this, is the distant location of the MGNREGA office, which was always found to be locked in the entire tenure of field-study. Such irregularities are a major cause of improper implementation of the MGNREGA scheme.

Issues Relating to Job Cards

Job card is the most vital and necessary document for insuring work in the MGNREGA setup. It functions as an identity card, which contains the photograph/s of the members including their age, sex, address and community status. Without job card, a household or an individual is not entitled to work under the scheme. The job card also helps to prevent fraudulent job seekers. It also acts as tool for insuring transparency in the system. According to Schedule II (2) of the MGNREG Act "It shall be the duty of the *Gram Panchayat* to register the household, after making such enquiry as it deems fit and issue a job card containing such details of adult member of household affixing their photographs, as may be specified by the State Government". Additionally, it is the responsibility of the *Gram Panchayats* to look after the distribution of Job Cards as well. As per the scheme, the *Gram Panchayats* shall issue job card to every registered household. The photograph affixed on it should be laminated and the cost for which shall be borne by the scheme. After verification, the job card must be issued within a week.

The validity of the card shall be for 5 years and any complaint concerning non-issuance of job cards must be disposed-off within 15 days. The operational guidelines of MGNREGA states that, the *Gram Panchayats* will issue job cards to every registered household. The job cards act as a critical legal document to ensure transparency and to protect the job seekers against fraud, which must be issued in the presence of local

community members or villagers. A copy of the job card must also be maintained at the *Gram Panchayat*. In addition to this, there is provision for deletion or addition of members eligible for work in the job card. All addition and deletions made in the Job Card and Registration Register should be read out in the *Gram Sabha* meetings. However, in the village various instances were traced out which clearly states that the *Panchayat* does not follow the regulations related to job card. There are many examples concerning irregularities in distribution of job cards. As per the villagers, job cards are not issued in the proper time, which hampers their employment prospects. Several instances of non-laminated and even photo-less cards were also seen. Apart from this, there is no maintenance of record of the issued Job Cards. The deletions and additions, made in the Registration Register have never been read out in the *Gram Sabha* meeting, which itself is a rare event in the village. Furthermore, there is no existence of MGNREGA complaint register in the village.

Non - Observance of Employment Guarantee Day

To create awareness about the MGNREGA scheme and to discuss issues related to works, complaints, suggestion and queries, there is a provision in the Act, to observe the Employment Guarantee Day (Rozgar Diwas), once in a month. It is like a focussed group discussion in which people of the *Panchayats* come under the same roof and discuss about the developmental work for the village and the probable employment opportunities. The village representatives and the authorities associated with MGNREGA functioning are supposed to participate in this discussion. In addition to this, the operational guidelines of MGNREGA, clearly mandates that a particular day of the week must be specified for processing the work applications and related activities such as disclosure of work-order, allotment of work, payment of wages and payment of unemployment allowance. However, contrary to the guidelines, it was discovered that the employment guarantee day, was never observed. It was very astonishing as well as saddening that even the elected village representatives, who are directly associated with MGNREGA, were are not aware about this day. The Employment Guarantee Day holds paramount important because it provides a chance to the villagers to interact and discuss their issues with the officers associated with MGNREGA. This has resulted in creation of an institutional gap as well as rift between the villagers and the people connected with MGNREGA.

Inadequate and Sub-standard Work Quality

MGNREGA aims at provisioning the works in such a manner that, the employment opportunities in the area are increased and the development of the area is also boosted simultaneously. In this context, the MGNREG Act Schedule (I) (2) states that "Creation of durable assets and strengthen the livelihood resource based of the rural poor shall be an important objective of the scheme" and Schedule (I) (3) and (4) mentions that "the works taken up under the scheme shall be in rural areas and the state council shall prepare a list of preferred works for different areas based on their ability to create durable assets." Adding to this, the operational guideline remarks that MGNREGA resources should not be

used for land attainment. Land belonging to small and marginal farmers or SC/ST landowners cannot be acquired or donated for works under the programme. To avoid duplication, a unique identity number must be given to each work. Furthermore, as per schedule 1 of the Act, the focus of the Rural Employment Guarantee Scheme (REGS) shall be on works related to : water conservation and water harvesting; drought proofing, including afforestation and tree plantation; irrigation canals, including minor and micro irrigation works; providing irrigation facility to land owned by households belonging to the SC/ST; renovation of traditional water bodies, including desilting of tanks; land development; flood control and protection works, including drainage in waterlogged areas; rural connectivity to provide all-weather access or any other work that may be notified by the Central Government in consultation with the State Government.

