

NATIONAL RURAL EMPLOYMENT GUARANTEE ACT

Introduction:

The National Rural Employment Guarantee Act 2005 was passed by Parliament on 23rd August 2005 and it was promulgated on 7th September 2005. Based on the Act the scheme of National Rural Employment Guarantee scheme was ceremoniously launched by the Prime Minister, Dr Manmohan Singh on Feb 2, 2006. Initially it covered 200 districts of the country and in the coming three-years all the 600 districts are to be covered in a phased manner. It has been envisaged under section-3 of the Act that the state government shall, in such rural areas in the state as may be notified by the Central Government, provide to every household whose adult members volunteer to do unskilled manual work, not less than one hundred days of such work in a financial year in accordance with the scheme made under the Act. For the purposes of giving effect to the provision of Section-3, every state Government shall within six months from the date of commencement of this Act, by notification make a scheme for providing not less than one hundred days of Guaranteed employment in a financial year to every household in the rural areas covered under the scheme and whose adult members, by application, volunteer to do unskilled manual work subject to the conditions laid down by or under the Act and in the scheme.

It has been specifically mentioned in the Act that until any such scheme is notified by the State Government, the Annual Action Plan or Perspective Plan for the SGRY or NFFWP whichever is in force in the concerned area immediately before such notification shall be deemed to be the action plan for this scheme. The focus of the scheme shall be on the following works in their order of priority-

- water conservation and water harvesting;
- drought proofing (including a forestation and tree plantation);
- irrigation canals including micro and minor irrigation works;
- provision of irrigation facility to land owned by the SCs / STs;
- renovation of traditional water bodies;
- land development;
- flood control and protection works including drainage in water logged areas;
- rural connectivity to provide all-weather access, and
- Any other work notified by Central or State Government.

The above-mentioned provisions of the Act indicate that the Government is vigilant on the issue of development priorities of the rural India. So far the development works of Gram Panchayat have been rotating round the construction of lanes and drains. No efforts have been made by the Gram Panchayat to take up such productive and assets creating activities which could have led towards sustainable development. The Gram Panchayat has not cared to preserve and protect the Gaon Samaj property. The utmost harvesting of ground level water has led to the acute shortage of water leading to the depletion of ground water sources. It is in this background that the order of the priority has been fixed for taking up the activities under NREGS. In order to fix up the priority, annual action plan and perspective plan for every Gram Panchayat has become a must. However, the experience gathered through the study of some districts of U.P under the

scheme it is perceived that development works in GPs are being initiated without identifying the priorities.

NREGA opens up the opportunity to improve agricultural productivity in dry land areas. It is heartening that the dry land states have used NREGA funds to the maximum. Improvement of small farms through construction of wells, field bunds, land leveling, etc can increase productive capacity of dry lands especially at a time when the production from well? Endowed areas are plateauing.

NREGA is a program for societal transformation. It needs effective watchdogs from society. Panchayat and civil society organizations should be seen as complementary—while Panchayat deepen the democratic space, civil society organizations broaden it. NGOs and citizens' groups should use instruments like the Right to Information Act to increase accountability and transparency under the NREGA.

While improvements in rural infrastructure, employment generation and asset creation through wage employment programs; and investments in irrigation are all important, the final goal is to improve the conditions in which agriculture is practiced. Even now agriculture sustains over 70% of our rural population. Government schemes can only act either as social safety nets or as inputs to better agriculture. Till we focus on the larger goal of improving the economics of agriculture itself, we cannot alleviate rural distress.

STATUS OF NREGS IN UTTAR PRADESH

The scheme of National Rural Employment Guarantee was launched in the State of Uttar Pradesh on Feb 2, 2006 with an objective of providing guaranteed 100 days employment to willing and able bodied person of the rural households. Initially the scheme has been launched in 22 districts (Azamgarh, Banda, Barabanki, Chandauli, Chitrakoot, Fatehpur, Gorakhpur, Hamirpur, Hardoi, Jalaun, Jaunpur, Kaushambhi, Kheri, Kushinagar, Lalitpur, Mahoba, Mirzapur, Pratapghar, Rae Bareilly, Unnao, Sitapur and Sonbhadra) of the State for five years and in the next years to come the same will cover the remaining districts. It was envisaged that within six months the scheme will take concrete shape that is employment generation would be initiated.

