

# MUSTER ROLL WATCH

## Guidelines for Verification of NREGA Muster Rolls



2008

**How to verify muster rolls, prevent fudging,  
and protect people's right to work under the  
National Rural Employment Guarantee Act.**

# **MUSTER ROLL WATCH**

## **Guidelines for Verification of NREGA Muster Rolls**

**2008**

**How to verify muster rolls, prevent fudging,  
and protect people's right to work under the  
National Rural Employment Guarantee Act.**

Publisher: Right To Food Campaign, Secretariat, Delhi

Second Edition: 2008

Copies: 1000 (One Thousand)

Contributory Amount: Rs. 15 only

To order copies contact:

Secretariat, Right to Food Campaign,

5 A, Jungi House, Shahpur Jat,

New Delhi - 110049

Tel: 011-26499563

Published by Right to Food Campaign, Secretariat, Delhi for internal circulation only

---

**Other Primers in the Series:**

**Mid Day Meals: A Primer**

**Focus On Children Under Six**

**Employment Guarantee Act: A Primer**

**Universalization with Quality Action for ICDS: A Primer**

**Supreme Court Orders On The Right To Food: A Tool for Action**

मस्टर रोल निगरानी

मध्याह्न भोजन : एक प्रवेशिका

रोजगार गारंटी कानून : प्रवेशिका

छह वर्ष से कम के बच्चों पर फोकस

आँगनवाड़ी कार्यक्रम के लिए पहल : एक प्रवेशिका

## PREVIEW<sup>1</sup>

The National Rural Employment Guarantee Act (NREGA) came into force on 2 February 2006 in 200 districts. In spite of its limitations, this Act is a ray of hope for working people in rural areas. However, the survival and success of the Act depends on preventing the spread of corruption in NREGA.

Many safeguards for transparency and accountability are built into the Act, and also in the NREGA Guidelines. For instance, the NREGA Guidelines require muster rolls to be available at the worksites, displayed at the Panchayat Bhawan, and submitted to the Gram Sabhas. This can go a long way in preventing corruption in wage payments, since it makes the muster rolls available for public scrutiny and social audit. However, public vigilance is required to ensure that these and other transparency provisions are implemented.

Fudging of muster rolls is the principal means through which funds have been embezzled from public works programmes for many years. This practice must not be allowed to persist under NREGA. One way to prevent it is to conduct public verifications of muster rolls. This booklet has been written to facilitate this process.

A “muster roll” is essentially a labour attendance register, pertaining to a particular worksite and a particular period (e.g. two weeks). It is also used as a receipt, to claim funds from the Programme Officer for the payment of wages. Typically, the completion of a particular work would involve several muster rolls. For instance, in Rajasthan each muster roll covers a period of two weeks (called a “pakhwada”) and has space for up to 20 labourers. Thus, if a worksite has 50 labourers and lasts six weeks, 9 muster rolls would be involved.

This booklet begins by explaining (in Section 1) how to verify muster rolls for *one completed worksite*, i.e. a worksite where work has come to an end and wages have been paid. This involves three steps: (1) “consolidating” the different muster rolls to find out how many days each labourer has worked at this worksite, and how much he/she has been paid; (2) checking this information with the labourers themselves, and (3) checking the information from their job cards, if available.

In Section 2, we discuss other types of muster roll verification: (1) verification of a single completed pakhwada, (2) verification of a single “live” muster roll, and (3) verification of all worksites in a particular Panchayat.

In the Appendix, we present a sample of Verification Sheets. Careful design of the Verification Sheet is essential for the success of the exercise. If these Verification Sheets do not suit your purpose, or if they require modification in the light of special administrative arrangements in your area, you should revise them carefully. And in any case, the Verifications Sheets should be field-tested before the actual verification exercise. Good luck!

---

<sup>1</sup> These guidelines were prepared in 2006 by Jean Drèze and Reetika Khera, with Mazdoor Kisan Shakti Sangathan for the Right to Food Campaign Secretariat. Queries, comments and suggestions are welcome – just send a line to rozgar@gmail.com or to The RTFC Secretariat, 5 A, Jungi House, Shahpur Jat, New Delhi – 110049.

# **MUSTER ROLL WATCH**

## **Guidelines for Verification of NREGA Muster Rolls**

Below are some simple guidelines on how to verify muster rolls, using the appended “Verification Sheets”. Don't worry if some of these guidelines sound a little complicated. Actually, this is a simple exercise, but it has to be done carefully. “Learning by doing” is the best approach. After you conduct a test verification exercise, the issues will be much clearer.

### **1. MR Verification for One Completed Worksite**

#### **A. Obtaining the Muster Rolls**

1. The first step is to obtain all the muster rolls (hereafter MRs) for the selected worksite. Both the Employment Guarantee Act and the NREGA Guidelines clearly state that MRs<sup>2</sup> should be available for public scrutiny and that anyone is entitled to request a copy of the MRs. Further, fees charged for this purpose should not exceed photocopying costs. In short, it is your right to ask for a copy of the MRs. Any officer who denies this information to you is liable to be fined under the Right to Information Act.<sup>3</sup>
2. In spite of this, you may find it difficult to obtain the MRs. If you face resistance, don't give up: this may indicate that the MRs have been tampered with. If necessary, make a formal application under the Right to Information Act.
3. In principle, you should be able to obtain the MRs from the relevant “implementing agency” (e.g. the Gram Panchayat, or the PWD, or the Irrigation Department). If that fails, you can approach the Programme Officer at the Block level.

#### **B. Consolidating the Muster Rolls**

Note: No “field work” is necessary to consolidate the MRs. All you have to do is to fill the relevant columns of the Verification Sheet (see Appendix 1) using the MRs themselves.