Nine long years have passed, since the implementation of Act but till date only eight water-wells and one pond has been constructed under the scheme. Adding to the miserable state of affairs was the sub-standard quality of work. As per the villagers the sanctioning of work is very difficult. Villagers do not want to seek benefit because of its long and complex sanctioning process. Normatively, the sanctioning of work, is not at all a long and complex process but it is the elected representatives and the involved government personnel who process it intricately. Apart from this, it was also observed that multiple works were sanctioned to a single individual. Villagers remark that, only those individuals who have good terms with the concerned MGNREGA people, can bag the benefits of the scheme. Sanctioning of work in such a fashion was also a prominent issue, which hampers the prescribed goals of MGNREGA.

Issues Related to Wage and Unemployment Allowance

According to the Article 6 (1) of the MGNREG Act “Notwithstanding anything contained in the Minimum Wages Act, 1948, the Central Government may, by notification, specify the wage rate for the purpose of this Act; provided that different rates of wages may be specified for different areas; provided further that the wage rate specified from time to time under any such notification shall not be at a rate less than sixty rupees per day.” Furthermore Article 6 (2) articulates that “until such time as a wage rate is fixed by the Central Government in respect of any area in a state, the minimum wage fixed by the State government under section 3 of the Minimum Wages Act 1948, for agricultural labourers shall be considered as the wage rate applicable to that area.” The operational guideline of MGNREGA pronounces that “as stated in the Act (Schedule 1, para 6), labourers shall not be paid less than the above-mentioned wage rate. Under any circumstances equal wages shall be paid to both men and women workers, and the provisions of the Equal Remuneration act, 1976, shall be complied with. The State Government may provide for a portion of the wages to be paid to the labourers on a daily basis during the period of employment.

It is recommended that wages should be paid on a weekly basis on a pre-specified day of the week in each *Gram Panchayats*. In any case, wages should be paid in a public

place, with muster rolls being read out aloud and displayed at the time of payment. In case wages are paid through the Bank/Post office, the details of wages paid should be made public. It is essential to ensure that wages are paid on time. Workers are entitled to being paid on a weekly basis, and in any case within a fortnight of the date on which work was done. In the event of any delay in wage payments, workers are entitled to compensation as per the provisions of the Act. Compensation cost shall be borne by the State Government. If a worker who has applied for work under MGNREGA is not provided employment within 15 days from the date on which work was requested, an unemployment allowance shall be payable by the State Government at the rate prescribed in the Act. This entitlement comes into effect as soon as the act is notified in a particular district or area.”

As per the Act, ‘wages’ refers to the earning of registered household/individual, in terms of their work. People, who are working under the scheme, have the right to receive wages. The wage, for every working day shall be decided by the concerned State and hence varies from state to state. During the time of study, the minimum wage sanctioned by the State Government was Rs. 158 (INR) per working day, which has further been revised later on. In the study, it was discovered that the wage payments were disbursed by the ‘mate’ on a daily basis, which many a times was delayed by more than a week and sometimes even up to a month. This clearly contravenes the MGNREGA guidelines and clearly depicts that there are irregularities in the disbursement of payments. However, the *Gram Sewak* denies accepting the irregularities, stating that there has never been any breach in wage distribution. Apart from this, as per the provisions, the wages and information about muster rolls must be read out in public. It is still awaited in the village. The condition of the unemployment allowance was found to be even more pathetic. Not even a single person in the village was receiving the unemployment allowance. According to the people associated with MGNREGA, nobody is unemployed in the village and hence there is no question of any such an allowance. However, in the village, there were a number of people who were registered but were not having work. Flouting the rules, they were never provided with any unemployment allowance as provisioned under the scheme.

Absence of Worksite Facilities

As per Schedule (II) Section (27) and (28) of the MGNREGA Act, the facilities of safe drinking water, shade for the period of rest, shade for children, first aid box with adequate material for emergency treatment for minor injuries and other health related hazards connected with the work being performed, shall be provided at the worksite. In case the numbers of children below the age of six years accompanying the women working at any site are five or more, provision shall be made to depute one of the working women workers to look after such children. The operational guidelines of MGNREGA also reiterates about worksite facilities to be ensured by the implementing agency especially medical aid, drinking water, shade and crèche. Suitable provisions should be made for this in the cost estimates. However, unfortunately, no such facilities are provided to the workers. A cross-check from the MGNREGA website demonstrates that, funds were released

with proper date and bill for ensuring the same. This clearly flaunts the irregularity and the corruption involved in the functioning of MGNREGA.