Overall, there seems to be clear lack of political will to implement the program in the state. The Uttar Pradesh cabinet took a decision to initiate the scheme only on May 23, 2006, after the central government threatened to withhold grants under the NREGS. Lack of political will has led to poor awareness and implementation of the NREGS in Uttar Pradesh, as observed during the PACS-Program-organized NREGS Week-- In Uttar Pradesh PACS Program partners in 13 districts participated in a state-wide Rozgar Adhikar Yatra organized by the National Conference of Dalit Organizations (NACDOR), a confederation of more than 300 grassroots dalit organizations. PACS Program partners in these districts were closely involved in the planning and mobilization for the yatra, which ended in a massive Rozgar Adhikar Sammelan in Lucknow on July 3 and formal adoption of a Lucknow Declaration.

The Rozgar Adhikar Yatra had an immediate impact in many areas. One day after its launch at Palia in Lakhimpur Kheri district on June 23, 2006, the district collector ordered a four-day campaign to receive applications from the villagers seeking employment under NREGA and to issue them job cards. The district administration was ordered to complete the process by July 1, 2006, a day before the yatra was scheduled to reach Lucknow to present a memorandum to the chief minister of Uttar Pradesh.

Further, all block development officers were ordered to organize open meetings in all the Panchayat of the district and to register all employment seeking persons in the Panchayat. Officers have also been nominated to counter check these registrations.

The yatra, which started from different points—Lalitpur in Budelkhand on June 20; Palia in Terai region on June 23; Khadahi in Kushinagar in Poorvanchal on June 24, and Naugarh in Chandauli district on June 25—received a tremendous response. In Palia, thousands of villagers, Panchayat representatives and women from marginalized communities flagged off the yatra.

The yatra was marked by public hearings in all the 22 districts in the state covered by the NREGA. People narrated the problems they faced, such as reluctance of officials to register names, particularly of women, non-issuance of job cards, discrimination in allotting work and job cards, etc.

The yatra disseminated information about the NREGS and how it can be used for the benefit of the people. Information about the scheme had not been disseminated by the authorities and in some areas people knew very little about the scheme or how to apply for work. Interactions were also held with officials at the Panchayat and block level.

ROLE OF PACS PARTNERS IN NREGA

On 2nd February, 2007 the NREGA completed one year but smooth and effective implementation of the program has not been possible. For observing the realities present at the grass root level, this program should be monitored and evaluated. Keeping this in mind, a campaign “Hisaab Do Jawaab Do” was launched in Uttar Pradesh. Under this campaign, the Civil Society Organizations have launched a week long drive (25-31 January, 2007).

The objective of this week long drive was to create awareness, collect facts, and to provide a platform for sharing of experiences. The grass root level realities and demands were presented before the concerning officials. The purpose was to seek government's accountability regarding the promised goals specified in NREGA.

Districts covered by PACS, where NREGA is implemented are as follows—Fatehpur, Rae Bareilly, Barabanki, Sitapur, Hardoi, Unnao, Pratapgarh, Jalaun, Hamirpur, Laithpur, Banda, Chitrkoot and Mahoba.

Success stories

EFFORTS BY PEOPLE & THE MEDIA TO IMPLEMENT NREGA SCHEME

This is a case of Mahorchha village comes under Naraini Block (Banda). The village is covered under PACS project by ABSSS. In this village Rs. 6,00,000/- (Rupees six lacs only) were granted for digging a pond. The work was done in the night by engaging 7 tractors to dig the pond. By 2 nights half of the work was done. The job cardholders came to know the work, which is going on in the night. On 1st November 2006 they went to meet the Chairperson of Vidyadhan Samiti, Naraini and Media persons and informed about the incident. On 2nd November 2006 the media persons went to the spot in the night and covered the whole incident through TV news and newspaper news. The administration came to the action. They send the Village Development Officer for the clarification. In the mean time the Gram Pradhan engaged 80 laborers from nearby villagers to work. When the residence of the same villages saw that the Pradhan has played a game to cover his fault, 150 laborers demonstrated at the sight. The Gram Pradhan warned the people and the whole situation became uncontrollable. The administration was called immediately to take the action and do the needful. The whole work, which was done, declared as Shramdan (voluntary work) and warned the concerned officers. The secretary was suspended and instructions were given to take action against the Gram Pradhan. A committee of 6 panchayat members was formed to supervise the work of the laborers. This struggle enabled the 120 jobholders to get the work and the Panchayat members have become active.

After much struggle NREG Scheme gave work to 120 job card holders and saved them from starvation.