---

<sup>2</sup> The term “NREGA Guidelines” refers to the Operational Guidelines issued by the Ministry of Rural Development in January 2006. They are available (in English and Hindi) at [http://nrega.nic.in/Nrega\\_guidelines.pdf](http://nrega.nic.in/Nrega_guidelines.pdf)

<sup>3</sup> Applications for information must be addressed to the Public Information Officer of the concerned department.

4. Once you have obtained the MRs, arrange them “pakhwada-wise”<sup>4</sup>, from the first to the last pakhwada in chronological order. For instance, if each pakhwada lasts a fortnight, and if the work lasted for two months, you will be dealing with four pakhwadadas. Within each pakhwada, keep the MRs in the original order, so that serial numbers follow in sequence across MRs.
5. Fill the general details at the top of the Verification Sheet (name of the worksite, village, Panchayat, etc.).
6. In the first panel (Columns 1a-1e), write the names and related details (village, sex, etc.) of all the labourers who have been employed at the worksite, as they appear in the MRs. For this purpose, start by listing all the labourers who worked in the first pakhwada, in the same order as in the MRs; then look at the second pakhwada and continue the list by adding any extra names (i.e. names of labourers who worked in the second pakhwada but not the first), again in the same order as in the MRs; and so on with the other pakhwadadas.
7. If any details in this panel (e.g. Job Card number) are not available in the MRs, leave that column blank.
8. Go back to the MRs for the first pakhwada and fill the “First Pakhwada” panel (Cols 2a-2c): “muster roll number”, “days of work” and “wages paid”, for each labourer who worked in that pakhwada. Note that “wages paid” refers to total wages (for that pakhwada), not daily wages. If daily wages are given in the MR, and not total wages, you can easily calculate total wages by multiplying “daily wages” by “days of work”. Don't forget to write the MR number in Col 2a: this will help you during the verification exercise, and may also be useful later on if you submit a formal complaint against fraud.
9. Do the same with the second pakhwada, third pakhwada, etc. until you have gone through all the MRs for this worksite. (If there are more than five pakhwadadas, you will need to use an extra copy of Page 1 of the Verification Sheet as a continuation sheet.)
10. Turn to Page 2 of the Verification Sheet. Copy the “worker's personal details”

---

<sup>4</sup> Pakhwada literally means a “fortnight”, and is the reference period for a particular muster roll. In many states, the pakhwada lasts two weeks, but in other states it may be one week, or ten days, or whatever. Make sure you are clear about the local practice in this respect before you start.

from Page 1. Then fill the “Total according to MRs” panel (Cols 4a and 4b) by “adding up” across muster rolls, using the information on Page 1.

11. Make sure that you have covered all the relevant entries in all the MRs, and double-check your calculations to avoid any mistake.

### **C. Labourers' Statement**

12. After the MRs have been consolidated, the actual verification starts. The main task is to find out from the labourers themselves how many days they have worked on this worksite, and how much they have been paid, and then compare this with the information on the MRs. This requires meeting each labourer on the list and recording his or her statement. It also involves cross-checking between labourers, to ensure that the information is reliable. Make sure that you are carrying all the MRs with you throughout this exercise.
13. You can start the verification in various ways: by visiting the worksite, by going to the homes of the labourers, or by conducting a public meeting – whatever turns out to be most reliable and effective from your experience in the field. Here again, “learning by doing” is the best approach.
14. Once you have traced a labourer whose name is on the MR, make sure to explain clearly which worksite you are referring to. This is vital to ensure that you are verifying information for the correct worksite, and not for some other worksite.
15. Fill the “Labourers' Statement” columns in the Verification Sheet (Cols 5a to 5d). Whenever necessary, probe and cross-check carefully before recording the statement. The “Labourers' Statement Worksheet” (Appendix 2) is available for this purpose. You may find it convenient to fill this worksheet before transferring the relevant entries to the Labourers' Statement on the Verification Sheet.
16. Compare the Labourers' Statement with the corresponding information in the MR (i.e. compare Cols 4a and 4b with 5a and 5b), and fill column 5c using the codes provided at the bottom of Page 2. There are three major discrepancies to watch:
  - a. **Fake name:** The person listed in the MR did not work at the relevant worksite during the relevant period at all. In such cases, try to note in the

"Remarks" column at the end any further details that may help to interpret this case (e.g. "fictitious name", "brother of the sarpanch", "lives in Dubai", "in hospital").

b. **Days of work:** The days of work recorded in the MR may be inflated. For instance, a labourer may state that she worked for 5 days while the MR says 10 days.

c. **Wages paid:** Labourers may have signed, knowingly or unknowingly, for a larger amount than they actually received.

17. If there is any discrepancy between the Labourers' Statement and the MRs, look for any evidence of "tampering" of the MRs. For instance, ask the labourer whether he/she signed the MR or used his/her thumbprint. If the labourer signs, but the MR has a thumbprint, that would be evidence of tampering. Similarly, if you find that the same thumbprint appears for several labourers on the MR, that would also indicate tampering. Note any evidence of tampering in the "Remarks" column at the end.
18. If the Labourers' Statement is missing for any reason, note the reason in column 5d, using the relevant Codes. (If the statement is not missing, enter code 6 - "not applicable".)

#### **D. Job Card Details**

19. Record the corresponding details from the labourer's Job Card (if available) in the "Job Card Information" columns (Cols 6a-6e). Make sure that you record information for the relevant worksite only. Compare with the MR (i.e. compare Cols 6c and 6d with 4a and 4b) and fill column 6e using the relevant codes.