Lack of Proper Planning and Supervision

For ensuring the success of any work, it is very necessary to plan it properly and supervise it on a time-to-time basis. Planning provides a good shape to the work and supervision helps to assure the quality. Supervision also decreases the chance of bad work and insures the completion of work, within the given time-frame. As per the operational guidelines of MGNREGA, the *Gram Sabha* is authorized to recommend the works to be taken up under the Rural Employment Guarantee Scheme. It is also mandated to monitor and supervise these works and to conduct social audits of the implementation of the scheme at the village level. The *Gram Panchayat* has the pivotal role in implementation and is responsible for planning of work, registering households, issuing job cards, allocating employment, executing works and monitoring the implementation of the scheme at the village level. At the block level, the Intermediate *Panchayat* has been made accountable for planning, monitoring and supervision. The programme officer is also responsible for the monitoring and the supervising of the work. Apart from the above mentioned, there is a vigilance team as well, to supervise the works carried out under MGNREGA.

However, it was seen in the village that there was complete absence of planning concerning the works to be carried out under MGNREGA. The *Gram Sabha* has failed miserably in identifying the developmental work for the village. Monitoring and supervision, concerning the quality of work being convened under the MGNREGA scheme, also remains unattended in the village. As per the village dwellers, the Programme Officer and any other related authorities, including the elected representatives, had never visited the work sites during or after the work. Adding to this, is the non-constitution of vigilance team, in the village. Thus, due to the lack of planning, monitoring and supervision, the quality of work is not up to the mark.

Lack of Capacity Building and Awareness Campaigns

Capacity building or proper training is very essential for any organization, especially while convening an assigned work. This helps people to develop proper understanding about the work to be accomplished and the appropriate way in which it should be worked out. The same is applicable, in the case of MGNREGA as well. As per the Operational Guidelines of MGNREGA, all the involved key agencies need to be trained in discharging their responsibilities under the Act. It must include the *Gram Panchayats*, elected *Panchayati Raj* representatives, District and State-Level departmental personnel involved in implementing the scheme as well as local committees/group formed for the purpose of vigilance, monitoring and social audit.

It shall be the responsibility of the State Government to arrange basic training on core issues pertinent to the Act, with priority accorded to its key functionaries, especially the District programme Coordinator, the Programme Officer and

elected *Panchayati Raj* representatives. In addition to helping various agencies in performing their duties under the Act, training programmes should give priority to the competencies required for effective planning, work measurement, public disclosure social audits, and use of the Right to Information Act. However, flouting the guidelines, till date no capacity building or training module, had ever been organized at the village level. Due to this, the *Gram Sabha*, *Gram Panchayat* and the elected or nominated representatives are unaware of their power, functions and responsibilities; resulting in non-effective implementation of the provisions of MGNREGA in the village.

Lack of Proper Record - Keeping

According to the operational guidelines of MGNREGA, the implementing agency making payment of wages, must record on the job card, without fail the amount paid and the number of days for which payment has been made. A copy of muster roll of every work must be sent by the Programme officer to those *Gram Panchayats* for which workers were employed and under whose jurisdiction the work had been executed. The *Gram Panchayat* will consolidate the household wise employment data in the employment register. The responsibility for co-ordination of employment data shall lie with the *Gram Panchayat* at the *Gram Panchayat* level and with the Programme Officer at the block level. Therefore, a mechanism for timely sharing of information between these two levels has to be ensured. The Programme Officer will be also responsible for ensuring that this coordination mechanism is functional. The District Programme coordinator in this regard will address any problem immediately. During the study, it was found that the record keeping management in the village was very poor. There is just a worn-out copy, which was the only record available in the village, which too was not at all satisfactory and acceptable as per the prescribed norms. There was no mention of Job Card holders and no entries about the record of employment and wages in the copy. The *Gram Panchayat* also does not have any record keeping mechanism. There was no Application/Registration Register, Job Card Register, Employment Register, Assets Register, Muster Roll Receipt Register or Complaint Register in existence.