MOBILIZING UNPAID WAGES BY MASS PRESSURE OF THE SANGATHAN

Ragaul a hamlet belongs to Madhopur Gram Panchayat of Mahuaa Block. In this village 10 kilometers there is no link road. From this village District headquarter is 25 kilometers away. There are 60 families who live here. They work as shepherds and laborers. Lack of links to the headquarters, awareness and illiteracy no Governments developmental schemes have been implemented in this village. People struggle to get the laborers job in the area around. Under Bhoomi Sena Scheme Mr. Brijesh Kumar Tyagi was inspector. 41 laborers worked as daily laborers in this scheme. But they were not paid the wages (Rs. 19260.00). The laborers were annoyed with this incident and stopped working and demanded their due wages. The inspector gave assurance to pay the wages and requested the laborers to work. Trusting the inspector they start to work. But for their surprise 2 months had passed but no wages they could get. The matter was brought to the Project Officer and he drafted an application to give to DM. 18th December 2006 the Chingari Sangathan on Janta Diwas gave the application to the DM and 20th December 2006 they gave a application to ADM in public hearing. The ADM took immediate action and saw that the wages have been paid to all the laborers.

AVAILING INDIRA AWAS TO DESERVED FAMILIES

Kapsa Gram Panchayat belongs to the District Hamipur. In this Gram Panchayat 30 Indira Awas have been sanctioned. This Indira Awas were sanctioned to the people who belong to Below Poverty Line. But the Pradhan had his own reservations to select the families. He ignored 10 families from poor and SC (Schedule Cast) families as he felt that they had not voted him during the elections. This incident was shared with the staff of Akhil Bhartiya Samaj Sewa Sansthan (ABSSS). The ABSSS staff conducted a survey and found that these families were the needy ones and had no shelter. On 20th October 2006 an application was drafted and given to the Village Development Officer (VDO). The Village Development Officer verified the list and found all 10 families deserved cases. The VDO informed the staff to open these family's bank accounts so that the money to construct the houses will be transferred to their accounts. The staff along with the head of the families went to the bank to open the accounts. The bank manager refused to open the accounts as he had instruction from the Gram Pradan. In order to escape the further conflicts the bank manager suggested to open the accounts one by one and the Gram Pradan will not come to know that the accounts have been opened. Presently all the accounts of 10 families have been opened and the money to construct the Indira Awas has been sanctioned.

List of the Beneficiaries

S. No	Name	Age	Caste	Amount Sanctioned
1.	Mr. Ram Kishore	40	SC	Rs. 25000.00
2.	Mr. Sumera	45	SC	Rs. 25000.00
3.	Mr. Gorelal	40	SC	Rs. 25000.00
4.	Mr. Munnu	64	SC	Rs. 25000.00
5.	Mr. Gangadeen	50	SC	Rs. 25000.00
6.	Mr. Bardani	35	SC	Rs. 25000.00
7.	Mr. Ramsewak	55	SC	Rs. 25000.00
8.	Mr. Babbu	53	SC	Rs. 25000.00
9.	Mr. Rambai	40	SC	Rs. 25000.00
10.	Mr. Media	70	SC	Rs. 25000.00

AVAILING BASIC RIGHT TO FOOD BY ANTYODAY RATION CARD

This is an incident of Hamirpur village belong to Maudaha Block. In this village 60% of the people are belong to Below Poverty Line and they are deprived from Government Scheme. People are oppressed by the Rich and the landlords. The landlords and the rich people do not allow for any Government Scheme to be implemented in the village. The landlords and the rich believe if the Schemes are availed in this village people will not work as laborers and how can we get the income from our land. In the village only 34 BPL and 21 Antyoday Cards are prepared. In the year 2005 Gram Panchayat election the seat was allotted to the Harijan caste. But the landlords and the rich formed 2 groups of Harijan in order to divide the votes. With great difficulties Mr. Bhura Singh was elected as Gram Pradhan. But the landlords and the rich did not allow the Gram Pradhan to work. In the village there are 50 families who are very poor. The ABSSS organization surveyed the families who live Below Poverty Line and submitted a list of it to the District Manager. Presently 5 families managed to get the job cards.

Major Bottlenecks

- Lack of knowledge on NREGA with target people
- Ignorance of Gram Pradhan and Gram Vikas Adhikari regarding provisions the scheme
- Demand of money to prepare job cards
- Lack of proper payments, no minimum wages act is followed
- Certain areas machines (tractors) are used instead of engaging the people.
- Lack of facilities for women, who carry their children to working place
- Lack of provision for differently able children

Ways Forward

Out of 22 districts covered under the scheme in UP, 13 are covered under the PACS program. PACS at a central level should deliberate a session to discuss specific approaches to be adopted on cluster-level and specific targeting (say for covering all SHG members or all dalits families etc.).