#### **E. Remarks**

20. Use the last column for any further remarks, esp. information that may help to interpret the inconsistencies. For instance, if you are unable to trace one of the labourers, and his/her neighbours tells you that this person has been living in Dubai since the past 14 years (as we found in Valota Panchayat in Dungarpur, Rajasthan), note this in the last column.
21. At the bottom of the Verification Sheet, recapitulate carefully any evidence you may have found of fudging or tampering of the Muster Rolls. If you run out of

space, continue at the back of Page 2.

## **2. Other MR Verification Exercises**

### **2.1. Verification of a Single Completed Pakhwada**

Sometimes you may wish to verify a single completed pakhwada (or even a single MR), rather than all the MRs for a completed worksite. For instance, this may be useful if you want to make many “spot-checks” over a wide area, instead of focusing on one particular worksite. Or you may suspect fudging in a particular MR, and wish to verify it.

However, there are problems with verifying a single completed pakhwada, especially an “old” pakhwada. The main problem is that labourers who have worked on several pakhwadass at the same worksite may not be able to distinguish clearly between the different pakhwadass. They may get confused between different pakhwadass, and this can undermine the whole verification exercise, since “discrepancies” between the MR and the Labourers' Statement may reflect recall errors rather than any inaccuracy in the MR. If you are considering this type of verification, we suggest that you “test” the approach in the field before you proceed, to check whether it actually works.

The Verification Sheet can easily be adapted for the purpose of verifying a “single completed pakhwada”. The method is basically the same as with a “completed worksite”. It is simpler to the extent that there is no need for “consolidation” of muster rolls across pakhwadass. But it is more difficult to the extent that you have to ensure that labourers focus on the correct reference period when you record their statement.

### **2.2. Verification of Live Muster Rolls**

The term “live muster rolls” is used here to refer to the muster rolls currently being used at an active worksite. Live MRs are necessarily “incomplete”, e.g. details of wage payments are likely to be missing since wages are yet to be paid.

The main point of verifying live MRs is to check whether the names entered in the MRs are correct, and also whether the attendance details are accurate. A separate Verification Sheet (Appendix 3) has been prepared for this purpose.

This Verification Sheet refers to the “worksite records”. In principle, this means the

MRs, since the MRs are supposed to be available at the worksite. However, in practice the MRs are often kept away from the worksite, and a different document is used to record attendance at the worksite (e.g. a notebook, or an ordinary register, or a photocopy of the “real” MRs, or a so-called “kaccha muster roll”). The term “worksite records” refers to the MRs, if they are available at the worksite, and otherwise to whatever document is used as attendance register at the worksite.

In the case of live MRs, the whole Verification Sheet should be completed at the worksite. It is very important to ensure that your visit to the worksite is unannounced – literally a “surprise visit”. Even a 10-minute “warning” may give the supervisor (“mate”) a chance to fudge the attendance register if he or she wishes. The visit should take place during work hours, a time when the mate is supposed to have filled the attendance register, e.g. towards the end of the morning shift. After reaching the worksite, here is how to proceed:

1. As soon as you reach the worksite, ask for the "worksite records" (muster rolls if available, attendance register otherwise). Here again, avoid any delay, to minimise the risk that someone might tamper with the attendance records before giving them to you.
2. Fill the general details at the top of the Verification Sheet.
3. Note the names of all the labourers from the "worksite records", in the same order as they appear there.
4. Check each labourer's attendance status (for the morning of your visit) as per worksite records and fill column 3. Make sure you enter only one of the three possible codes ("P" for present, "A" for absent or "B" for blanks).
5. Check whether the attendance status as per the worksite records is correct. You can do this by means of a "roll call" at the worksite. Here there are five possible codes: "P" for present, "A" for absent for the day, "T" for temporarily absent, "F" for fake name, and "O" for other. Make sure you enter only one of the five codes. If you select "other", specify what that means exactly in column 5.
6. If the muster rolls are not available at the worksite, hunt them down and match the muster rolls with the worksite records as instructed in the "Consistency Sheet" (Appendix 4).

### **2.3. Verification of All Worksites in a Panchayat**

The most reliable approach is to verify all the MRs for all the completed worksites in a Panchayat (for a particular period, e.g. the previous 6 months). Verifying all the MRs together, rather than individual worksites, gives more scope for cross-checking. For instance, suppose that a labourer's name has been simultaneously entered in the muster rolls at two different worksites, for the same pakhwada. If all the MRs are verified together, this irregularity is bound to come up right at the beginning, at the stage of “MR consolidation” (see Section 1.B). But if you verify only one of the two worksites, you will discover this only if you focus on the “rogue” worksite (the worksite where this person's name was entered even though he or she was working elsewhere), and if you avoid any confusion between the two worksites when you record the Labourers' Statement.

Full-fledged guidelines for the verification of all worksites in a Panchayat are beyond the scope of this manual. One way to go about it is to replace the term “pakhwada” with “worksite” in the column titles on Page 1 of the Verification Sheet for completed worksites (Appendix 1), and also in the Labourers' Statement Worksheet (Appendix 2). In that case, the MRs would have to be “consolidated” worksite-wise first, before filling Page 1 of the Verification Sheet. We leave the details to your imagination.