Complete Absence of Social Audit

The MGNREG Act in its Section 17 (2) and (3) states that - "The *Gram Sabha* shall conduct regular social audit of all the projects under the scheme taken up within the *Gram Panchayat*. The *Gram Panchayat* shall make available all relevant documents including the muster rolls, bills, vouchers, measurement books, copies of sanction orders and other accounts related documents to the *Gram Sabha* for the purpose of conducting the social audit." In this context, the Operational guidelines of MGNREGA, maintains that Social Audits must be seen as a means of promoting basic norms in public matters. However, as per the villagers and the village head (*Gram Pradhan*), social audits had never been conducted in the village. The entire village, including the *Gram Sabha* members, who were supposed to conduct the Social Audit, did not know about the process of social audit. The helm of affairs appeared to be more pathetic, when the *Gram Pradhan*

confessed that, he had not even heard about social audit. It was really strange to see the provisions of MGNREGA being worked out in the village, without any social audit being conducted.

Fake Updates on MGNREGA Website

It was observed that fake updates are being made in the MGNREGA website regarding the utilization of funds. In the grass-root level, the beneficiaries remark that their work is incomplete because of non-sanctioning of money but the official website states that the work has been completed. This is a grave shortcoming, which is indicative of the fact that large scale organized corruption is prevalent in the MGNREGA implementation. The beneficiary is fooled with false condolence that as soon as the money will be sanctioned, it shall be completed; which in reality, will never happen as the money sanctioned for the purpose has already been engulfed by the corrupt people associated in the functionary.

Non-Institutional Impediments and Bottlenecks in MGNREGA

There are non-institutional problems relating to the implementation of MGNREGA as well, which are accountable for antipathy and displeasure among the legatees of MGNREGA scheme. A ephemeral account of the non-institutional issues are stated hereunder:

Lack of Awareness

It is a well-known adage that 'Knowledge is Power'. There is no denying in the fact that, effective implementation of MGNREGA, like any other scheme, is dependent upon the awareness about the existence of such a scheme. According to the MGNREGA guidelines, as well as the information provided by the Ministry of Rural Development, Government of India; creation of awareness, is an imperative part of the implementation of MGNREGA. However, in the village, where the study was conducted; it was found that, most of the people had heard about the scheme initiated by central government, but were very less aware of the procedural formalities, mode of operation and the operational instructions, which were to be followed under the scheme. For example, under the scheme there is a clear provision that if employment is not provided to the registered person within 15 days, then she/he shall become eligible for unemployment allowance. In the village, there were a number of people who were eligible to have unemployment allowance but primarily due to unawareness regarding where to submit complaints concerning this, was the chief reason for non-receiving of the allowance.

Lack of People's Participation in Decision Making

Mahatma Gandhi's dream of rural self-governance (*Gram Swaraj*) as well as decentralization of governance in India through 73rd and 74th Constitutional Amendments, focussed exclusively on the people's participation in the decision-making process (Mudacumura and Shamsul, 2004) In MGNREGA, this objective is being realized by the *Gram Panchayats* and *Gram Sabha* in which the issues are discussed at the local level and the solutions are worked out under the

purview of MGNREGA, in a way which is more effective for the overall development of the village. In this process, the *Gram Panchayats* and *Gram Sabha* are empowered for the planning, monitoring and implementation of the projects to be carried out by the beneficiaries. However, in the village, it is found that *Gram Sabha* and *Gram Panchayat* are only involved in the identification of beneficiaries and are least interested in the planning, monitoring and implementation of the projects.

Lack of Interest

There are several works which are provisioned and promoted, under the scheme of MGNREGA like road construction, digging of wells/ponds, tree plantation, land development, water management etc.; to ensue employment generation in the rural areas. Sadly, in the village, it was noticed that the younger generation or the people who are unemployed but relatively well-off in terms of household income, did not want to work under the scheme. There were several instances, where people possessed job card but preferred doing their traditional agricultural chores.