The SBCA has already made some initiative in setting up an interface with government officials. PACS should be able to maintain a linkage with relevant officials (OSD-NREGA) dealing with the scheme. This in turn may help PACS partners to not only access important information but also occasionally get guidelines and executive orders issued by officials at district and block levels.

PACS has undertaken an analysis study in 10 districts of U.P for pacts finding which will be completed by 20th April 2007. It is a study to know the level of knowledge among the implementing personals, difficulties to get the job cards, what are the activities have undertaken, information's dissemination concerning works, payments, who are the beneficiaries, facilities at the work place, record maintenance, change in living conditions.

S. No.	Name of CSO	Name of District	Name of Block	Total No. of project villages	Total No of village in which NREGS initiatives have been taken	No. of applications for registration submitted	No. of registration accomplished	No. of Job Cards issued	No. of applications for work submitted	Work provided		No. of families paid unemp. allowance	Remarks
										Families	Mandays		
1	GDS	Lalitpur	Birdha	45	40	1320	847	246	246	220	1540	0	
	Sub Total			45	40	1320	847	246	246	220	1540	0	
2	SEWA	Baranbanki	Nindura	25	25	6112	6112	6112	3879	3879	N/A	None	
		Raebarelli	Bachhrawan	25	25	7857	7440	6673	4107	3555	N/A	N/A	
	Sub Total			50	50	13969	13552	12785	7986	7434			
3	UPVHA	Banda	Badokherkhurd	70	70	18665	18665	18665	3517	3517	102140	NIL	Facility as per act n
	UPVHA	Hamirpur	Kurara	62	62	10895	10790	10790	9930	9930	196290	NA	People leaving in s
	Sub Total			132	132	29560	29455	29455	13447	13447	298430	0	
4	BGSS	Hamirpur	Muskara	15	9	1686	1316	1310	886	637	0	637	
	Sub Total			15	9	1686	1316	1310	886	637	0	637	
5	Vatsalya	Barabanki	Deva	24	24	894	894	894	194	194	2375	NA	
2	Laxmi	Hardoi	Sandi	16	16	889	889	889	345	345	11350	NA	NREGS is giving in community is not v for this.
3	Rahee Foundation	Sitapur	Kasmanda	25	25	867	867	867	469	379	6270	NA	

4	Shashwat Sahbhagi sansthan	Sitapur	Mishrikh	33	33	1468	1458	1401	158	284	3677	NA	
5	Nehru yuva Sangthan	Fatehpur	Teliyani	17	17	1261	1261	1261	622	250	5661	NA	
	Sub Total	4 Districts	5 Blocks	115	115	5379	5369	5312	1788	1452	29333	0	
1	IIRT	Pratapgarh	Sadar	10	10	563	563	563	0	563	2756	NA	--
2		'	Mandhata	10	10	723	723	723	0	723	750	NA	--
3		'	Shivgarh	10	10	762	547	547	0	547	292	NA	--
4		'	Path	10	10	512	512	512	0	512	454	NA	--
5		'	Gaura	10	10	1275	790	790	0	790	2786	NA	--
	Subtotal		--	50	50	3835	3135	3135	0	3135	7038	0	--
1	BETI Foundation	Lalitpur	Talbehat	66	47	8969	8426	8426	5383	4962	30638	NA	Data is obtained from
	Subtotal		--	66	47	8969	8426	8426	5383	4962	30638	0	--
1	NYPT/B.S.P.	Lalitpur	Bar	25	25	1780	1742	1742	659	649	12140		
	Subtotal		--	25	25	1780	1742	1742	659	649	12140	0	--
1	BGVS	Jalaun	Dakaur	25		2136	471	1192	0	900	467	237	
			Kaunch	27		5127	1659	2863	0	2215	1129	474	
	Subtotal			52	0	7263	2130	4055	0	3115	1596	711	0
	NPSS												
1	JKMS	Fatehpur	Dhata	15	15	1418	1345	765	0	460	11475	0	
			Ashothar										
2	Samarpan	Jalaun	Mahewa	15	15	1124	997	736	0	737	8187	313	
3	DGVS	Hamirpur	Sumerpur	15	15	3565	3565	3183	1885	1205	35700	0	
4	ZYKS	Banda	Baberu	15	7	3250	2780	2150	0	950			
			Kamasin										
	Sub Total			60	52	9357	8687	6834	1885	3352	55362	313	
	Grand Total			610	520	83118	74659	73300	32280	38403	436077	1661	