***Har Haath Ko Kaam Do  
Kaam Ka Pura Daam Do***

## **List of Appendices**

### **PART A : VERIFICATION SHEETS**

A 1: Verification Sheet for Completed Worksite

A 2: Labourers' Statement Worksheet

A 3: Verification Sheet for Live Muster Rolls

A 4: Consistency Sheet

A 5: Example of a filled-in Questionnaire

### **PART B: FURTHER TRAINING MATERIAL**

B 1: NREGA: A Summary

B 2: Transparency provisions in the NREGA

B 3: Social Audit Checklist

Note: The Verification Sheets printed in this booklet are "reduced" to size A4. However, much larger sheets (with adequate space to record the relevant details) are required for effective work. You can produce larger Verification Sheets either by retyping them on larger pages, or by downloading and printing the A3 version of these sample sheets, which is available (in English and Hindi) at [www.righttofoodindia.org](http://www.righttofoodindia.org)











**MUSTER ROLL VERIFICATION SHEET: "LIVE" MUSTER ROLLS**

**LIVE MUSTER ROLL CONSISTENCY SHEET**

Name of Panchayat: \_\_\_\_\_ Name of Village: \_\_\_\_\_

Name of worksite: \_\_\_\_\_

Muster roll number(s): \_\_\_\_\_

Reference period ("pakhwada"): \_\_\_\_\_/\_\_\_\_\_/08 to \_\_\_\_\_/\_\_\_\_\_/08

**Investigator:** If the "pacca" Muster Rolls are not available at the worksite, please hunt for them. Compare the information on the "pacca" Muster Rolls with the "worksite records" (kachha muster rolls) used in the Verification Sheet, and fill the table below carefully:

<b>Number of laborers listed:</b>					
<b>In the "worksite records"</b>			<b>In the pacca MRs</b>		
Also in pacca MR	Not in pacca MR	Total	Also in kachha MR	Not in kachha MR	Total

Make sure that the entries in columns (1) and (4) and that the sub-totals add up to the totals (e.g., columns (1) and (2) add up to column (3)).

**The below Muster Roll was used during the NREGA Survey (October, 2006) conducted by secretariat of the  
'Right to Food Campaign'. It is meant to clarify**

**MUSTER ROLL VERIFICATION SHEET: "COMPLETED" MUSTER ROLL Pg 2**

Name of Panchayat(s): Amhar khas

Name of Village: Amhar khas

Description of Work : water tower construction in plot no.772

Name of Worksite: water tower construction in plot no.772

Muster Roll Number(s): 3

Reference period ("pakhwada"):

12/05/06 to 01/06/06

Number of labourers employed: 15

Budget: 2,60,000

Name of Investigator(s): Praveen, Jean and others

1. Muster Roll Information							2. Labourers' statement (for the same period)				3. Job card information (for same period), if available				4. Remarks
(a) S. No.	(b) Full name (e.g., Ramesh s/o Ganesh, or Gita w/o Premchand)	(c) Job card No.	(b) Village	(e) Sex (M/F)	(f) Day of work	(g) Wages paid (Rs.)	(a) Days of Work	(b) Wages paid (Rs.)	(c) Is this consistent with the MR?*	(d) Reason why statement is missing (if ap- plicable)**	(a) Job card No.	(b) Days of work	(c) Wages paid (Rs.)	(d) Is this consistent with the MR?*	(in particular, please note any information that may help to interpret the inconsistencies, if any)
1.	Laganram s/onageswar ram	119	Amhar Khas	M	18	1324	3	180	2	6	119	18	This coloumn doesn't figure in j. card	1	
2.	Virendar ram chandravanshi s/o balram chandravanshi	241	Amhar Khas	M	18	1324	3	180	2	6	241	18		1	Fake signature used in m.r, wrong information entered in job card
3.	Bailash biyaar s/o lochan biyaar	74	Amhar Khas	M	18	1324	0	0	2	6	74	18		1	
4.	Surender biyaar s/o bailash biyaar	74	Amhar Khas	M	18	1324	3	150	2	6	74	18		1	
5.	Ganesh biyaar s/o lochan biyaar	14	Amhar Khas	M	18	1324	3	150	2	6	14	18		1	
6.	Sanjay ram chandravanshi s/o chandrika ram	101	Amhar Khas	M	12	876	-	-	4	2	-	-		-	These are the "abhikarta" n "sachiv" as provided in the act. But they are "thekedars" here who did not work, as testified by the labourers

7.	Anand ram chandravanshi s/o chandrika ram	101	Amhar Khas	M	12	876	-	-	4	2	-	-	-	-
8.	Virender ram chandravanshi s/o chandrika ram	101	Amhar Khas	M	12	876	-	-	4	2	-	-	-	-
9.	Rabinder ram s/o dularachan ram	99	Amhar Khas	M	12	876	0	0	2	1	99	12	1	
10.	Rajan chandravanshi s/o lagan ram	13	Amhar Khas	M	12	876	4	150	2	6	13	12	1	
11.	Umesh Mehta s/o sudarshan Mehta	55	Amhar Khas	M	12	876	-	-	4	2	-	-	-	
12.	Kanai ram chandravanshi s/o ramchander ram	123	Amhar Khas	M	12	876		-	4	2	-	-	-	
13.	Sanjay kr. chandravanshi s/o harai ram	15	Amhar Khas	M	12	876	3	150	2	6	15	12	1	He put thumbprint, but take signature entered in M.R
14.	Upender kr. chandravanshi s/o balram chandravanshi	241	Amhar Khas	M	12	876	0	0	2	1	-	-	-	He is 12 year old, studies in school, brother of virender(s.no.2)
15.	Vinod kr. chandravanshi s/o ramchander ram	123	Amhar Khas	M	12	876	3	150	2	6	123	12	1	

\* 1 = Yes. 2 = No. 3 = Not sure. 4 = Not applicable (e.g. labourer's statement is missing).

\*\* 1 = Fake name (this person does not exist or he/she did not work on the worksite). 2 = The person exists, but he/she could not be found, and it is not clear whether he/she actually worked on this worksite. 3 = The person exists, but he/she could not be found, though it was ascertained from third parties that he/she did work on this worksite. 4 = The person could be found, but it was not clear whether he/she actually worked at this worksite. 5 = The person could be found, and he/she confirmed that he/she had worked at this worksite, but he/she was unable to give further details. 6 = Not applicable (labourer's statement was recorded).