Dubious Role of Mates

Before MGNREGA, developmental works were carried out through the contractors. They were the direct recipient of work orders and of the corresponding funds as well. They made money by submitting fraudulent bills and vouchers. They also had to pay the 'share' to their political heads and bureaucratic bosses. Hence, they acted as the multipurpose intermediaries or middle-man, locally known as *Bicholiyas*; between the common people and the local administration. They ensured that the work was done and the associated political people and officials got their 'cut' and they earned their own commission; irrespective of the quality of the commissioned work. MGNREGA brought a radical change to this *Contractor Raj* system. It introduced wide range of transparency safeguards and ensured that the dominance of contractors was sealed. However, today the people who supervise the MGNREGA work, designated as mates, have taken the place of contractors in the current system. Apart from supervision, it is the responsibility of the mate to look after the availability of things like display boards, first aid box etc. on the worksite. However astonishingly, none of these were found at any of the worksites in the village, and furthermore, the official website of MGNREGA, displayed that these things were issued mentioning the bill date, amount and even the address of shop from where it was procured. All these evidences are sufficient enough to establish the dubious role of mates in the current setup.

Lack of Supervision

As per the operational guidelines of MGNREGA, for every work sanctioned under the scheme, there should be a local vigilance and monitoring committee, comprising of members of the locality or village where the work is undertaken, to monitor the progress and quality of work, while it is in progress. The *Gram Panchayat* or *Gram Sabha* will elect the members of this committee and ensure that SC/ST and women are adequately represented in the committee. In the village,

there was no local vigilance and monitoring committee to supervise the work done under MGNREGA. As per the village headman (*Gram Pradhan*), no one was interested in the constitution of the team. Even the villagers are least concerned about it, as they do not have time for these works. In the village, there are 8 wells and one pond but in the absence of the committee, there is no one to examine the quality of commissioned work. This has resulted in extremely low standard of work, which is not at all acceptable, as per the prescribed norms under MGNREGA. Furthermore, the *Gram Rozgar Sewak* have to cover more than 2-3 villages. As per the village *Mukhiya*, they do not get any travel allowance for visiting the villages. Due to this, they are reluctant in visiting the worksites, which results in compromised work quality.

Illiteracy and Communication Gap

Illiteracy is also one of the major causes of non-implementation of this Act and acts as a significant factor for unawareness of the people. As per the operational guidelines of MGNREGA, the basic features of the act and the scheme should be displayed in the local language of the locality concerned. Furthermore, the critical aspects of the Act, such as the process of registration and application, the entitlements of workers, process of social audit and the role of different agencies must be communicated in clear and non-complex language. However, as per the villagers, the basic features of the act have never been displayed in the village. In addition to this, the meetings related to create awareness has also never been done. It is because of illiteracy of the people, that they are unable to read or understand the guidelines. This is how, illiteracy and communication gap are impeding the proper implementation of the MGNREGA scheme.

Lack of Unity and Public Support in Reporting Grievances / Misdeeds

As per the operational guidelines of MGNREGA, the Programme Officer will be the Grievance Redressal Officer at the Block level and the District Programme Coordinator will monitor the functioning at the District level. There is also a system of appeal, designed to deal with grievances at each level. One can appeal for an unaddressed complaint at the *Gram Panchayat* to the Programme Officer at the Block level; similarly against the Programme Officer to the District Programme Coordinator; and against the District Programme Coordinator to the authority designated by the State Government.

However, in the village it was prominently discovered that people were aware of the misdeeds or failures in the work; and also the designated authorities to whom the complaint must be done; but still, they never filed any complaint against that involved people, either individually or in group. There was an instance in the village, in which, because of non-payment of grants, the construction of a water-well under the MGNREGA scheme was left half-way. It was the only case in the village, in which the beneficiary voiced his complaint. However, all went in vain and no action was taken. Adding to the helm of affairs, was the absence of complaint register, which must have been maintained by the *Gram Sabha / Gram Panchayat* for registering the issues related to MGNREGA.

Venality and Corruption

Corruption is a persistent phenomenon all over the world including the developing as well as developed countries. It has spread its tentacles, in every sphere of life be it business, administration, politics, officialdom or services. In fact, there is hardly any sector, which can be identified for not being infected with corruption (Suwan, 2013). Similar situation prevailed in the village as well. The *Gram Sabhas* play a pivotal role in the planning, monitoring and implementation of MGNREGA, but due to the lack of empathy of *Gram Sabha* members, corruption has spread its roots. As per villagers, there was 'percentage sharing system' among the majority of concerned officer involved with MGNREGA for almost every work order. The corruption starts from sanctioning of work and continues till the finishing the work. The sanctioning officer demands his 'share', similarly the engineer who prepares the budget for the work also demands his 'share'. Apart from this, the inspecting people also demand their 'share'. This results in drastic decline in the quality of work, because almost 50-60% of the amount sanctioned for the work, is distributed in fulfilling the illegitimate demands of the involved people. Adding on to this pathetic situation is the condition if someone tries to break the set trend. In such a situation, the requisite papers are not processed, which often results in delay of payments, sometimes even extending up to 6-8 months.