**Investigator:** If you found any evidence of fudging or tampering of the Muster Rolls, please describe in detail in the space below (continue overleaf if necessary).

## **National Rural Employment Guarantee Act: A Summary**

*The National Rural Employment Guarantee Act 2005 is a law whereby any adult who is willing to do unskilled manual work at the minimum wage is entitled to being employed on public works within 15 days of applying. If work is not provided within 15 days, he/she is entitled to an unemployment allowance. The key features of the Act are spelt out below.*

### **DETAILS OF THE GUARANTEE**

1. **Eligibility:** Any person who is above the age of 18 and resides in rural areas is entitled to apply for work.
2. **Entitlement:** Any applicant is entitled to work within 15 days, for as many days as he/she has applied, subject to a limit of 100 days per household per year.
3. **Distance:** Work is to be provided within a radius of 5 kilometres of the applicant's residence if possible, and in any case within the Block. If work is provided beyond 5 kilometres, travel allowances have to be paid.
4. **Wages:** Workers are entitled to the statutory minimum wage applicable to agricultural labourers in the state, unless and until the Central Government “notifies” a different wage rate. If the Central Government notifies, the wage rate is subject to a minimum of Rs 60/day.
5. **Timely payment:** Workers are to be paid weekly, or in any case not later than a fortnight. Payment of wages is to be made directly to the person concerned in the presence of independent persons of the community on pre-announced dates.
6. **Unemployment allowance:** If work is not provided within 15 days, applicants are entitled to an unemployment allowance: one third of the wage rate for the first thirty days, and one half thereafter.
7. **Worksite facilities:** Labourers are entitled to various facilities at the worksite such as clean drinking water, shade for periods of rest, emergency health care, and child-minding.

## EMPLOYMENT GUARANTEE SCHEME

- 1. Employment Guarantee Scheme:** Each state government has to put in place a Rural Employment Guarantee Scheme (REGS) within six months of the Act coming into force.
- 2. Permissible works:** A list of permissible works is given in Schedule I of the Act. These are concerned mainly with water conservation, minor irrigation, land development, rural roads, etc. However, the Schedule also allows “any other work which may be notified by the Central Government in consultation with the State Government”.
- 3. Programme Officer:** The Rural Employment Guarantee Scheme is to be coordinated at the Block level by a “Programme Officer”. However, the Act allows any of his/her responsibilities to be delegated to the Gram Panchayats.
- 4. Implementing agencies:** REGS works are to be executed by “implementing agencies”. These include, first and foremost, the Gram Panchayats (they are supposed to implement half of the REGS works), but implementing agencies may also include other Panchayati Raj Institutions, line departments such as the Public Works Department or Forest Department, and NGOs.
- 5. Contractors:** Private contractors are banned.
- 6. Decentralised planning:** A shelf of projects is to be maintained by the Programme Officer, based on proposals from the implementing agencies. Each Gram Panchayat is also supposed to prepare a shelf of works based on the recommendations of the Gram Sabha.
- 7. Transparency and accountability:** The Act includes various provisions for transparency and accountability, such as regular social audits by the Gram Sabhas, mandatory disclosure of muster rolls, public accessibility of all REGS documents, regular updating of job cards, etc.

## OTHER PROVISIONS

- 1. Participation of women:** Priority is to be given to women in the allocation of work, “in such a way that at least one-third of the beneficiaries shall be women”.
- 2. Penalties:** The Act states that “whoever contravenes the provisions of this Act shall on conviction be liable to a fine which may extend to one thousand rupees”.
- 3. State Council:** The implementation of the Act is to be monitored by a “State Employment Guarantee Council”.
- 4. Cost sharing:** The Central Government has to pay for labour costs and 75% of the material costs. State governments have to pay the unemployment allowance and 25% of the material costs.
- 5. Time frame:** The Act came into force in 200 districts on 2 February 2006, and is to be extended to the whole of rural India within five years of its enactment.

*For further details, see [www.righttofoodindia.org](http://www.righttofoodindia.org), send a line to [rozgar@gmail.com](mailto:rozgar@gmail.com), or write to the secretariat of the “Right to Food Campaign”, 5A, Jungi House Shahpur Jat, New Delhi 110 049. (Tel 011-2649 9563 or 098913 99565, e-mail: [righttofood@gmail.com](mailto:righttofood@gmail.com)). The full text of the Act is also available at [www.nrega.nic.in](http://www.nrega.nic.in), along with the Operational Guidelines and related material.*

## TRANSPARENCY PROVISIONS IN THE EMPLOYMENT GUARANTEE ACT\*

The National Rural Employment Guarantee Act (NREGA) includes various provisions for transparency and accountability. For instance, job cards are to be issued to all labourers; wages are to be paid “directly to the person concerned and in presence of independent persons of the community on pre-announced dates”; muster rolls and other relevant documents are to be made available for

public scrutiny; and so on. Also, regular “social audits” of all REGS works are to be conducted by the Gram Sabhas.

Further transparency provisions have been included in the Operational Guidelines issued by the Ministry of Rural Development in January 2006. Some of these transparency provisions are given in Box 1, but this is only a partial and illustrative list. For further details, see Chapters 10 and 11 of the Operational Guidelines.

Note also that the Employment Guarantee Act goes hand in hand with the Right to Information Act 2005. The right to information is an important tool for fighting corruption and is essential for the success of the Employment Guarantee Act. The Operational Guidelines state in no uncertain terms that the Right to Information Act “should be followed both in letter and in spirit in all matters relating to NREGA” (p. 41). Some specific implications of this statement are given in Box 1.

The Right to Information Act is very strong, and gives legal backing to the transparency provisions included in the Operational Guidelines. For instance, the Right to Information Act contains extensive provisions for “mandatory disclosure” of public documents (i.e. making these documents available in convenient form for public scrutiny without waiting for anyone to ask for them). It also calls for stiff penalties against officers who fail to supply information as prescribed, or fail to accept requests for information.

The Right to Information Act empowers you not only to access documents but also to take samples of materials and to inspect works and files. It also has a provision such that if information is wrongfully delayed or denied to a citizen, the concerned public authority can be required “to compensate the complainant for any loss or other detriment suffered”. Further, this Act overrides the provisions of all other acts, if there is a conflict. Thus, the Right to Information Act powerfully supplements the transparency provisions of the NREGA 2005 and its Operational Guidelines. Skilful use of the Right to Information Act is an essential tool of effective implementation of the Employment Guarantee Act.

---

\* Extract from Employment Guarantee Act: A Primer (published by the National Book Trust and also available at [www.righttofoodindia.org](http://www.righttofoodindia.org), or from the secretariat of the Right to Food Campaign, [righttofood@gmail.com](mailto:righttofood@gmail.com)). The Operational Guidelines of the Employment Guarantee Act are available at [www.nrega.nic.in](http://www.nrega.nic.in).

**BOX 1:**  
**Transparency Provisions in the NREGA Guidelines**

The Operational Guidelines (OG) of NREGA, issued by the Ministry of Rural Development in January 2006, include detailed provisions for transparency and accountability. To illustrate, according to the Guidelines:

- The process of registration should be carried out in public, with facilities for people to verify their own details, or those of others (OG, p. 48).
- The list of registered households is to be displayed at the Gram Panchayat office and updated every three months (OG, p. 49).
- The basic entitlements of REGS labourers should be printed at the back of each job card (OG, p. 49).
- Every work sanctioned under REGS should have a local Vigilance and Monitoring Committee (OG, p. 44).
- Details of work should be displayed on a board at every worksite, in a reader-friendly manner (OG, pp. 51-52).
- Wage payments are to be made in a public place on fixed days (OG, p. 52).
- Social audits of all REGS works are to be held by the Gram Sabhas (OG, p. 46).

The Guidelines also emphasise that the Right to Information Act should be “followed both in letter and in spirit in all matters relating to NREGA” (p. 41). In particular:

- “Requests for copies of REGS-related documents submitted under NREGA should be complied with within seven days. No request should be refused under any circumstances... All NREGA-related information is in the public domain.” (p. 41)
- “Fees charged for copies of NREGA-related documents should not exceed

## SOCIAL AUDIT CHECKLIST

In the 'Social Audit Checklist' below (copied from the NREGA Operational Guidelines), the NREGA implementation process is broken into 11 successive steps. It lists the 'vulnerabilities' at each step ( i.e. possible violations of the Guidelines that need to be watched), and also what can be done at each step to ensure transparency and accountability.

### CHART 1

Stage	Vulnerabilities	Steps to Ensure Transparency and Social Audit
<p><b>1. Registration of families</b> whose members are potential REGS workers</p> <p>[Responsibility: Gram Sewak/Gram Panchayat Secretary]</p>	<ol style="list-style-type: none"> <li>1. Absence of the concerned functionary</li> <li>2. Denial of registration to eligible applicants</li> <li>3. Incomplete list of adults in each household</li> <li>4. Registration of bogus families/individuals</li> <li>5. Rejection of 'incomplete' registration forms</li> <li>6. Asking for money for registering names/families</li> </ol>	<ol style="list-style-type: none"> <li>1. The process of registration shall be transparent. It should be carried out publicly, with facilities for people to verify their own details, or those of others.</li> <li>2. Initial registration shall be carried out at a special Gram Sabha convened for the purpose.</li> <li>3. A prior survey shall be conducted by the Gram Panchayat to enumerate all the families and their adult members who are eligible to register. This should become a basis for ensuring that all persons who are eligible and wish to be included in the scheme are accounted for.</li> <li>4. This enumeration will also help in preventing the registration of fictitious/ineligible names, but should not be used to exclude eligible persons who might not have been listed.</li> <li>5. Subsequent to the initial registration, there shall be a public reading at the Gram Sabha of: <ul style="list-style-type: none"> <li>• all registered households</li> <li>• registered adults in each registered household.</li> </ul> </li> <li>6. A form, with a tear-away receipt at the bottom, will be used for</li> </ol>

		<p>registration, and the receipt will be given to the registered person/family.</p> <ol style="list-style-type: none"> <li>7. If a form is incomplete in any way, it will be the responsibility of the concerned functionary to have it completed there and then.</li> <li>8. The final list of registered families/adults will be verified, and complaints of exclusion settled.</li> <li>9. No case of denial of registration can take place without giving the concerned household members an opportunity to be heard. All cases of refusal to register will be brought before the Gram Sabha.</li> <li>10. The final list will be put up for public display at the Gram Panchayat office and updated every three months.</li> <li>11. Subsequent to the initial registration, the process of registration will remain perpetually open at the Gram Panchayat.</li> </ol>
<p><b>2. Distribution of job cards</b></p> <p>[Responsibility: Gram Sewak/Gram Panchayat Secretary]</p>	<ol style="list-style-type: none"> <li>1. Delay in receiving job cards</li> <li>2. Issuance of false job cards</li> <li>3. Issuance of job cards to ineligible persons: <ol style="list-style-type: none"> <li>a. To non-residents;</li> <li>b. To minors;</li> <li>c. To those not members of the listed family.</li> </ol> </li> <li>4. Non-issuance of job cards</li> <li>5. Asking for money for issuing job cards</li> </ol>	<ol style="list-style-type: none"> <li>1. There shall be an (enforceable) 15-day time limit for the supply of job cards, from the date of registration.</li> <li>2. The list of job card holders must be updated every month, and be available for inspection at the Gram Panchayat office.</li> <li>3. A file containing photocopies of all job cards issued shall be open for inspection at the Gram Panchayat office.</li> <li>4. The job card should state the fact that there is no charge for it. The job card should also list the basic entitlements (including the minimum wage rate) under NREGA on one of its sides.</li> </ol>