Gender Discrimination

The Constitution of India ensures gender equality as a Fundamental Right and also empowers the State to adopt measures of positive discrimination in favour of women by means of legislation and policies. This has been enshrined because gender inequality has an adverse impact on development. It hampers the overall well-being as blocking women from participation in social, political and economic activities adversely affect the entire society. Many developing countries including India, have issues related to gender inequality in education, employment and health. The Government has drawn up the draft National policy for the empowerment of women which is a policy statement outlining the state's response to the problems of gender discrimination. In this context, the Ex-UN Secretary General, Kofi Annan, stated that "Gender equality is more than a goal in itself." For combating this situation, the MGNREGA operational guidelines clearly mentions that, "while providing employment, priority shall be given to women in such a way that at least one third of the beneficiary shall be women who have registered and requested for work under the scheme". However, on empirical examination, it was found that there were evidences of discrimination against women, wherein single-women (widow) - headed households were denied registration under the scheme. Such instances not only violate the basic principles of the Constitution but also pave the path for non-establishment of a just and equitable society.

Conclusion and Recommendations

Despite, several issues, MGNREGA has been partially successful in providing 100 days of wage employment. This has helped the wage seekers to boost their economic condition. It has also fetched some infra-structural development in the

villages; but the extent to which it was expected, has not at all been achieved. The sanctioning of work, disbursal of payments and release of funds are the most critical bottlenecks in the implementation of MGNREGA. It is so because; there are several simultaneously functioning machineries, which are involved in process, ranging from the village level, block level, district level and finally state level. Red tapism and extreme adherence to official formalities is present at every level. Adding on to this is corruption, which is practiced as sharing of percentage of sanctioned project amount. People, associated with MGNREGA, be it the wage seekers, *Gram Sabha* members, *Gram Pradhan*, elected *Panchayat* representatives or the people allied with monitoring and evaluation; are not totally aware of the schemes, roles, formalities and functionaries of the scheme. Elected *Panchayati Raj* representatives at the village level, have restricted themselves just to sanctioning of schemes. Because of unawareness; they do not look after the monitoring, evaluation and audit of the conducted works. Furthermore, *Gram Sabha* also fails to ensure its presence due to ignorance. There are severe irregularities in convening of meetings of the *Gram Sabha*, due to which, it has failed miserably in identifying the developmental works needed for the progress and prosperity of the village. Furthermore, till date, not even a single plan has been proposed by the *Gram Sabha* for implementation under MGNREGA. Members of the *Gram Sabha* are also very less enthusiastic and rarely involve themselves in any activities relating to MGNREGA.

As per the Act, MGNREGA has several domains. However, in the village, it has been limited only to digging wells or ponds. No other work has been carried out under the scheme. There is no quality-check mechanism prevalent in the village to monitor and audit the works carried out under MGNREGA. Due to this, all the construction works carried out under the scheme are well below the acceptable and prescribed standards. The situation of maintaining records is also very poor. There are no records relating to Application-Registration, Job Card Allotment, Employment, Assets, Muster Roll or Complaints, in the village. It is also the responsibility of *Panchayats* to keep these records, but unfortunately, nothing exists in reality. Social Audit, which is one of the prominent features of the MGNREG Act, has never ever been conducted in the village. Even the elected representatives are unaware of it. This results in gross degradation of the quality of work and massive corruption in the implementation of the schemes. Fake updates are being made in the MGNREGA website regarding the utilization of funds. In the grass-root level, the beneficiaries remark that their work is incomplete being of non-sanctioning of money, but the official website states that the work has been completed. This is a grave shortcoming, which is indicative of the large scale organized corruption prevalent in MGNREGA implementation.

Equipped with the understanding of the current status and problems; the following suggestions are recommended for policy makers and the Government for improving the implementation of MGNREGA scheme:

- More financial resources must be set aside for creating awareness about the MGNREGA scheme, specifically, its

guidelines. Awareness camps must be arranged at regular time intervals. Arrangements for circulation and public display of the MGNREGA guidelines in the local language must also be ensured.