<p><b>3. Receipt of work application</b></p> <p>[Responsibility: Sarpanch]</p>	<ol style="list-style-type: none"> <li>1. Non-acceptance of work application by the relevant authorities</li> <li>2. Wrong date or no date recorded on the work application</li> <li>3. Rejection of 'incomplete' forms</li> <li>4. Oral application or request for work being made an excuse for denial of work on time</li> </ol>	<ol style="list-style-type: none"> <li>1. Individuals may send their applications for work by post or deliver it by hand.</li> <li>2. They will have the right to an immediate, written, signed and dated receipt.</li> <li>3. A date-wise list that is updated weekly shall be displayed at the Gram Panchayat office, along with a register detailing the applications received.</li> <li>4. If an application is incomplete in any way, it will be the responsibility of the concerned functionary to have it completed. An application should not be rejected just because it is incomplete.</li> <li>5. There should be simple pre-formatted forms available, so that anyone who wants to make an oral application can have the form immediately filled for him/her by the Gram Panchayat officials and get a receipt.</li> </ol>
<p><b>4. Selection of the public work to be taken up in a particular Gram Panchayat</b></p> <p>[Responsibility: Sarpanch]</p>	<ol style="list-style-type: none"> <li>1. Selection of a low-priority or inappropriate work</li> <li>2. Selection of work that serves a vested interest</li> <li>3. Lack of public support/ cooperation for that work</li> <li>4. Poor selection of a worksite</li> </ol>	<ol style="list-style-type: none"> <li>1. The shelf of projects/works to be taken up should be determined by the Gram Sabha.</li> <li>2. The shelf of projects/works should also be assessed for relevance and priority by the Gram Sabha.</li> <li>3. A list of the finally selected projects and works, in their order of priority, should be publicly displayed at the <i>Gram Panchayat</i> office</li> </ol>

<p><b>5. Development and approval of technical estimates and issuance of work order</b></p> <p>[Responsibility: Junior Engineer/ Sarpanch]</p>	<ol style="list-style-type: none"> <li>1. Exaggerated or inaccurate technical estimate</li> <li>2. Inclusion in estimate of unnecessary expenditure</li> <li>3. Excessive rates and material</li> <li>4. Unclear work order that does not make the details of the work clear, or leaves scope for misinterpretation</li> </ol>	<ol style="list-style-type: none"> <li>1. A technical estimate must be carried out with the involvement of the local people.</li> <li>2. The technical estimate must be put to the Gram Sabha for approval.</li> <li>3. The format for the technical estimate must be simple and easily understood by the people.</li> <li>4. Similarly, a people-friendly format must be used for the sanction and work order. This format must be put on public display, so that people can access this information and understand the details of the work.</li> </ol>
<p><b>6. Allotment of work</b></p> <p>[Responsibility: Sarpanch]</p>	<ol style="list-style-type: none"> <li>1. Giving out-of-turn allotments</li> <li>2. Favouring or discriminating against people in allotting type/location of work</li> <li>3. Not respecting the gender quota</li> <li>4. Not informing the applicant and then marking him/her as absent</li> <li>5. Demanding money for allotting work</li> </ol>	<ol style="list-style-type: none"> <li>1. Maintain a work allocation register for public scrutiny at the Gram Panchayat office.</li> <li>2. Ensure that the public is informed through notice boards and through other measures (like drum beating) every time a new batch of work is allotted. The date up to which work has been allocated should also be made public every time work is allocated.</li> <li>3. Fix a specific day (typically Sunday or the weekly haat day) and a specific time and place (typically at the Gram Panchayat office) to provide information about REGS.</li> <li>4. On that day, ensure that the public is informed of the work allotted or ready to be allotted, along with the names of allottees, their date of application, location and type of work, and other relevant information.</li> </ol>

<p><b>7. Implementation and supervision of work</b></p> <p>[Responsibility: Gram Sewak]</p>	<ol style="list-style-type: none"> <li>1. Recording of non-existent (ghost) workers</li> <li>2. Recording of fictitious (ghost) works</li> <li>3. Work not conforming to work specifications or prescribed standards</li> <li>4. Supply of less than sanctioned/poor quality materials and tools</li> </ol>	<ol style="list-style-type: none"> <li>1. An open 'project meeting' with all potential workers and open to people from the Gram Panchayat should be held to explain the work plans, and their details and work requirements before the work commences. The vigilance committee members should be selected or announced at this meeting.</li> <li>2. At these meetings, for each of the types of work allotted, the wage norms must be explained to the people and put up on the notice board. The questions that must be answered include: <ol style="list-style-type: none"> <li>a. What is the wage?</li> <li>b. What is the wage norm (what constitutes a full day's work)?</li> <li>c. The public must also be told that there will be individual measurements of each person's work, unless a group collectively decides to have joint measurements.</li> </ol> </li> <li>3. A board with details of work—estimates and running costs, material, labour and funds—must be put up at every site, and updated regularly. The format must be user friendly.</li> <li>4. The public must be able to access muster rolls on demand.</li> <li>5. Every week, five randomly selected workers must verify and certify all the bills/vouchers of their worksite.</li> <li>6. A copy of the sanction/work order must be available for public inspection at the worksite.</li> <li>7. There should also be provisions for access to samples of works, to be taken as per the procedure developed for the Right to Information Act, 2005.</li> <li>8. A daily materials register must be kept, and verified by five randomly selected workers every day.</li> <li>9. The daily/individual measurement records for each work and worker must be available for public inspection.</li> <li>10. The vigilance committee should check the work as per a checklist prepared for them, and their evaluation report should be prepared before every biannual Social Audit Manch as described in the text.</li> </ol>
---	---	--