- The elected *Panchayati Raj* representatives, including the members of *Gram Sabha* and *Gram Panchayats* must be made aware about their powers, functions and duties concerning MGNREGA. For this, phase wise and area-wise training programmes, ensuring mandatory attendance, must be conducted.
- Despite the provision of application in plain paper, the MGNREGA registration forms should be made readily available to the villagers. It must be provided in larger number to all the elected *panchayat* representatives for easy access. Similarly, delay in issuing of job cards, must be also be addressed and if possible, may be outsourced for ensuring faster dissemination.
- There are significant differences between the updated data and the grass-root status. Hence, before updating the MGNREGA website relating to utilization of funds and completion of works under the scheme, the same must be mandatorily cross-checked and verified through social audit for assessing the ground-reality status.
- There must be appointment of ample number of staff (either regular or contractual) for ensuring smooth functioning of MGNREGA offices.
- Strict action and punishment, for those who are accountable for the irregularities must be ensured.
- The state governments should issue strict directives for ensuring the standard of work carried out under MGNREGA. Incorporation of social audit report must be made mandatory in the process.
- Facilities at the work site, as mandated in the MGNREGA operational guidelines, must be positively ensured. In this regard, a report after physical verification of the work-site for the mandated facilities must be mandatorily sought before permitting the commencement of work. This verification must incorporate the view-point of the wage-seekers as well.
- Muster rolls must be displayed at all worksites and the same should be regularly inspected as well. Along with this, strict penalty for non-compliance must also be provisioned for the identified culprits, if any.
- Public hearings should be given priority by the Ministry of Rural Development and the State Level Administration. Clear-cut guidelines, for ensuring the regular presence of local officials in such hearings, must also be ensured.
- The accountability for organizing the monthly Employment Guarantee Day must be entrusted on any designated personnel or elected representative. This shall help in preventing the blame game.
- The State Government must further simplify the sanctioning-process of the work under MGNREGA. Over adherence to paper formalities, must be avoided.

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Notes

The vernacular terms and acronyms used are briefly elaborated hereunder:

- **Gram Panchayat:** Gram Panchayat is a group of residences, which manages its activities in accordance with the prevalent customs and usages; as notified as the provisions of Jharkhand Panchayat Raj Act, 2001.
- **Gram Pradhan:** Gram Pradhan is a respected person of the community according to the custom and usage prevalent in the village. S/he is the head of the village and all the meetings are supposed to be presided over by him/her.
- **Gram Rozgar Sewak:** Personnel appointed by the government for providing secretarial assistance in the planning and execution of the procedures to upgrade the quality of life of the rural people at the village level especially relating to employment generation activities.
- **Gram Sabha:** Gram Sabha refers to a body consisting of persons registered in the electoral rolls relating to a village within the area of a Gram Panchayat.
- **Gram Swaraj:** Mahatma Gandhi's vision that each village should be a little republic, self-sufficient in its vital wants, organically and non-hierarchically linked with the larger spatial bodies and enjoying the maximum freedom of deciding the affairs of the locality. (www.mkgandhi.org)
- **MGNREGA:** Acronym of Mahatma Gandhi National Rural Employment Guarantee Act.
- **Mukhiya:** A representative elected at the village level under the provisions of the Constitution (Seventy-Third Amendment) Act, 1992.
- **Panchayat:** Panchayat is a group of residences, which manages its activities in accordance with the prevalent customs and usages; as notified as the provisions of Jharkhand Panchayat Raj Act, 2001.
- **Panchayati Raj:** A type of decentralized local self-governance system prevalent in the rural areas of India, which later on was incorporated in the Indian Constitution through the Constitution (Seventy-Third Amendment) Act, 1992.
- **SC/ST:** Acronym of Scheduled Caste / Scheduled Tribe. These are constitutional designations given to the historically disadvantaged groups in India. Scheduled Caste refers to the people belonging to socially lower strata of the Indian hierarchical setup whereas Scheduled Tribe is used for the Indigenous Peoples of the country.
- **Village Pahan:** In the tribal villages of Jharkhand, *Pahan* is the religious head of the village who presides over all the religious liabilities and assets of the community. He is associated with invoking Gods, their worshipping, offering and other concomitant religious chores.

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