<p><b>8. Payment of wages</b></p> <p>[Responsibility: Independent Functionary]</p>	<ol style="list-style-type: none"> <li>1. Non-payment of wages</li> <li>2. Late payment of wages</li> <li>3. Underpayment of wages</li> <li>4. Payment of wages to the wrong person</li> <li>5. Payment of wages in the name of non-existent (ghost) workers</li> <li>6. Payment of wages for non-existent projects</li> <li>7. Failure to pay minimum wages</li> </ol>	<ol style="list-style-type: none"> <li>1. Payments should be made in a public place on fixed days to ensure that there is no ambiguity regarding payments.</li> <li>2. All recipients and amounts of payment must be read aloud to ensure that the illiterate are not cheated, and also to check ghost payments.</li> <li>3. A list detailing all payments to be made must be put up in a public and easily accessible place prior to the reading aloud of the list.</li> <li>4. Provisions may be made to facilitate payments through the post office and other financial institutions.</li> <li>5. Payments should be made, as far as possible, by an agency independent of the Implementing Agency.</li> <li>6. Disclosure of piece-rate measurement should be made individually, and not en masse, so as to provide each worker with his/her exact due. This will prevent division of the wage earned by ghost workers, etc.</li> </ol>
<p><b>9. Payment of unemployment allowance</b></p> <p>[Responsibility: Project Officer/Gram Sewak]</p>	<ol style="list-style-type: none"> <li>1. Denial of unemployment allowance by wrongly accusing a person of not reporting for work</li> <li>2. Late payment of unemployment allowance</li> <li>3. Payment of unemployment allowance to the wrong person</li> <li>4. Payment of unemployment allowance to non-existent (ghost) persons</li> <li>5. Demand of bribe for paying allowance</li> </ol>	<ol style="list-style-type: none"> <li>1. A weekly public announcement of work allocation should be made, and work allocation orders must be displayed publicly (see Point 6 above).</li> <li>2. Payments should be made in a public place on fixed days to ensure that there is no ambiguity regarding payments.</li> <li>3. All recipients and amounts of payment must be read aloud to ensure that the illiterate are not cheated, and also to check ghost payments.</li> <li>4. A list detailing all payments to be made must be put up in a public and easily accessible place prior to the reading aloud of the list.</li> <li>5. Provisions may be made to facilitate payments through the post office and other financial institutions.</li> <li>6. The Gram Panchayat should automatically generate each week, in advance of the weekly meeting, a list of individuals eligible for receiving the unemployment allowance.</li> </ol>

<p><b>10. Evaluation of completed work</b></p> <p>[Responsibility: Gram Sewak/EG Officer]</p>	<ol style="list-style-type: none"> <li>1. Taking and/or recording of improper measurements</li> <li>2. Not consolidating the information regarding the works in one place</li> <li>3. Issuing of false Completion Certificates</li> <li>4. Works not conforming to specifications/ standards</li> <li>5. Data recorded in a confusing or incomprehensible manner</li> </ol>	<ol style="list-style-type: none"> <li>1. Verification of works, for conformity with the work order in terms of specifications and quality, must be carried out at an open 'project meeting' with all REGS workers who worked on that site, and open to all the people of the Gram Panchayat.</li> <li>2. Completion data must be made public in a people-friendly format at this meeting. No Completion Certificate should be issued unless this open 'project meeting' has taken place and its observations have been taken into consideration.</li> <li>3. An assessment of relevance of the work, along with appropriateness, must be carried out during this meeting as well as at the Social Audit Manch of the Gram Sabha.</li> <li>4. Regular reports must feed into an audit and grievance- redressal mechanism, and form part of the Block/District annual report.</li> <li>5. Comprehensive public hearings relating to works and individual entitlements must be held biannually at the Gram Sabha level for all works completed in that period.</li> </ol>
<p><b>11. Mandatory biannual social audit meetings in the Gram Sabha ('Social Audit Manch')</b></p>	<ol style="list-style-type: none"> <li>1. Information not being made available because of a failure to carry out the transparency requirements as specified in the Guidelines and in the points mentioned above</li> <li>2. Failure to obtain entitlements due and failure to enforce</li> </ol>	<ol style="list-style-type: none"> <li>1. Comprehensive public hearings to be called Social Audit Manchs relating to works and individual entitlements must be held biannually at the Gram Sabha level for all works done in the preceding period. The details of the requirements for this public hearing are given in the text.</li> </ol>

	<p>accountability of officials; inability to get clarifications or answers to queries with regard to the Scheme</p> <ol style="list-style-type: none"><li>3. Various aspects of the programme carried out without the people's involvement</li><li>4. Failure of the grievance- redressal mechanisms</li><li>5. Lack of opportunity for individuals and the Gram Sabha as a collective to review the functioning of all aspects of the programme.</li></ol>	
--	---	--

Published by : The Right to Food Campaign, Secretariat  
5 A, Jungi House, Shahpur Jat,  
New Delhi - 110049  
Phone Number : 011 - 2649 9563  
E-mail Address : [righttofood@gmail.com](mailto:righttofood@gmail.com)  
Website : [www.righttofoodindia.org](http://www.righttofoodindia.org)